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LEGISLATIVE ACTION

Senate

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House

The Committee on Health Policy (Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (6) of section 460.402, Florida
Statutes, is amended to read:

460.402 Exceptions.—The provisions of this chapter shall
not apply to:

(6) A chiropractic student enrolled in a chiropractic
school, college, or program accredited by an accrediting agency



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11 recognized by the United States Department of Education or the
12 Council for Higher Education Accreditation ~~the Council on~~
13 ~~Chiropractic Education~~ and participating in either:

14 (a) A community-based internship under the direct
15 supervision of a doctor of chiropractic medicine who is
16 credentialed as an adjunct faculty member of a chiropractic
17 college in which the student is enrolled; or

18 (b) A chiropractic college clinical internship under the
19 direct supervision of a doctor of chiropractic medicine who is a
20 full-time, part-time, or adjunct faculty member of a
21 chiropractic college ~~located in this state and~~ accredited by an
22 accrediting agency recognized by the United States Department of
23 Education or the Council for Higher Education Accreditation ~~the~~
24 ~~Council on Chiropractic Education~~ and who holds a current,
25 active Florida chiropractor's license.

26 Section 2. Subsection (4) and paragraph (a) of subsection
27 (9) of section 460.403, Florida Statutes, are amended to read:

28 460.403 Definitions.—As used in this chapter, the term:

29 (4) (a) "Community-based internship" means a program in
30 which a student enrolled in the last year of a chiropractic
31 college accredited by an accrediting agency recognized by the
32 United States Department of Education or the Council for Higher
33 Education Accreditation ~~the Council on Chiropractic Education~~ is
34 approved to obtain required pregraduation clinical experience in
35 a chiropractic clinic or practice under the direct supervision
36 of a doctor of chiropractic medicine approved as an adjunct
37 faculty member of the chiropractic college in which the student
38 is enrolled, according to the teaching protocols for the
39 clinical practice requirements of the college.



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40 (b) "Chiropractic college clinical internship" means a
41 program in which a student enrolled in a chiropractic college
42 ~~located in this state and~~ accredited by an accrediting agency
43 recognized by the United States Department of Education or the
44 Council for Higher Education Accreditation ~~the Council on~~
45 ~~Chiropractic Education~~ obtains clinical experience pursuant to
46 the chiropractic college's curriculum in a classroom or
47 chiropractic clinic operated by the chiropractic college,
48 according to the teaching protocols for the clinical practice
49 requirements of the college.

50 (9) (a) "Practice of chiropractic medicine" means a
51 noncombative principle and practice consisting of the science,
52 philosophy, and art of the adjustment, manipulation, and
53 treatment of the human body in which vertebral subluxations and
54 other malpositioned articulations and structures that are
55 interfering with the normal generation, transmission, and
56 expression of nerve impulse between the brain, organs, and
57 tissue cells of the body, thereby causing disease, are adjusted,
58 manipulated, or treated, thus restoring the normal flow of nerve
59 impulse which produces normal function and consequent health by
60 chiropractic physicians using specific chiropractic adjustment
61 or manipulation techniques taught in chiropractic colleges
62 accredited by an accrediting agency recognized by the United
63 States Department of Education or the Council for Higher
64 Education Accreditation ~~the Council on Chiropractic Education~~.
65 No person other than a licensed chiropractic physician may
66 render chiropractic services, chiropractic adjustments, or
67 chiropractic manipulations.

68 Section 3. Subsections (1) and (5) of section 460.406,



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69 Florida Statutes, are amended to read:

70 460.406 Licensure by examination.—

71 (1) Any person desiring to be licensed as a chiropractic
72 physician must apply to the department to take the licensure
73 examination. There shall be an application fee set by the board
74 not to exceed \$100 which shall be nonrefundable. There shall
75 also be an examination fee not to exceed \$500 plus the actual
76 per applicant cost to the department for purchase of portions of
77 the examination from the National Board of Chiropractic
78 Examiners or a similar national organization, which may be
79 refundable if the applicant is found ineligible to take the
80 examination. The department shall examine each applicant who the
81 board certifies has:

82 (a) Completed the application form and remitted the
83 appropriate fee.

84 (b) Submitted proof satisfactory to the department that he
85 or she is not less than 18 years of age.

