

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

INTERIM STUDY PROPOSAL 2007-122

State of Arkansas

As Engrossed: S3/5/07

86th General Assembly

A Bill

Regular Session, 2007

SENATE BILL 145

By: Senator Womack

Referred to

Public Health, Welfare And Labor Committee - Senate

by the Arkansas Senate

on 04/03/2007

For An Act To Be Entitled

AN ACT TO CLARIFY THE SCOPE OF PRACTICE OF
CHIROPRACTIC; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO CLARIFY THE SCOPE OF PRACTICE
OF CHIROPRACTIC.

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

17-81-102. Definitions.

As used in this chapter, ~~unless the context otherwise requires:~~

(1) "Analysis" includes physical examination, the use of X-ray and other analytical instruments, and procedures generally used in the practice of chiropractic;

(2) "Board" means the Arkansas State Board of Chiropractic Examiners;

(3) "Chiropractic" means that science and art which utilizes the inherent recuperative powers of the body and deals with the relationship between the nervous system and the spinal column, including its immediate articulations, and the role of its relationship in the restoration and

1 maintenance of health;

2 (4) "Chiropractic aide" means an unlicensed member of the
3 chiropractic team who may assist a chiropractic physician in the performance
4 of those procedures and techniques constituting the practice of chiropractic
5 as defined in this chapter with the exception of spinal manipulation and
6 adjustment, provided that such assistance shall be performed under the direct
7 supervision of a licensed chiropractic physician;

8 (5) "Physician" means a person authorized or licensed to
9 practice medicine ~~pursuant to~~ under the Arkansas Medical Practices Act, §§
10 17-95-201 - 17-95-207, 17-95-301 - 17-95-305, and 17-95-401 - 17-95-411, a
11 person authorized or licensed to practice chiropractic ~~pursuant to the~~
12 ~~provisions of~~ under this chapter, and a person authorized to practice
13 osteopathy ~~pursuant to~~ under § 17-91-101 et seq.;

14 (6)(A)(i) "Practice of chiropractic" means the engagement in the
15 diagnosis and analysis of any interference with normal nerve transmission and
16 expression, focusing on the relationship between structure, primarily the
17 spine, and function, as coordinated by the nervous system, and how that
18 relationship affects the preservation and restoration of health, and
19 including the procedure preparatory to and complementary to the correction
20 thereof by an adjustment or manipulation of the articulations of the
21 *vertebral column, its immediate articulations, including spinal adjustments,*
22 *spinal manipulations, and spinal mobilizations, such as any type of pressure,*
23 *force, thrust, or passive movement, singular or plural, applied to the spinal*
24 *vertebrae or ~~their~~ adjacent articulations by hand or mechanical device or by*
25 *other incidental adjustments, for the restoration and maintenance of health.*

26 (ii) The practice of chiropractic includes therapy,
27 the normal regimen, and rehabilitation of the patient for the purpose of
28 removing any injury, deformity, or abnormality of human beings without the
29 use of drugs or surgery.

30 (B)(i) The practice of chiropractic, as authorized under
31 ~~the provisions of~~ this chapter, shall not include the performance of the
32 duties of a midwife or obstetrician, therapy by the use of ionizing
33 radiation, incisive surgery, prescribing for or administering to any person
34 any drug to be taken internally, or puncturing the skin for the purpose of
35 introducing any substance into the body.

36 (ii) Nothing ~~herein~~ in this section shall prevent

1 puncturing the skin for routine blood analysis, including red blood count,
2 white blood count, differential and serology, in the practice of chiropractic
3 for diagnostic purposes; ~~and.~~

4 (C) The practice of chiropractic includes the practice of
5 acupuncture as defined in § 17-102-311; and

6 (7)(A) "Spinal manipulation adjustment " and "adjustment
7 manipulation" mean the skillful or dexterous treatment whereby a corrective
8 force or passive movement of the joint is made to realign vertebrae or
9 articulations to their normal juxtaposition.

10 (B)(i) No person may perform a spinal manipulation or
11 spinal adjustment without first having legal authority to differentially
12 diagnose, and having received a degree of Doctor of Chiropractic from a
13 Council on Chiropractic Education-accredited college or university at which
14 spinal manipulation or spinal adjustment is a primary method of treatment.

15 (ii) "Spinal manipulation" and "spinal adjustment"
16 are terms that identify a method of skillful and beneficial treatment in
17 which a person uses direct thrust or other methods to move a joint of the
18 patient's spine beyond its normal range of motion, but without exceeding the
19 limits of anatomical integrity.

20 (C) Nothing in this subdivision (7) applies to the scope
21 of practice of:

22 (i) A person licensed to practice medicine under the
23 Arkansas Medical Practices Act, §§ 17-95-201 - 17-95-207, 17-95-301 - 17-95-
24 305, and 17-95-401 - 17-95-411; or

25 (ii) A person authorized to practice osteopathy
26 under § 17-91-101 et seq.

27
28 SECTION 2. Arkansas Code § 17-81-303, concerning unlawful practice of
29 chiropractic, is amended to add an additional subsection to read as follows:

30 (e) A violation of § 17-81-102(7) is an unlawful practice of
31 chiropractic and is grounds for the offending health care provider's
32 licensing board to suspend, revoke or refuse to renew the health care
33 provider's license or for other disciplinary action allowed by law.

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35 /s/ Womack

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