

SB

69

<TARGET><BILL>SB 69</BILL><SUBJECT>SB
69</SUBJECT><COMM>SFIN29</COMM></TARGET>

SENATE FINANCE COMMITTEE REPORT

DATE: 2/10/16

FURTHER:

DATE TURNED
IN TO OFFICE: _____

Finance Committee considered SENATE BILL NO. 69

SB 69-BD OF CHIROPRACTIC EXAMINERS; PRACTICE

"An Act relating to the Board of Chiropractic Examiners and the practice of chiropractic."

and recommends:

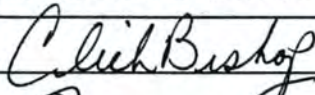
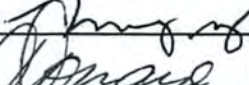

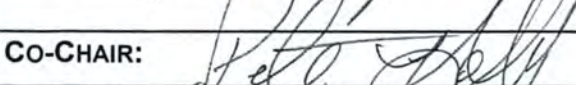
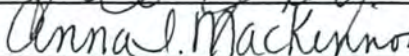

- be replaced with CS SB 69 (FIN) Same Title New Title
- adopt previous CS _____ (_____) Same Title New Title
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
EED	MVA
DEC	DNR
DFG	DPS
GOV	REV
DHS	DOT
AJS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
CED	X			

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Bishop			✓	
	Dushenay	✓			
	Brown			✓	
	Hoffman	✓			
CO-CHAIR: 	Kelly			✓	
CO-CHAIR: 	Mackinnon	✓			

ALASKA STATE LEGISLATURE

Chair:
Senate State Affairs Committee

Member:
Resources Committee
Health & Social Services Committee
Finance Subcommittees on:
Department of Fish and Game
Department of Administration
Department of Public Safety



BILL STOLTZE
STATE SENATOR
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Sponsor Statement for CS for Senate Bill 69 (L&C)

By Senator Bill Stoltze

“An Act relating to the Board of Chiropractic Examiners and the practice of chiropractic.”

Healthcare and wellness have developed and progressed over the years, and patient preferences have changed along with them. In some cases, state laws have not kept up with this progress. Senate Bill 69 endeavors to update and clarify the statutes guiding chiropractic care in Alaska.

SB 69 addresses training and utilization of chiropractic clinical assistants and interns; strengthens current law allowing chiropractors to perform school physicals; revises penalties for fraudulent practices; and updates definitions and modernizes terminology.

SB 69 makes timely changes to our statutes guiding chiropractic care, resulting in chiropractic physicians being able to treat patients more efficiently and affordably.

DISTRICT F

BUTTE • CHUGIAK • EKLUTNA • FAIRVIEW LOOP • GREATER PALMER
KNIK RIVER ROAD • LAZY MOUNTAIN • GATEWAY • PETERS CREEK

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BILL STOLTZE
STATE SENATOR
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Sectional Analysis for CS for Senate Bill 69 (L&C) ver. E *By Senator Bill Stoltze*

“An Act relating to the Board of Chiropractic Examiners and the practice of chiropractic.”

Section 1: Amends AS 08.20.055 by adding new language that allows the board to adopt regulations for the following:

- Training and scope of practice of chiropractic interns and chiropractic preceptors;
- Designation of a nationally recognized certification program for chiropractic clinical assistants;
- Performance of patient examinations.

Section 2: Amends AS 08.20.100(b) clarifying how chiropractors can accept referrals, authorizes chiropractors to perform school physicals, and allows the employment of certified chiropractic clinical assistants, chiropractic interns, and chiropractic preceptors.

Section 3: Amends AS 08.20.100 by adding a new subsection (d) that exempts chiropractic interns from this section.

Section 4: Amends AS 08.20.160 regarding the requirements for temporary permits.

Section 5: Amends AS 08.20 by adding a new section (AS 08.20.168) regarding chiropractic clinical assistants.

Section 6: Amends 08.20.185 by changing name of “peer review committee” to “utilization review committee” to better reflect the purpose of the committee. Also, the change is intended to assist in determining what complaints warrant a referral to investigative staff.

Section 7: Amends AS 08.20.200 by updating penalties for unlicensed practice.

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Section 8: Amends AS 08.20.210 by updating penalties for fraudulent licenses and certificates.

Section 9: Amends definition of "chiropractic examination" located in AS 08.20.900(7).

Section 10: Amends AS 08.20.900 by adding new definitions for "chiropractic clinical assistant," "chiropractic intern," and "chiropractic preceptor."

ALASKA STATE LEGISLATURE

Chair:
Senate State Affairs Committee

Member:
Resources Committee
Health & Social Services Committee
Finance Subcommittees on:
Department of Fish and Game
Department of Administration
Department of Public Safety



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Explanation of Changes for CS for Senate Bill 69 (L&C) *By Senator Bill Stoltze*

“An Act relating to the Board of Chiropractic Examiners and the practice of chiropractic.”

Changes from Version A to Version E

- Section 1, page 1, lines 11 – 14: allows the Board of Chiropractic to designate a nationally recognized certification program for chiropractic clinical assistants.
- Section 2, page 2, line 12: reinstates provision requiring chiropractors to perform physical examinations “within the scope of practice.”
- Section 2, page 2, lines 24 – 26: clarifies chiropractic clinical assistants, interns, and preceptors to be nationally certified.
- Section 5, page 3, line 5: amends by adding national certification requirement for chiropractic clinical assistants.

