

THE FLORIDA SENATE  
2012 SUMMARY OF LEGISLATION PASSED  
**Committee on Health Regulation**

**CS/HB 413 — Chiropractic Medicine**

by Health and Human Services Quality Subcommittee; and Rep. Mayfield and others (CS/CS/SB 470 by Budget Subcommittee on Health and Human Services Appropriations; Health Regulation Committee and Senator Jones)

The bill revises the regulation of chiropractic medicine in several ways. It:

- Expands eligibility for obtaining a chiropractic medicine faculty certificate to include performing research or a part-time faculty appointment;
- Provides the Board of Chiropractic Medicine (the Board) with discretion to approve continuing education courses sponsored by chiropractic colleges after review;
- Prohibits approval of chiropractic continuing education courses that pertain to a specific company brand, product line, or service;
- Expands statutory licensure requirements for chiropractic physicians to include passage of Part IV of the National Board of Chiropractic Examiners' (NBCE) certification examination and the NBCE physiotherapy examination;
- Specifies that chiropractic physicians must preserve the identity of funds and property of a patient if the value of the funds and property is greater than \$501;
- Specifies that money or other property entrusted to a chiropractic physician by a patient may not exceed the value of \$1,500;
- Limits indirect supervision of a certified chiropractic physician's assistant (CCPA) to the supervising physician's address of record;
- Eliminates the 24-month requirement for the CCPA curriculum; and
- Expands and revises the exceptions to ownership and control of a chiropractic practice by persons other than licensed chiropractic physicians. More specifically, the bill creates or revises the following exceptions to the requirement that no person other than a sole proprietorship, group practice, partnership, or corporation that is wholly-owned by one or more licensed chiropractic physicians, or by a licensed chiropractic physician and the spouse, parent, child, or sibling of that chiropractic physician, may employ a chiropractic physician or engage a chiropractic physician as an independent contractor to provide chiropractic services:
  - A limited liability company, limited partnership, any person, professional association, or any other entity that is wholly-owned by: a licensed chiropractic physician and the spouse or surviving spouse, parent, child, or sibling of the chiropractic physician; or a trust whose trustees are licensed chiropractic physicians and the spouse, parent, child, or sibling of a chiropractic physician;
  - A limited liability company, limited partnership, professional association, or any other entity wholly-owned by a licensed chiropractor or chiropractors, a licensed medical doctor or medical doctors, a licensed osteopath or osteopaths, or a licensed podiatrist or podiatrists;
  - An entity that is wholly-owned, directly or indirectly, by a licensed or registered hospital or other entity licensed or registered under ch. 395, F.S.;

- An entity that is wholly-owned and operated by an organization that is exempt from federal taxation under s. 501(c)(3) or (4) of the Internal Revenue Code;
- A health care clinic licensed under ch. 400, part X, F.S. that provides chiropractic services by a licensed chiropractic physician; and
- A health maintenance organization or prepaid health clinic regulated under ch. 641, F.S.

Upon the death of a chiropractic physician who wholly-owns a sole proprietorship, group practice, partnership, corporation, limited liability company, limited partnership, professional association, or any other entity, with his or her spouse, parent, child, or sibling, and that wholly-owned entity employs a licensed chiropractic physician or engages a chiropractor as an independent contractor to provide chiropractic services, the bill allows the deceased chiropractic physician's surviving spouse or adult children to hold, operate, pledge, sell, mortgage, assign, transfer, own, or control the deceased chiropractic physician's ownership interests for so long as the surviving spouse or adult children remain the sole proprietor of the chiropractic practice.

If approved by the Governor, these provisions take effect July 1, 2012.

*Vote: Senate 40-0; House 113-0*