86 (c) Submitted proof satisfactory to the department that he
87 or she is a graduate of a chiropractic college ~~which is~~
88 accredited by an accrediting agency recognized by the United
89 States Department of Education or the Council for Higher
90 Education Accreditation ~~or has status with the Council on~~
91 ~~Chiropractic Education or its predecessor agency.~~ However, any
92 applicant who is a graduate of a chiropractic college that was
93 initially accredited by the Council on Chiropractic Education in
94 1995, who graduated from such college within the 4 years
95 immediately preceding such accreditation, and who is otherwise
96 qualified shall be eligible to take the examination. No
97 application for a license to practice chiropractic medicine



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98 shall be denied solely because the applicant is a graduate of a
99 chiropractic college that subscribes to one philosophy of
100 chiropractic medicine as distinguished from another.

101 (d)1. For an applicant who has matriculated in a
102 chiropractic college before ~~prior to~~ July 2, 1990, completed at
103 least 2 years of residence college work, consisting of a minimum
104 of one-half the work acceptable for a bachelor's degree granted
105 on the basis of a 4-year period of study, in a college or
106 university accredited by an accrediting agency recognized and
107 approved by the United States Department of Education. However,
108 before ~~prior to~~ being certified by the board to sit for the
109 examination, each applicant who has matriculated in a
110 chiropractic college after July 1, 1990, shall have been granted
111 a bachelor's degree, based upon 4 academic years of study, by a
112 college or university accredited by a regional accrediting
113 agency which is a member of the Commission on Recognition of
114 Postsecondary Accreditation.

115 2. Effective July 1, 2000, completed, before ~~prior to~~
116 matriculation in a chiropractic college, at least 3 years of
117 residence college work, consisting of a minimum of 90 semester
118 hours leading to a bachelor's degree in a liberal arts college
119 or university accredited by an accrediting agency recognized and
120 approved by the United States Department of Education. However,
121 before ~~prior to~~ being certified by the board to sit for the
122 examination, each applicant who has matriculated in a
123 chiropractic college after July 1, 2000, shall have been granted
124 a bachelor's degree from an institution holding accreditation
125 for that degree from a regional accrediting agency which is
126 recognized by the United States Department of Education. The



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127 applicant's chiropractic degree must consist of credits earned
128 in the chiropractic program and may not include academic credit
129 for courses from the bachelor's degree.

130 (e) Successfully completed the National Board of
131 Chiropractic Examiners certification examination in parts I, II,
132 III, and IV, and the physiotherapy examination of the National
133 Board of Chiropractic Examiners, with a score approved by the
134 board.

135 (f) Submitted to the department a set of fingerprints on a
136 form and under procedures specified by the department, along
137 with payment in an amount equal to the costs incurred by the
138 Department of Health for the criminal background check of the
139 applicant.

140
141 The board may require an applicant who graduated from an
142 institution accredited by the Council on Chiropractic Education
143 more than 10 years before the date of application to the board
144 to take the National Board of Chiropractic Examiners Special
145 Purposes Examination for Chiropractic, or its equivalent, as
146 determined by the board. The board shall establish by rule a
147 passing score.

148 (5) A student in a school or college of chiropractic
149 accredited by an accrediting agency recognized by the United
150 States Department of Education or the Council for Higher
151 Education Accreditation ~~the Council on Chiropractic Education or~~
152 ~~its successor~~ in the final year of the program may file an
153 application pursuant to subsection (1), take all examinations
154 required for licensure, and submit a set of fingerprints, ~~and~~
155 ~~pay all fees required for licensure.~~ A chiropractic student who



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156 successfully completes the licensure examinations and who
157 otherwise meets all requirements for licensure as a chiropractic
158 physician during the student's final year must have graduated
159 before being certified for licensure pursuant to this section.

160 Section 4. Subsection (1) of section 460.4062, Florida
161 Statutes, are amended to read:

162 460.4062 Chiropractic medicine faculty certificate.—

163 (1) The department may issue a chiropractic medicine
164 faculty certificate without examination to an individual who
165 remits a nonrefundable application fee, not to exceed \$100 as
166 determined by rule of the board, and who demonstrates to the
167 board that he or she meets the following requirements:

168 (a) Is a graduate of a an-accredited school or college of
169 chiropractic accredited by an accrediting agency recognized by
170 the United States Department of Education or the Council for
171 Higher Education Accreditation ~~the Council on Chiropractic~~
172 ~~Education.~~

173 (b) Holds a valid current license to practice chiropractic
174 medicine in another jurisdiction in the United States.

175 (c) Is at least 21 years of age and of good moral
176 character.

177 (d) Has not committed any act or offense in any
178 jurisdiction which would constitute the basis for discipline
179 under this chapter or chapter 456.