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version: SB 69
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB069CS(FIN)-DCCED-CBPL-04-06-16
Title: BD OF CHIROPRACTIC EXAMINERS; PRACTICE
Sponsor: STOLTZE
Requester: (S) Finance

Department: Department of Commerce, Community and
Economic Development
Appropriation: Corporations, Business and Professional
Licensing
Allocation: Corporations, Business and Professional
Licensing
OMB Component Number: 2360

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017 Appropriation Requested	Included in Governor's FY2017 Request	Out-Year Cost Estimates					
			FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services	2.5							
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	2.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

1156 Rcpt Svcs	2.5							
Total	2.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues	2.5							
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Estimated SUPPLEMENTAL (FY2016) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **Yes**
If yes, by what date are the regulations to be adopted, amended or repealed? **07/01/17**

Why this fiscal note differs from previous version:

Updated to reflect change in expenditures based on current committee substitute, updated analysis.

Prepared By: <u>Janey Hovenden, Division Director</u>	Phone: <u>(907)465-2536</u>
Division: <u>Corporations, Business and Professional Licensing</u>	Date: <u>04/06/2016 11:30 AM</u>
Approved By: <u>Catherine Reardon, Director</u>	Date: <u>04/06/16</u>
Agency: <u>Division of Administrative Services</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

BILL NO. CSSB69(FIN)

Analysis

CSSB69(FIN) amends the statutes pertaining to the practice of chiropractic in the state, adding chiropractic interns, chiropractic preceptors, and chiropractic assistants. The bill also adds to the scope of practice of chiropractors the performance of physical examinations for school and sports programs. It increases the penalty for unlicensed practice and use of fraudulent licenses and certificates to Class A misdemeanors.

This bill allows chiropractors to employ nationally certified chiropractic assistants, chiropractic interns, and chiropractic preceptors.

The bill expands the ability of chiropractic physicians to perform school and pre-performance sports physicals, increasing that activity from chiropractic examinations.

A significant increase in the penalty for unlicensed practice and the use or attempt to obtain a fraudulent license is included in this bill. The penalties go up, from \$1000 and \$500, respectively, to \$10,000.

Regulations are required so that the department may set fees under AS 08.01.065.

If the bill passes the following expenses will be incurred:

Services: \$2.5 (one-time legal cost to amend regulations, printing, and postage)

Professional licensing programs at CBPL are funded by Receipt Supported Services fund source 1156 Rcpt Svcs (DGF). Licensing fees for each program are set per AS 08.01.065 so the revenue collected approximately equals the occupation's regulatory costs.

CS FOR SENATE BILL NO. 69(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): SENATOR STOLTZE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the Board of Chiropractic Examiners and the practice of**
2 **chiropractic."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 08.20.055 is amended to read:

5 **Sec. 08.20.055. Board regulations.** The board shall adopt [SUBSTANTIVE]
6 regulations necessary to effect the provisions of this chapter, including regulations
7 establishing standards for

8 (1) continuing education; [AND]

9 (2) the application, performance, and evaluation of chiropractic core
10 methodology;

11 **(3) the training, qualifications, scope of practice, and employment**
12 **of chiropractic interns and chiropractic preceptors;**

13 **(4) the designation of one or more nationally recognized**
14 **certification programs for chiropractic clinical assistants; and**

1 **(5) the performance of patient examinations authorized under**
 2 **AS 08.20.100(b).**

3 * **Sec. 2.** AS 08.20.100(b) is amended to read:

4 (b) A person licensed under this chapter may

5 (1) analyze, diagnose, or treat the chiropractic condition of a patient by
 6 chiropractic core methodology or by ancillary methodology;

7 (2) accept referrals for [CHIROPRACTIC] treatment **by chiropractic**
 8 **core methodology or by ancillary methodology;**

9 (3) consult on chiropractic matters;

10 (4) refer patients to other health care professionals;

11 (5) **perform,** [SIGN (A)] within the scope of chiropractic practice,
 12 [CERTIFICATES OF] physical examinations **of** [FOR] children **for school physical**
 13 **examinations and preparticipation physical examinations for sports and school**
 14 **activities** [BEFORE THEY ENTER SCHOOL];

15 **(6) sign**

16 **(A)** [(B)] reports for excuses from employment and from
 17 attendance at school or participation in sports activities; and

18 **(B)** [(C)] authorizations for sick leave;

19 **(7)** [(6)] perform preemployment and workplace health examinations;

20 **(8)** [(7)] provide disability and physical impairment ratings;

21 **(9)** [AND (8)] provide retirement health and disability authorizations
 22 and recommendations;

23 **(10) employ nationally certified chiropractic clinical assistants;**

24 **and**

25 **(11) employ chiropractic interns and chiropractic preceptors.**

26 * **Sec. 3.** AS 08.20.100 is amended by adding a new subsection to read:

27 (d) This section does not apply to a chiropractic intern who is acting within the
 28 scope of practice authorized by the board and is under the personal supervision of a
 29 licensed chiropractor.

30 * **Sec. 4.** AS 08.20.160 is amended to read:

31 **Sec. 08.20.160. Temporary permits.** Temporary permits may be issued to

1 [PERSONS APPARENTLY] qualified applicants until the next regular meeting of
2 the board.

