

1 A bill to be entitled
2 An act relating to patient funds held in trust by
3 chiropractic physicians; amending s. 460.413, F.S.;
4 deleting the limitation on the amount of patient funds
5 a chiropractic physician may hold in trust for
6 specified purposes; providing an effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 **Section 1. Paragraph (y) of subsection (1) of section**
11 **460.413, Florida Statutes, is amended to read:**

12 460.413 Grounds for disciplinary action; action by board
13 or department.—

14 (1) The following acts constitute grounds for denial of a
15 license or disciplinary action, as specified in s. 456.072(2):

16 (y) Failing to preserve identity of funds and property of
17 a patient, the value of which is greater than \$501. As provided
18 by rule of the board, money or other property entrusted to a
19 chiropractic physician for a specific purpose, including
20 advances for costs and expenses of examination or treatment
21 ~~which may not exceed the value of \$1,500,~~ is to be held in trust
22 and must be applied only to that purpose. Money and other
23 property of patients coming into the hands of a chiropractic
24 physician are not subject to counterclaim or setoff for
25 chiropractic physician's fees, and a refusal to account for and

26 deliver over such money and property upon demand shall be deemed
27 a conversion. This is not to preclude the retention of money or
28 other property upon which the chiropractic physician has a valid
29 lien for services or to preclude the payment of agreed fees from
30 the proceeds of transactions for examinations or treatments.
31 Controversies as to the amount of the fees are not grounds for
32 disciplinary proceedings unless the amount demanded is clearly
33 excessive or extortionate, or the demand is fraudulent. All
34 funds of patients paid to a chiropractic physician, other than
35 advances for costs and expenses, shall be deposited into one or
36 more identifiable bank accounts maintained in the state in which
37 the chiropractic physician's office is situated, and funds
38 belonging to the chiropractic physician may not be deposited
39 therein except as follows:

40 1. Funds reasonably sufficient to pay bank charges may be
41 deposited therein.

42 2. Funds belonging in part to a patient and in part
43 presently or potentially to the physician must be deposited
44 therein, but the portion belonging to the physician may be
45 withdrawn when due unless the right of the physician to receive
46 it is disputed by the patient, in which event the disputed
47 portion may not be withdrawn until the dispute is finally
48 resolved.

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50 Every chiropractic physician shall maintain complete records of

51 all funds, securities, and other properties of a patient coming
52 into the possession of the physician and render appropriate
53 accounts to the patient regarding them. In addition, every
54 chiropractic physician shall promptly pay or deliver to the
55 patient, as requested by the patient, the funds, securities, or
56 other properties in the possession of the physician which the
57 patient is entitled to receive.

58 **Section 2.** This act shall take effect July 1, 2026.