180 (e)1. Performs research or has been offered and has
181 accepted a full-time or part-time faculty appointment to teach
182 in a program of chiropractic medicine at a publicly funded state
183 university or college or at a college of chiropractic located in
184 the state and accredited by an accrediting agency recognized by



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185 the United States Secretary of Education or the Council for
186 Higher Education Accreditation ~~the Council on Chiropractic~~
187 ~~Education;~~ and

188 2. Provides a certification from the dean of the appointing
189 college acknowledging the appointment.

190 Section 5. Paragraph (a) of subsection (1) of section
191 460.4061, Florida Statutes, is amended to read:

192 460.4061 Restricted license.—

193 (1) An applicant for licensure as a chiropractic physician
194 may apply to the department for a restricted license without
195 undergoing a state or national written or clinical competency
196 examination for licensure if the applicant initially applies not
197 later than October 31, 1994, for the restricted license and:

198 (a) Holds a degree from a college of chiropractic
199 accredited by an accrediting agency recognized by the United
200 States Secretary of Education or the Council for Higher
201 Education Accreditation ~~the Council on Chiropractic Education or~~
202 ~~its predecessor agency~~ and holds a bachelor's degree.

203 Section 6. Paragraph (b) of subsection (13) of section
204 460.4165, Florida Statutes, is amended to read:

205 460.4165 Certified chiropractic physician's assistants.—

206 (13) CERTIFIED CHIROPRACTIC ASSISTANT CERTIFICATION
207 RENEWAL.—The certification must be renewed biennially.

208 (b) Each certified chiropractic physician's assistant shall
209 biennially complete 24 hours of continuing education courses
210 approved by the board and sponsored by an accrediting agency
211 recognized by the United States Department of Education or the
212 Council for Higher Education Accreditation ~~chiropractic colleges~~
213 ~~accredited by the Council on Chiropractic Education and approved~~



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214 ~~by the board.~~ The board shall approve those courses that build
215 upon the basic courses required for the practice of chiropractic
216 medicine, and the board may also approve courses in adjunctive
217 modalities. The board may make exception from the requirements
218 of this section in emergency or hardship cases. The board may
219 adopt rules within the requirements of this section which are
220 necessary for its implementation.

221 Section 7. Paragraph (d) of subsection (1) of section
222 460.4167, Florida Statutes, is amended to read:

223 460.4167 Proprietorship by persons other than licensed
224 chiropractic physicians.—

225 (1) A person may not employ a chiropractic physician
226 licensed under this chapter or engage a chiropractic physician
227 licensed under this chapter as an independent contractor to
228 provide services that chiropractic physicians are authorized to
229 offer under this chapter, unless the person is any of the
230 following:

231 (d) A clinical facility that is affiliated with a college
232 of chiropractic accredited by an accrediting agency recognized
233 by the United States Department of Education or the Council for
234 Higher Education Accreditation ~~the Council on Chiropractic~~
235 ~~Education~~ at which training is provided for chiropractic
236 students.

237 Section 8. Paragraph (j) of subsection (4) of section
238 400.9905, Florida Statutes, is amended to read:

239 400.9905 Definitions.—

240 (4) "Clinic" means an entity where health care services are
241 provided to individuals and which tenders charges for
242 reimbursement for such services, including a mobile clinic and a



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243 portable equipment provider. As used in this part, the term does
244 not include and the licensure requirements of this part do not
245 apply to:

246 (j) Clinical facilities affiliated with a college of
247 chiropractic accredited by an accrediting agency recognized by
248 the United States Department of Education or the Council for
249 Higher Education Accreditation ~~the Council on Chiropractic~~
250 ~~Education~~ at which training is provided for chiropractic
251 students.

252
253 Notwithstanding this subsection, an entity shall be deemed a
254 clinic and must be licensed under this part in order to receive
255 reimbursement under the Florida Motor Vehicle No-Fault Law, ss.
256 627.730-627.7405, unless exempted under s. 627.736(5)(h).

257 Section 9. This act shall take effect upon becoming a law.

258
259 ===== T I T L E A M E N D M E N T =====

260 And the title is amended as follows:

261 Delete everything before the enacting clause
262 and insert:

263 A bill to be entitled
264 An act relating to chiropractors; amending s. 460.402,
265 F.S.; revising an exemption from regulation under ch.
266 460, F.S., for certain chiropractic students; amending
267 s. 460.406, F.S.; revising application requirements
268 for licensure by examination; amending s. 460.4062,
269 F.S.; revising requirements for the issuance of a
270 chiropractic medicine faculty certificate without
271 examination; conforming a provision to changes made by



272 the act; amending ss. 460.403, 460.4061, 460.4165,
273 460.4167, and 400.9905, F.S.; conforming provisions to
274 changes made by the act; providing an effective date.