3 * **Sec. 5.** AS 08.20 is amended by adding a new section to read:

4 **Sec. 08.20.168. Chiropractic clinical assistant.** (a) Enrollment in or
5 completion of a nationally recognized certification program under AS 08.20.055(4) is
6 required to practice as a chiropractic clinical assistant in this state.

7 (b) A person who meets the requirements under (a) of this section may, under
8 the general supervision of a person licensed under this chapter,

9 (1) perform diagnostic imaging studies;

10 (2) use ancillary methodologies; and

11 (3) perform procedures.

12 * **Sec. 6.** AS 08.20.185 is amended to read:

13 **Sec. 08.20.185. Utilization [PEER] review committee; confidentiality.** (a)
14 The [IN ADDITION TO PEER REVIEW AUTHORIZED UNDER AS 08.01.075,
15 THE] board may establish a utilization [PEER] review committee to review
16 complaints concerning the reasonableness or appropriateness of care provided, fees
17 charged, or costs for services rendered by a licensee to a patient. A review conducted
18 by a utilization [PEER] review committee under this section may be used
19 [UTILIZED] by the board in considering disciplinary action against a licensee, but the
20 results or recommendations of a utilization [PEER] review committee are not binding
21 on [UPON] the board. A member of a utilization [PEER] review committee
22 established under this section who in good faith submits a report under this section or
23 participates in an investigation or judicial proceeding related to a report submitted
24 under this section is immune from civil liability for the submission or participation.

25 (b) The board shall charge a complainant a fee, established under
26 AS 08.01.065, for utilization [PEER] review under this section.

27 (c) Patient records presented to a utilization [PEER] review committee for
28 review under this section that were confidential before their presentation to the
29 committee are confidential to the committee members and to the board members and
30 are not subject to inspection or copying under AS 40.25.110 - 40.25.125. A committee
31 member or board member to whom confidential records are presented under this

1 subsection shall maintain the confidentiality of the records. A person who violates this
2 subsection is guilty of a class B misdemeanor.

3 * **Sec. 7.** AS 08.20 is amended by adding a new section to article 2 to read:

4 **Sec. 08.20.195. Limitation of practice.** A person licensed under this chapter
5 or a person who is practicing as a chiropractic intern, chiropractic clinical assistant, or
6 chiropractic preceptor under this chapter may only act within the scope of practice
7 authorized by the board.

8 * **Sec. 8.** AS 08.20.200 is amended to read:

9 **Sec. 08.20.200. Unlicensed practice [A MISDEMEANOR].** A person who
10 practices chiropractic in the state without a license in violation of AS 08.20.100 is
11 guilty of a class A misdemeanor and may be punished as provided in AS 12.55 [,
12 AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN
13 \$1,000, OR BY IMPRISONMENT FOR NOT MORE THAN A YEAR, OR BY
14 BOTH].

15 * **Sec. 9.** AS 08.20.210 is amended to read:

16 **Sec. 08.20.210. Fraudulent licenses and certificates.** A person who obtains
17 or attempts to obtain a chiropractic license or provides the board with evidence that
18 the person is nationally certified to practice as a chiropractic clinical assistant
19 [CERTIFICATE] by dishonest or fraudulent means [,] or who forges, counterfeits, or
20 fraudulently alters a chiropractic license or chiropractic clinical assistant certificate
21 issued by a nationally recognized certification program is guilty of a class A
22 misdemeanor and is punishable as provided in AS 12.55 [BY A FINE OF NOT
23 MORE THAN \$500, OR BY IMPRISONMENT FOR NOT MORE THAN SIX
24 MONTHS, OR BY BOTH].

25 * **Sec. 10.** AS 08.20.900(7) is amended to read:

26 (7) "chiropractic examination" means an examination of a patient
27 conducted by [OR UNDER THE SUPERVISION OF] a person licensed under this
28 chapter, or by a chiropractic clinical assistant or chiropractic intern under the
29 supervision of a person licensed under this chapter, for the express purpose of
30 ascertaining whether symptoms of subluxation complex exist and consisting of an
31 analysis of the patient's health history, current health status, results of diagnostic

1 procedures including x-ray and other diagnostic imaging devices, and postural,
2 thermal, physical, neuro-physical, and spinal examinations that focuses on the
3 discovery of

4 (A) the existence and etiology of disrelationships of skeletal
5 joint structures; and

6 (B) interference with normal nerve transmission and
7 expression;

8 * **Sec. 11.** AS 08.20.900 is amended by adding new paragraphs to read:

9 (11) "chiropractic clinical assistant" means a person who works under
10 the general supervision of a person licensed under this chapter and who is

11 (A) enrolled in a nationally recognized certification program
12 that certifies chiropractic clinical assistants; or

13 (B) certified by a national organization that certifies
14 chiropractic clinical assistants;

15 (12) "chiropractic intern" means a person who is engaged in the
16 practice of chiropractic while under the personal supervision of a person licensed
17 under this chapter for the purpose of obtaining practical experience for licensure as a
18 chiropractor;

19 (13) "chiropractic preceptor" means a person who is licensed under
20 this chapter and who participates in the instruction and training of chiropractic interns.

