

Second Regular Session of the 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1384

AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 25-10-1-1, AS AMENDED BY P.L.1-2006, SECTION 427, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1. As used in this article:

(1) "Chiropractic" means the **examination, diagnosis, and analysis evaluation, and treatment of human ailments and conditions** of any interference with normal nerve transmission and expression, the procedure preparatory to and complementary to the correction thereof by an adjustment **or manipulation** of the articulations of the vertebral column, its immediate articulation, **and includes including** other incidental means of adjustments of the spinal column, **and the practice of drugless therapeutics**. However, chiropractic does not include any of the following: **extremities, and musculoskeletal soft tissues of the body without the use of prescription drugs or surgery.**

(A) Prescription or administration of legend drugs or other controlled substances.

(B) Performing of incisive surgery or internal or external cauterization.

(C) Penetration of the skin with a needle or other instrument for any purpose except for the purpose of blood analysis.

(D) Use of colonic irrigations, plasmaties, ionizing radiation

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therapy, or radionics.

(E) Conducting invasive diagnostic tests or analysis of body fluids except for urinalysis.

(F) The taking of x-rays of any organ other than the vertebral column and extremities.

(G) The treatment or attempt to treat infectious diseases; endocrine disorders; or atypical or abnormal histology.

(2) "Chiropractor" means any person who is qualified under this chapter to practice the science of chiropractic.

(3) "Board" means the board of chiropractic examiners under section 1.5 of this chapter.

(4) "Agency" refers to the Indiana professional licensing agency under IC 25-1-5.

SECTION 2. IC 25-10-1-1.5, AS AMENDED BY P.L.1-2006, SECTION 428, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1.5. (a) There is created a board of chiropractic examiners. The board shall consist of seven (7) members appointed by the governor, not more than four (4) of whom may be affiliated with the same political party. Six (6) of the board members must be licensed under this chapter and must have had at least five (5) years of experience as a chiropractor prior to their appointment. One (1) member is to represent the general public and must be:

(1) a resident of this state; and

(2) in no way associated with the profession of chiropractic other than as a consumer.

(b) All members shall be appointed for a term of three (3) years and serve until their successors are appointed and qualified. A vacancy occurring on the board shall be filled by the governor by appointment. Each appointed member shall serve for the unexpired term of the vacating member.

(c) The members of the board are entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Members are also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(d) The members of the board shall organize by the election of a chairman and a vice chairman from among its membership. The officers serve for a term of one (1) year. The board shall meet at least once each year and on other occasions as it considers necessary and advisable. A meeting of the board may be called by its chairman or by



a majority of the members on the board. Four (4) members of the board constitute a quorum for the transaction of business. All decisions are required to be made by a majority vote of the quorum.

(e) The agency shall provide a secretary of the board and other personnel necessary for the proper performance of the board's duties and responsibilities under this chapter. The board, through the agency, shall receive and account for all money collected under this chapter and pay the money to the treasurer of state to be deposited by the treasurer in the general fund of the state.

(f) The board may do the following:

- (1) Establish reasonable application, examination, and renewal procedures for certification under this chapter.
- (2) Use an examination under this chapter that is designed by the board, designed by another person, or designed in part by the board and in part by another person.
- (3) Conduct in the manner prescribed by the board examinations of applicants for certification under this chapter. The board may conduct any part of the examinations through a person other than the agency who is approved by the board. The agency may conduct any part of the examinations under IC 25-1-5-4.
- (4) Issue, deny, suspend, revoke, and renew certificates.
- (5) Subject to IC 25-1-7, investigate and conduct hearings, upon complaint against individuals certified or not certified under this chapter, concerning alleged violation of this chapter with hearings to be conducted in accordance with IC 4-21.5.
- (6) Initiate the prosecution and enjoinder of a person violating this chapter.
- (7) Adopt rules necessary for the proper performance of the board's duties, in accordance with IC 4-22-2.
- (8) Maintain a current list of individuals certified under this chapter.
- (9) Establish a code of professional conduct.
- (10) Adopt rules under IC 4-22-2 to allow chiropractors licensed under this chapter to delegate the manual manipulation, manual adjustment, or manual mobilization of the spinal column or the vertebral column under section 14(c)(4) of this chapter.
- (11) Adopt rules under IC 4-22-2 establishing standards for the registration and regulation of chiropractic management consultants (as defined by the board under IC 25-10-2).
- (12) Set fees for the annual registration of a chiropractic management consultant under IC 25-10-2.
- (13) Adopt rules under IC 4-22-2 establishing health and**



sanitation standards that conform to public health standards for dry needling.

(g) The board shall adopt rules establishing standards for the competent practice of the science of the chiropractic in accordance with IC 4-22-2.

(h) All expenses incurred in the administration of this chapter shall be paid from the state general fund upon appropriation being made in the manner provided by law for the making of appropriations.

SECTION 3. IC 25-10-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) A person who is at least eighteen (18) years of age and who has not been convicted of a crime that has a direct bearing on the person's ability to practice competently is eligible to be licensed to practice chiropractic in Indiana if the person is a graduate of an incorporated chiropractic school or college incorporated for the purpose of teaching the science of chiropractic. The school or college must:

- (1) meet the reasonable requirements of the board; and ~~must~~
- (2) be accredited by the Accreditation Commission of the Council on Chiropractic Education **or its successor organization;**

during the applicant's attendance at the accredited school or college. The board may not discriminate against a chiropractic school or college that meets these requirements.

(b) In addition to the requirements in subsection (a), an applicant for a license to practice chiropractic must have completed:

- (1) **for applications made before July 1, 2021, at least two (2) years sixty (60) semester hours; or**
- (2) **for applications made after June 30, 2021, at least ninety (90) semester hours;**

of education in a college or university of learning accredited by an accrediting agency that has been approved by the United States Department of Education before the applicant's training and education in a chiropractic school or college.

SECTION 4. IC 25-10-1-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 16. An individual may not use the title "chiropractor" to indicate or imply that the individual is a chiropractor unless the individual is licensed under this chapter.**

SECTION 5. IC 25-10-1-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 17. Except for the treatment of infectious and endocrine diseases or atypical or abnormal histology, a chiropractor licensed under this article may diagnose and treat**



injuries, conditions, and disorders, including chiropractic subluxations, fixations, and spinal intersegmental dysfunction, through the following:

- (1) The administration of chiropractic adjustment or manipulation to the body for the purpose of maintaining, restoring, or improving neurobiomechanical, immunological, or physiological function.**
- (2) The administration or dispensing of supportive procedure therapies, including physiological therapeutics, rehabilitation procedures, and ancillary therapies.**
- (3) The use of solid filiform needles to treat neuromusculoskeletal pain and dysfunction, which is commonly referred to as dry needling, after completing board approved continuing education and complying with applicable board rules. However, a chiropractor may not engage in the practice of acupuncture (as defined in IC 25-2.5-1-5), unless the chiropractor is licensed under IC 25-2.5.**
- (4) Except for the use of ionizing radiation therapy or radionics, the use of x-rays, diagnostic imaging test results, or other diagnostic tests that may be required to prepare a proper chiropractic diagnosis.**
- (5) The performance of an analysis to detect chiropractic subluxations, fixations, or spinal intersegmental dysfunctions.**
- (6) The management, coordination, or delegation of patient care functions, including initiating referrals to licensed specialists for concurrent, or additional services or care the chiropractor believes is most suited for the individual's chiropractic condition.**
- (7) Counseling and instructing individuals regarding general health matters, diet, weight management, ergonomics, exercise, hygiene, nutrition, outcome assessments, wellness, and good health habits.**



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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