

EXHIBIT D-2

INTERIM STUDY PROPOSAL 2017-002

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

DRAFT JMB/JMB
HOUSE BILL

By: Representative Love

Filed with: House Committee on Public Health, Welfare, and Labor
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO CREATE A LICENSURE FOR A CERTIFIED ADVANCED
PRACTICE CHIROPRACTIC PHYSICIAN; TO AMEND THE LAWS
REGARDING CHIROPRACTIC PRACTICES; AND FOR OTHER
PURPOSES.

Subtitle

TO CREATE A LICENSURE FOR A CERTIFIED
ADVANCED PRACTICE CHIROPRACTIC PHYSICIAN;
AND TO AMEND THE LAWS REGARDING
CHIROPRACTIC PRACTICES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-81-102, concerning the definitions
within the Arkansas Chiropractic Practices Act, is amended to add additional
subdivisions to read as follows:

(8) "Certified advanced practice chiropractic physician" means
an advanced practice chiropractor with prescriptive authority for therapeutic
and diagnostic purposes and who may use substances on the chiropractic
formulary through injection for therapeutic purposes; and

(9) "Chiropractic formulary" means a list of substances or
medications that are approved for use by a certified advanced practice
chiropractic physician as determined by the board.

1 SECTION 2. Arkansas Code Title 17, Chapter 81, Subchapter 3, is
2 amended to add additional sections to read as follows:

3 17-81-318. Certified advanced practice chiropractic physician –
4 Licensure.

5 (a) An individual shall be licensed by the Arkansas State Board of
6 Chiropractic Examiners before the individual may practice as a certified
7 advanced practice chiropractic physician.

8 (b) The Arkansas State Board of Chiropractic Examiners may grant a
9 license as a certified advanced practice chiropractic physician to an
10 applicant who:

11 (1) Submits an application on forms approved by the Arkansas
12 State Board of Chiropractic Examiners;

13 (2) Pays the appropriate fees as determined by the Arkansas
14 State Board of Chiropractic Examiners; and

15 (3) Provides the following documentation with their application
16 stating that the applicant has successfully completed:

17 (A) Either:

18 (i) A competency examination administered by a
19 nationally recognized credentialing agency; or

20 (ii) A graduate degree in the chiropractic practice
21 specialty after December 31, 2017; and

22 (B) Ninety (90) hours of clinical and didactic education
23 provided by an institution approved by both the Arkansas State Board of
24 Chiropractic Examiners and the Arkansas State Medical Board.

25 (c) The Arkansas State Board of Chiropractic Examiners may renew the
26 license if the certified advanced practice chiropractic physician:

27 (1) Submits the appropriate renewal forms and appropriate
28 renewal fee as determined by the Arkansas State Board of Chiropractic
29 Examiners;

30 (2) Completes all continuing education required by the Arkansas
31 State Board of Chiropractic Examiners;

32 (3) Submits verification of good standing with the Arkansas
33 Medical Board; and

34 (4) Meets other requirements set by the Arkansas State Board of
35 Chiropractic Examiners.

1 (d) The Arkansas State Board of Chiropractic Examiners shall notify
2 the applicant in writing within thirty (30) days of receipt of:

3 (1) The initial application as to whether the application is
4 complete or missing information; and

5 (2) The completed application as to whether the application is
6 approved or denied.

7 (e) If the Arkansas State Board of Chiropractic Examiners denies the
8 application, the notice of denial shall state the reason that the application
9 was denied.

10 (f) Between regular board meetings, the Executive Director of the
11 Arkansas State Board of Chiropractic Examiners may grant a license to a
12 chiropractic physician who meets all of the requirements in subsection (b) of
13 this section.

14 (g) The Arkansas State Board of Chiropractic Examiners may:

15 (1) Refuse to grant a license;

16 (2) Administer a public or private reprimand;

17 (3) Revoke, suspend, limit, or otherwise restrict a license;

18 (4) Require a certified advanced practice chiropractic physician
19 to submit to the care, counseling, or treatment of a physician or physicians
20 designated by the Arkansas State Board of Chiropractic Examiners;

21 (5) Suspend enforcement of its findings and place the certified
22 advanced practice chiropractic physician on probation with the right to
23 vacate the probationary order for noncompliance; or

24 (6) Restore or reissue, at its discretion, a license and impose
25 any disciplinary or corrective measure that may have been imposed previously.

26 (h) The Arkansas State Board of Chiropractic Examiners shall notify
27 the Arkansas State Board of Pharmacy of all certified advanced practice
28 chiropractic physician licenses by September 1 of each licensing period.

29
30 17-81-319. Prescriptive authority – Chiropractic formulary.

31 (a) A chiropractic physician who is not a certified advanced practice
32 chiropractic physician may administer, dispense, and prescribe any natural
33 substance that is to be used in an oral or a topical manner as long as the
34 substance is not a dangerous drug.

1 (b) A certified advanced practice chiropractic physician may prescribe
2 and administer through injection any substances listed in the chiropractic
3 formulary.

4 (c) The Arkansas State Board of Chiropractic Examiners shall:

5 (1) Create a chiropractic formulary;

6 (2) Review the chiropractic formulary for necessary amendments;

7 and

8 (3) Provide appropriate education or training for any additions
9 to the chiropractic formulary.

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12 Referral requested by: Representative Fredrick J. Love

13 Prepared by: JMB

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