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version:	CSSB 69(L&C)
Fiscal Note Number:	1
(S) Publish Date:	2/10/2016

Identifier: SB069CS(L&C)-DCCED-CBPL-02-06-16
Title: BD OF CHIROPRACTIC EXAMINERS; PRACTICE
Sponsor: STOLTZE
Requester: (S) Labor & Commerce

Department: Department of Commerce, Community and Economic Development
Appropriation: Corporations, Business and Professional Licensing
Allocation: Corporations, Business and Professional Licensing
OMB Component Number: 2360

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017 Appropriation Requested	Included in Governor's FY2017 Request	Out-Year Cost Estimates					
			FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
OPERATING EXPENDITURES								
Personal Services	69.4		69.4	69.4	69.4	69.4	69.4	69.4
Travel								
Services	12.5							
Commodities	5.0		10.0	10.0	10.0	10.0	10.0	10.0
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	86.9	0.0	79.4	79.4	79.4	79.4	79.4	79.4

Fund Source (Operating Only)

1156 Rcpt Svcs	86.9		79.4	79.4	79.4	79.4	79.4	79.4
Total	86.9	0.0	79.4	79.4	79.4	79.4	79.4	79.4

Positions

Full-time								
Part-time	1.0		1.0	1.0	1.0	1.0	1.0	1.0
Temporary								

Change in Revenues	86.9		79.4	79.4	79.4	79.4	79.4	79.4
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Estimated SUPPLEMENTAL (FY2016) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 07/01/17

Why this fiscal note differs from previous version:

Updated to 2016 form, updated personal services expense, updated analysis.

Prepared By: Janey Hovenden, Division Director
Division: Corporations, Business and Professional Licensing
Approved By: Catherine Reardon, Director
Agency: Division of Administrative Services, DCCED

Phone: (907)465-2536
Date: 02/06/2016 02:45 PM
Date: 02/07/16

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

Analysis

CSSB69 amends the statutes pertaining to the practice of chiropractic in the state, adding chiropractic interns, chiropractic preceptors, and chiropractic assistants. The bill also adds to the scope of practice of chiropractors the performance of physical examinations for school and sports programs. It increases the penalty for unlicensed practice and use of fraudulent licenses and certificates to Class A misdemeanors.

This bill will require additional administrative procedures to authorize chiropractic interns and preceptors. This fiscal note requests one part time Occupational Licensing Examiner to assist in developing and maintaining regulations, procedures, and to examine applications for authorization.

Regulations are required so that the department may set fees under AS 08.01.065.

If the bill passes the following expenses will be incurred:

Personal Services: \$69.4 (one part time permanent Occupational Licensing Examiner (OLE), range 14)

Services: \$10.0 (ongoing support services for new position)

\$2.5 (one-time legal cost to amend regulations, printing, and postage)

Commodities: \$5.0 (one-time startup costs of new position)

Professional licensing programs at CBPL are funded by Receipt Supported Services fund source 1156 Rcpt Svcs (DGF). Licensing fees for each program are set per AS 08.01.065 so the revenue collected approximately equals the occupation's regulatory costs.

adopted 9/5/15

29-LS0704S
Bruce
4/4/16

CS FOR SENATE BILL NO. 69(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR STOLTZE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Board of Chiropractic Examiners and the practice of
2 chiropractic."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 08.20.055 is amended to read:

5 **Sec. 08.20.055. Board regulations.** The board shall adopt [SUBSTANTIVE]
6 regulations necessary to effect the provisions of this chapter, including regulations
7 establishing standards for

8 (1) continuing education; [AND]

9 (2) the application, performance, and evaluation of chiropractic core
10 methodology;

11 (3) the training, qualifications, scope of practice, and employment
12 of chiropractic interns and chiropractic preceptors;

13 (4) the designation of one or more nationally recognized
14 certification programs for chiropractic clinical assistants; and

1 **(5) the performance of patient examinations authorized under**
2 **AS 08.20.100(b).**

3 * **Sec. 2.** AS 08.20.100(b) is amended to read:

4 (b) A person licensed under this chapter may

5 (1) analyze, diagnose, or treat the chiropractic condition of a patient by
6 chiropractic core methodology or by ancillary methodology;

7 (2) accept referrals for [CHIROPRACTIC] treatment **by chiropractic**
8 **core methodology or by ancillary methodology;**

9 (3) consult on chiropractic matters;

10 (4) refer patients to other health care professionals;

11 (5) **perform,** [SIGN (A)] within the scope of chiropractic practice,
12 [CERTIFICATES OF] physical examinations **of** [FOR] children **for school physical**
13 **examinations and preparticipation physical examinations for sports and school**
14 **activities** [BEFORE THEY ENTER SCHOOL];

15 **(6) sign**

16 **(A)** [(B)] reports for excuses from employment and from
17 attendance at school or participation in sports activities; and

18 **(B)** [(C)] authorizations for sick leave;

19 **(7)** [(6)] perform preemployment and workplace health examinations;

20 **(8)** [(7)] provide disability and physical impairment ratings;

21 **(9)** [AND (8)] provide retirement health and disability authorizations
22 and recommendations;

23 **(10) employ nationally certified chiropractic clinical assistants;**

24 **and**

25 **(11) employ chiropractic interns and chiropractic preceptors.**

26 * **Sec. 3.** AS 08.20.100 is amended by adding a new subsection to read:

27 (d) This section does not apply to a chiropractic intern who is acting within the
28 scope of practice authorized by the board and is under the personal supervision of a
29 licensed chiropractor.

