

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Bookout**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH A CHIROPRACTIC EXTERN PROGRAM; TO
9 AMEND ARKANSAS CODE 17-81-312(a) RELATING TO CONTINUING
10 EDUCATION REQUIREMENTS FOR CHIROPRACTORS; TO AMEND
11 ARKANSAS CODE 17-81-313(a) TO AUTHORIZE THE BOARD OF
12 CHIROPRACTIC EXAMINERS TO LEVY CIVIL PENALTIES AGAINST
13 LICENSED CHIROPRACTORS FOR VIOLATIONS; TO AMEND ARKANSAS
14 CODE 17-80-102(a)(2) TO AUTHORIZE INVESTIGATIVE OFFICERS
15 OF HEALING ARTS BOARDS TO ISSUE SUBPOENAS; AND FOR OTHER
16 PURPOSES."

Subtitle

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19 "AN ACT RELATING TO THE PRACTICE OF CHIROPRACTIC."
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. The Arkansas State Board of Chiropractic Examiners may
24 establish a Chiropractic Extern Program to allow chiropractic graduates to
25 practice in a licensed chiropractor's office until the graduate is licensed to
26 practice chiropractic in this state.

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28 SECTION 2. Any graduate from a chiropractic school accredited by the
29 Council of Chiropractic Education or similar government approved organization
30 is eligible to be involved in the extern program for a maximum of two (2)
31 years from the date of graduation.

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33 SECTION 3. Any licensed chiropractor may serve as a preceptor in the
34 extern program upon satisfying criteria established by the board.

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1 SECTION 4. (a) Applications to participate in the chiropractic extern
2 program as a preceptor or an extern shall be made to the Arkansas State Board
3 of Chiropractic Examiners in writing on forms furnished by the board.

4 (b) Each preceptor shall submit a registration fee of one hundred
5 dollars (\$100.00) with the application.

6 (c) Each extern shall submit a registration fee of fifty dollars
7 (\$50.00) with the application. Each extern shall pay tuition of twenty-five
8 dollars (\$25.00) per month for each month the extern is participating in the
9 extern program.

10 (d) Each extern shall be fairly compensated for his or her services by
11 the preceptor.

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13 SECTION 5. (a) Chiropractic externs may assist chiropractors in the
14 performance of those duties that are lawful and ethical including but not
15 limited to physical examinations, patient consultation, X-ray examinations,
16 specific chiropractic adjustment procedures and physical therapeutic approach
17 as appropriate.

18 (b) Chiropractic externs may not diagnose a condition nor prescribe a
19 health care regimen, nor sign insurance forms or any other forms which require
20 a licensed chiropractor's signature.

21 (c) All duties of a chiropractic extern shall be performed under the
22 direct supervision of a licensed chiropractor.

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24 SECTION 6. Arkansas Code 17-81-312 (a) is hereby amended to read as
25 follows:

26 "(a) The board shall not renew the license of any person actively
27 engaged in practice within the State of Arkansas unless the person presents to
28 the board evidence of attendance, during the preceding twelve (12) months, at:

29 (1) An approved educational session or sessions of not less than
30 twenty-four (24) hours duration conducted by an approved chiropractic
31 institution of learning, or by some association approved by the board for the
32 teaching of scientific courses pertaining to the profession with at least
33 twelve (12) hours of such educational session or sessions being conducted in
34 the state of Arkansas; or

35 (2) An educational course conducted by the board."

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SECTION 7. Arkansas Code 17-81-313(a) is hereby amended to read as follows:

"(a) The board shall have sole authority over licensed chiropractors to levy a civil penalty of not more than five thousand dollars (\$5,000) for each violation, to deny, place under probation, suspend, or revoke any license to practice chiropractic issued by the board or applied for in accordance with the provisions of this chapter or otherwise to discipline a licensee upon proof that the person:

- (1) Is guilty of fraud or deceit in procuring or attempting to procure a license to practice chiropractic;
- (2) Is guilty of crime or gross immorality;
- (3) Is unfit or incompetent by reason of negligence, habits, or other causes;
- (4) Is habitually intemperate or is addicted to the use of habit-forming drugs;
- (5) Is mentally incompetent;
- (6) Is guilty of unprofessional conduct;
- (7) Is guilty of fraud or deceit in filing insurance forms, documents, or information pertaining to the health or welfare of a patient; or
- (8) Has willfully or repeatedly violated any of the provisions of this chapter.

The board may levy a fine of up to five thousand dollars (\$5,000.00) for each such violation or for each day that such violation occurs or continues."

SECTION 8. Arkansas Code 17-80-102(a) (2) is amended to read as follows:

"(2) The secretary or the investigative officer of the board shall issue a subpoena upon the request of any party to a proceeding pending before the board or at the request of the board."

SECTION 9. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 10. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect
2 other provisions or applications of the act which can be given effect without
3 the invalid provision or application, and to this end the provisions of this
4 act are declared to be severable.

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6 SECTION 11. All laws and parts of laws in conflict with this act are
7 hereby repealed.

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