30 * **Sec. 4.** AS 08.20.160 is amended to read:

31 **Sec. 08.20.160. Temporary permits.** Temporary permits may be issued to

1 [PERSONS APPARENTLY] qualified **applicants** until the next regular meeting of
2 the board.

3 * **Sec. 5.** AS 08.20 is amended by adding a new section to read:

4 **Sec. 08.20.168. Chiropractic clinical assistant.** (a) Enrollment in or
5 completion of a nationally recognized certification program under AS 08.20.055(4) is
6 required to practice as a chiropractic clinical assistant in this state.

7 (b) A person who meets the requirements under (a) of this section may, under
8 the general supervision of a person licensed under this chapter,

- 9 (1) perform diagnostic imaging studies;
10 (2) use ancillary methodologies; and
11 (3) perform procedures.

12 * **Sec. 6.** AS 08.20.185 is amended to read:

13 **Sec. 08.20.185. Utilization [PEER] review committee; confidentiality.** (a)
14 **The** [IN ADDITION TO PEER REVIEW AUTHORIZED UNDER AS 08.01.075,
15 **THE**] board may establish a **utilization** [PEER] review committee to review
16 complaints concerning the reasonableness or appropriateness of care provided, fees
17 charged, or costs for services rendered by a licensee to a patient. A review conducted
18 by a **utilization** [PEER] review committee under this section may be **used**
19 [UTILIZED] by the board in considering disciplinary action against a licensee, but the
20 results or recommendations of a **utilization** [PEER] review committee are not binding
21 **on** [UPON] the board. A member of a **utilization** [PEER] review committee
22 established under this section who in good faith submits a report under this section or
23 participates in an investigation or judicial proceeding related to a report submitted
24 under this section is immune from civil liability for the submission or participation.

25 (b) The board shall charge a complainant a fee, established under
26 AS 08.01.065, for **utilization** [PEER] review under this section.

27 (c) Patient records presented to a **utilization** [PEER] review committee for
28 review under this section that were confidential before their presentation to the
29 committee are confidential to the committee members and to the board members and
30 are not subject to inspection or copying under AS 40.25.110 - 40.25.125. A committee
31 member or board member to whom confidential records are presented under this

1 subsection shall maintain the confidentiality of the records. A person who violates this
2 subsection is guilty of a class B misdemeanor.

3 * **Sec. 7.** AS 08.20 is amended by adding a new section to article 2 to read:

4 **Sec. 08.20.195. Limitation of practice.** A person licensed under this chapter
5 or a person who is practicing as a chiropractic intern, chiropractic clinical assistant, or
6 chiropractic preceptor under this chapter may only act within the scope of practice
7 authorized by the board.

8 * **Sec. 8.** AS 08.20.200 is amended to read:

9 **Sec. 08.20.200. Unlicensed practice [A MISDEMEANOR].** A person who
10 practices chiropractic in the state without a license in violation of AS 08.20.100 is
11 guilty of a **class A** misdemeanor **and may be punished as provided in AS 12.55** [,
12 AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN
13 \$1,000, OR BY IMPRISONMENT FOR NOT MORE THAN A YEAR, OR BY
14 BOTH].

15 * **Sec. 9.** AS 08.20.210 is amended to read:

16 **Sec. 08.20.210. Fraudulent licenses and certificates.** A person who obtains
17 or attempts to obtain a chiropractic **license or provides the board with evidence that**
18 **the person is nationally certified to practice as a chiropractic clinical assistant**
19 [CERTIFICATE] by dishonest or fraudulent means [,] or who forges, counterfeits, or
20 fraudulently alters a chiropractic **license or chiropractic clinical assistant** certificate
21 **issued by a nationally recognized certification program** is **guilty of a class A**
22 **misdemeanor and is** punishable **as provided in AS 12.55** [BY A FINE OF NOT
23 MORE THAN \$500, OR BY IMPRISONMENT FOR NOT MORE THAN SIX
24 MONTHS, OR BY BOTH].

25 * **Sec. 10.** AS 08.20.900(7) is amended to read:

26 (7) "chiropractic examination" means an examination of a patient
27 conducted by [OR UNDER THE SUPERVISION OF] a person licensed under this
28 chapter, **or by a chiropractic clinical assistant or chiropractic intern under the**
29 **supervision of a person licensed under this chapter,** for the express purpose of
30 ascertaining whether symptoms of subluxation complex exist and consisting of an
31 analysis of the patient's health history, current health status, results of diagnostic

1 procedures including x-ray and other diagnostic imaging devices, and postural,
2 thermal, physical, neuro-physical, and spinal examinations that focuses on the
3 discovery of

4 (A) the existence and etiology of disrelationships of skeletal
5 joint structures; and

6 (B) interference with normal nerve transmission and
7 expression;

8 * **Sec. 11.** AS 08.20.900 is amended by adding new paragraphs to read:

9 (11) "chiropractic clinical assistant" means a person who works under
10 the general supervision of a person licensed under this chapter and who is

11 (A) enrolled in a nationally recognized certification program
12 that certifies chiropractic clinical assistants; or

13 (B) certified by a national organization that certifies
14 chiropractic clinical assistants;

15 (12) "chiropractic intern" means a person who is engaged in the
16 practice of chiropractic while under the personal supervision of a person licensed
17 under this chapter for the purpose of obtaining practical experience for licensure as a
18 chiropractor;

19 (13) "chiropractic preceptor" means a person who is licensed under
20 this chapter and who participates in the instruction and training of chiropractic interns.

Sheri Ryan
Executive Administrator



PO Box 111507
Anchorage, AK 99511-1507

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(907) 770-3790
sryan@akchiro.org
akchiro.org

To Whom It May Concern:

My name is Dr. Walter Campbell. I am a Doctor of Chiropractic and a lifelong resident of Alaska.

I am an owner of 18 chiropractic clinics statewide, 6 physical therapy clinics, as well as 4 other multi-disciplinary clinics in Washington state. I am also serving my second term on the Alaska Board of Chiropractic Examiners.

I am writing in support of SB69 sponsored by Senator Bill Stolze, both in my capacity as a Board member and as a practicing Doctor of Chiropractic/business owner. I have directly experienced several critical situations in my practice that would be alleviated by the clarifications this bill offers. One of particular interest to me, is clarifying the ability of a Doctor of Chiropractic to perform school athletics screenings/physicals.

Currently, not only does chiropractic statute allow a Chiropractic Physician to perform physicals for children entering schools, but also pre-employment and workplace health examinations, as well as disability and impairment ratings. Current chiropractic statute allows chiropractic physicians to authorize excuses from employment and from attendance at school or participation in sports activities. Chiropractic physicians can perform Department of Transportation (DOT) physicals as well.

The education and training required for chiropractors more than encompasses the needed clinical reasoning skills to provide the assessment and diagnosis of the potential conflicts for children participating in sports activities. While the primary aspect of a chiropractic practice is diagnosing and treating musculoskeletal conditions, a chiropractor's ability to screen and diagnose all conditions, even those that are obscure or outside the scope of practice for treatment, are thoroughly taught in his or her schooling and tested through both national as well as state credentialing. Chiropractors, as any portal of entry general practitioner, can and are required to make referrals to any specialist when needed.

I'm sure all of the above will be covered at length in this hearing, however, I would like my comments to reflect the aspects that are sometimes overlooked in matters of this nature, and what I feel I may be particularly qualified to speak on, and that is how this proposed clarification to the law would affect the practice and application in rural Alaska. This is quite important to me, as I have grown up in rural Alaska,

graduating Barrow High in 1993, where I was a high school athlete, and where I now own a Chiropractic and Physical Therapy clinic. In fact I have either a chiropractic or physical therapy clinic, or both, in Barrow, Kotzebue, Nome, Dillingham, Bethel, Unalaska/Dutch Harbor, Delta Junction, Valdez, and Sitka. You'll note the majority of those are towns of 5,000 people or less, and most are not on the road system. While I have experience and own clinics in more populated areas, these areas would see immediate benefit from this law being clarified, so that is what I am speaking on, and why it is so important to me, personally.

Heretofore, we have been solicited routinely to provide this service for local schools. In some cases we have been contracted by the schools and have provided the service to the entire student body of potential athletes. In other cases, coaches and students have reached out to us to provide these services, only to have a district official deny the student and their family the ability to get a valid physical exam if a Chiropractor had performed it.

Very simply, bush medicine is underserved in most cases, most all of us, who have lived or worked there can agree on that. We provide an alternative for a variety of services, that many patients want. In this case, concerning school sports physicals, that students and schools want, and have asked for. When asked and allowed to, we deliver a quality product from qualified doctors. The law does NOT prohibit this now, however, certain groups will not accept these physicals and site the vague language in the current legislation as the reason why. Senator Stolze's finely worded bill, addresses this in a common sense way, with the weight of the current law (which, according to one AG, states we can do this now), and a competent understanding of the training and schooling of chiropractic physicians. Like the rest of his bill, this language seeks simply to clarify this issue. It would lead to much immediate benefit being realized in rural school athletics, as well as a general acknowledgement of the competency of a well trained and educated, and if I may say so, well regulated, profession.

Thank you sincerely for your time and consideration on this issue. I hope my comments have provided some worthwhile insight, and if I can be of any further assistance, please do not hesitate to call on me.

Yours in health,

Dr Walter Campbell
Arctic Chiropractic
Arctic Rehabilitation and Physical Medicine
wlcampbell@aol.com



PALMER

College of Chiropractic

Office of the Chancellor

January 22, 2015

Ms. Debbie Ryan
Executive Director
Alaska Chiropractic Society
PO Box 111507
Anchorage, AK 99511-1507

RE: Pre-participation physicals

Dear Ms. Ryan,

I'm writing today to provide you with information about our program at Palmer College of Chiropractic with respect to sports pre-participation physicals.

Chiropractors in general, and Palmer graduates specifically, are highly skilled in providing comprehensive health examinations. The Palmer College of Chiropractic Doctor of Chiropractic program curriculum is a five-academic-year post-graduate program including 4,620 total contact hours of instruction. Of these contact hours, 570 are in diagnosis, 300 in radiology procedures and interpretation, and 945 in practical clinical experience in the Palmer Chiropractic Clinic system.

Palmer's curriculum produces professionals who are highly trained and experienced in assessment and diagnosis as well as clinical-reasoning skills -- and are eligible for licensure in all 50 states. Palmer's D.C. curriculum is accredited by the Council on Chiropractic Education, the recognized accrediting body for the chiropractic profession. All three of our campuses are regionally accredited by the Higher Learning Commission and are members of the North Central Association.

Palmer College of Chiropractic's main campus is located in Davenport, Iowa. All Iowa high school students participating in sports are required to obtain a pre-participation physical examination. All Iowa school districts in the Quad Cities approve pre-participation physical examinations provided by chiropractors. Our two outpatient clinics in the Quad Cities offer sports physicals throughout the school year with a special push at the beginning of each school year, and have provided 1,887 of these physicals during the last three years. This past calendar year our Quad-Cities clinics have provided more than 630 sports physicals. Many parents have commented that these pre-participation physical examinations are the most comprehensive their children have ever received.

Doctors of Chiropractic are included as eligible health care providers to provide physical examinations by the United States Department of Transportation (DOT). In fact, two faculty clinicians at the Palmer Chiropractic Clinics in the Quad Cities (Davenport and Bettendorf, Iowa, and Moline and Rock Island, Ill.) are listed on the National registry as certified to provide DOT "Fit for Duty" physical exams.

The DOT physical is a comprehensive evaluation covering all systems of the body, including a comprehensive health history and review along with a urinalysis screening. All of these examination aspects are taught and tested as part of Palmer's Doctor of Chiropractic curriculum, in both the academic and clinical portion of the education.

If you need additional information, please don't hesitate to contact me.

Sincerely,


Dennis M. Marchiori, D.C., Ph.D.
Chancellor

Davenport Campus
1000 Brady Street
Davenport, IA 52803

Port Orange Campus
4777 City Center Parkway
Port Orange, FL 32129

San Jose Campus
90 East Tasman Drive
San Jose, CA 95134

The Trusted Leader in Chiropractic Education®



UNIVERSITY of WESTERN STATES
Integrating Health and Science

January 20, 2015

Ms. Sherri Ryan
Executive Administrator
Alaska Chiropractic Association

Re: Pre-participation physical exams for athletes

Dear Ms. Ryan,

The doctor of chiropractic program at the University of Western States fully prepares students and interns for portal of entry status in the health care field including physical diagnoses, orthopedic, neurological diagnosis and sports medicine specific diagnosis. In fact, in these areas our students will have experienced more hours than typical medical, nursing, physician assistant, or athletic training students, rendering them fully capable of performing complete, or athlete specific physical examination.

Should you have further questions regarding the training of chiropractic physicians at UWS, feel free to contact me anytime.

Yours truly,

A handwritten signature in black ink, appearing to read 'Marion Willard Evans', with a long, sweeping flourish extending to the right.

Marion Willard Evans, DC, PhD, MCHES
Provost and Executive Vice-president

LOGAN
UNIVERSITY
CHIROPRACTIC
HEALTH CENTERS

1851 Schoettler Road, Chesterfield, MO 63017
(636) 230-1990 | www.logan.edu

October 31, 2014

Re: athletic participation physical exams

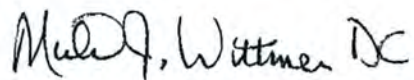
To Whom It May Concern:

As part of the curriculum, the College of Chiropractic students are taught physical examination. As such, in the state of Missouri, Doctors of Chiropractic provide pre-participation physical exams for athletics and back-to-school exams as well employment and general physicals.

Within the University clinic system, over 3000 sports physicals are given to grade school, junior and senior high school students each year.

If you have require additional information, please do not hesitate to contact me.

Sincerely,



Michael J. Wittmer, D.C.
Chief of Staff
Logan University
College of Chiropractic Health Centers

ASAA HEALTHCARE PROVIDER RELEASE AND RETURN TO PLAY PROTOCOL (RTP)

Student Name: _____

Sport: _____ School: _____ Birthdate: _____

Date of Injury: _____ Description: _____

IMPORTANT NOTE TO HEALTHCARE PROVIDER

Per AS 14.30.142, as amended, a student who has been removed from participation in a practice or game for suspicion of concussion may not return to play until the student has been evaluated and cleared for participation by an Athletic Trainer OR by a qualified person who verifies that he or she is currently trained in the evaluation and management of concussions.

"Qualified person" means either:

- 1) A health care provider licensed in Alaska, or exempt from licensure under Alaska law(AS 08.64.370(1), (2), or (4),
OR
- 2) a person acting at the direction and under the supervision of a physician licensed in Alaska, or exempt from licensure.

As interpreted by ASAA, Athletic Trainer means a Certified Athletic Trainer.

As interpreted by ASAA, "Trained" means that the provider:

- 1) Has completed the online CDC Concussion Course for Clinicians (www.preventingconcussions.org) in the last two years,
AND
- 2) Has **a)** completed 2 hours of CME in Sports Concussion Management in the last 2 years, or **b)** has completed a one-year Sports Medicine Fellowship, a Certificate of Added Qualifications in Sports Medicine, or a Residency in Neurology or Neurosurgery.

IF YOU DO NOT MEET THESE CRITERIA, PLEASE REFER THE STUDENT ATHLETE TO A HEALTHCARE PROVIDER WHO DOES

If an athlete is removed from participation in an activity because of a suspected concussion:

BUT is found **not to have a concussion**, the athlete's return to play should be determined by the athlete's medical provider in accordance with the provider's assessment of the athlete's condition and readiness to participate;

AND is **determined to have sustained a concussion**, the athlete's readiness to return to participation should be assessed in accordance with the Alaska School Activities Association's graduated Return to Play (RTP) protocol. All student athletes with a concussion must successfully complete an appropriate RTP Protocol that lasts a minimum of six days before resuming full athletic activity. The Return to Play protocol recommended by ASAA's Sports Medicine Advisory Committee is described below.

Students should begin with a period of complete rest in which they avoid cognitive and physical exertion. As symptoms diminish, and the athlete feels able, he/she can begin trials of cognitive work, e.g. reading, texting, computer, TV, school. The introduction of cognitive work should be in short increments which increase progressively in length and intensity so long as concussion symptoms do not recur or worsen. When several hours of cognitive work are well tolerated at home, then attendance at a half day of school is appropriate. When a full day of school is tolerated, then homework may be added. Academic accommodations may be necessary for student athletes as they return to school following a concussion. If cognitive work at any time provokes or exacerbates symptoms, then the work should be discontinued, additional cognitive work should be minimized until symptoms regress, and the student can attempt to advance cognitive work again on the following day.

Only when the concussion symptoms have been entirely absent for 24 hours, does Day 1 of the progressive return to physical activity begin. The **Return To Play Protocol** is to take place over a **minimum of six days, with at least 24 hours between each step**. The rate of progression through the steps in the program should be individualized. Factors which may slow the rate are young age, history of previous concussions, number/severity/duration of concussion symptoms, medical risk factors, and the concussion risk of the sports to which the athlete will return. Physical or cognitive activity that provokes recurrence of concussive symptoms will delay recovery and increase the risk of future concussion. Therefore, if symptoms recur at any step, then physical activity should stop until 24 hours after resolution of the symptoms, and then resume at the previous step.

Student Name: _____

SYMPTOMATIC STAGE: Physical and Cognitive Rest; Then Incremental Cognitive Work, without Provoking Symptoms.	
Day 1	Begin when symptom free for 24 hours. 15 min of light aerobic activity: walk, swim, stationary bike. NO resistance training.
Day 2	30 min light-moderate aerobic activity: jog, more intense walk, swim, stationary bike. NO resistance training. START PE class at previous day's activity level. As RTP Protocol activity level increases, PE activity level remains 1 day behind
Day 3	30 min mod-heavy aerobic activity: run, swim, cycle, skate, Nordic ski. NO resistance training.
Day 4	30 min heavy aerobic activity: hard run, swim, cycle, skate, Nordic ski. 15 min Resistance Training: push-up, sit-up, weightlifting
Day 5	Return to Practice, Non-contact Limited Participation: Routine sport-specific drills
Day 6	Return to Full-Contact Practice
Day 7	Medically Eligible for Competition after completing RTP Protocol and is cleared by Healthcare Professional. ASAA Eligibility Criteria must be met before return to competition.

SECTION 1: THE CONCUSSED ATHLETE - to be completed by Healthcare Provider

Student has sustained a concussion and is not yet ready to begin the Return to Play Protocol.

Student is cleared to begin ASAA's **Return to Play Protocol** with any modifications noted below. *This clearance is no longer effective if student's symptoms return and persist.*

Student is entirely free of concussion symptoms and has completed the ASAA Return to Play Protocol as described above. The athlete is medically eligible to return to competition.

Please note any additional modifications to ASAA's Return to Play Protocol below [attach more pages if needed]:

SECTION 2: THE NON-CONCUSSED ATHLETE - to be completed by Healthcare Provider

Student has **NOT** sustained a concussion. The **Medical Diagnosis** which explains his/her symptoms is: This is **REQUIRED** if checking the first box: _____

Student is cleared to return to full sports participation. Medical Dx: _____

Student is cleared for limited participation with the following restrictions [attach more pages if needed]:

SECTION 3: HEALTHCARE PROFESSIONAL ATTESTATION

By signing this form, I attest that I am a **Qualified Healthcare provider authorized under AS 14.30.142** and that I meet the ASAA definition of "Currently Trained" in the evaluation and management of concussion, as explained above. I do hereby take responsibility for the daily monitoring and decision making in managing this student athlete's concussion.

Healthcare Provider Signature _____ HCP Printed Name _____ AK License Number _____ Date _____

SECTION 3: ATHLETE AND PARENT CONSENT

The **Return to Play Protocol** incorporates an internationally recognized process by which concussed athletes are returned to athletic participation as safely as possible. Participation in athletics is accompanied by the risk of injury, permanent disability, and death. Having recently sustained a concussion, an athlete is at more risk for another head injury with risk of permanent disability or death. By signing this form, the athlete and the parent indicate their understanding that the completion of the **Return to Play Protocol** is not a guarantee of safe return to athletic participation. The parent accepts the risk of additional injury in requesting and consenting to the athlete's return to athletic participation.

Student Athlete Signature _____ Date _____ Parent Signature _____ Date _____

Student Athlete Printed Name _____ Parent Printed Name _____