

## SENATE BILL No. 160

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-10-1.

**Synopsis:** Chiropractic licensure. Amends the definition of "chiropractic". Allows chiropractors to perform certain procedures and functions that chiropractors are currently prohibited from performing. Provides that a member of the board of chiropractic examiners (board) may not serve for more than four consecutive terms. Allows the board to adopt rules concerning peer review. Provides that accreditation of a chiropractic college for licensure purposes may be by a successor organization of the Accreditation Commission of the Council on Chiropractic Education. Requires that after June 30, 2021, an applicant for a license to practice chiropractic must have completed at least 90 semester hours of education. Prohibits an individual from using certain titles or abbreviations to indicate or imply that the individual is a chiropractor unless the individual is a licensed chiropractor. Allows a chiropractor to perform certain therapies to the extent the chiropractor was taught the therapy in an accredited chiropractic college or university or an approved postgraduate program.

**Effective:** July 1, 2018.

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### Messmer, Alting, Becker

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January 3, 2018, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session 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.

## SENATE BILL No. 160

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

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

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

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

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

17      (B) Performing of incisive surgery or internal or external



1 cauterization:

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

4 ~~(D) Use of colonic irrigations, plasmatics, ionizing radiation~~  
 5 ~~therapy, or radionics.~~

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

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

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

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

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

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

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

27 (1) a resident of this state; and

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

30 (b) All members shall be appointed for a term of three (3) years and  
 31 serve until their successors are appointed and qualified. A vacancy  
 32 occurring on the board shall be filled by the governor by appointment.  
 33 Each appointed member shall serve for the unexpired term of the  
 34 vacating member. **A member of the board may not serve for more**  
 35 **than four (4) consecutive terms.**

36 (c) The members of the board are entitled to the minimum salary per  
 37 diem provided by IC 4-10-11-2.1(b). Members are also entitled to  
 38 reimbursement for traveling expenses as provided under IC 4-13-1-4  
 39 and other expenses actually incurred in connection with the member's  
 40 duties as provided in the state policies and procedures established by  
 41 the Indiana department of administration and approved by the budget  
 42 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



1 registration and regulation of chiropractic management  
2 consultants (as defined by the board under IC 25-10-2).

3 (12) Set fees for the annual registration of a chiropractic  
4 management consultant under IC 25-10-2.

5 **(13) Subject to IC 34-30-15, adopt rules concerning peer**  
6 **review.**

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

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

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

21 (1) meet the reasonable requirements of the board; and ~~must~~

22 (2) be accredited by the Accreditation Commission of the Council  
23 on Chiropractic Education **or its successor organization;**  
24 during the applicant's attendance at the accredited school or college.  
25 The board may not discriminate against a chiropractic school or college  
26 that meets these requirements.

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

29 (1) **for applications made before July 1, 2021, at least two (2)**  
30 **years** sixty (60) semester hours; **or**

31 (2) **for applications made after June 30, 2021, at least ninety**  
32 **(90) semester hours;**

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

37 SECTION 4. IC 25-10-1-16 IS ADDED TO THE INDIANA CODE  
38 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
39 1, 2018]: **Sec. 16. An individual may not use:**

40 (1) the title "chiropractor", "chiropractic physician", or  
41 "doctor of chiropractic"; or

42 (2) the abbreviation "D.C.";



1 to indicate or imply that the individual is a chiropractor unless the  
2 individual is licensed under this chapter.

3 SECTION 5. IC 25-10-1-17 IS ADDED TO THE INDIANA CODE  
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
5 1, 2018]: Sec. 17. To the extent the therapy has been taught to the  
6 chiropractor in a chiropractic college or chiropractic program in  
7 a university that has been accredited by the Council of  
8 Chiropractic Education, its successor organization, or an approved  
9 postgraduate program, a chiropractor licensed under this article  
10 may treat injuries, conditions, and disorders, including  
11 chiropractic subluxations, fixations, spinal intersegmental  
12 dysfunction, and somatic dysfunctions, through the following  
13 therapies:

14 (1) The administration of chiropractic adjustment or  
15 manipulation to the body for the purpose of maintaining,  
16 restoring, or improving neuro-biomechanical or physiological  
17 function.

18 (2) The administration or dispensing of supportive procedure  
19 therapies, including physical therapeutics and physiotherapy.

20 (3) The insertion, manual and electrical stimulation, and  
21 removal of solid filiform needles into muscle and connective  
22 tissue to treat neuromusculoskeletal disorders. However, a  
23 chiropractor may not engage in the practice of acupuncture  
24 (as defined in IC 25-2.5-1-5) unless the chiropractor is  
25 licensed under IC 25-2.5.

26 (4) The performance of any other therapeutic procedure or  
27 service, including the ordering of advanced imaging of all  
28 parts of the human body.

29 (5) The evaluation and examination of individuals to  
30 determine the presence of, absence of, and diagnosis of  
31 physical or physiologic injuries, conditions, or disorders of the  
32 body.

33 (6) The performance of an analysis to detect chiropractic  
34 subluxations, fixations, spinal intersegmental dysfunctions, or  
35 somatic dysfunctions.

36 (7) The management, coordination, or delegation of patient  
37 care functions, including initiating referrals to specialists for  
38 concurrent, additional, or alternative services or care the  
39 chiropractor believes is most suited for the individual's  
40 chiropractic condition.

41 (8) Counseling and instruction of individuals regarding  
42 general health matters, including activities of daily living,



1 diet, weight management, ergonomics, exercise, hygiene,  
2 nutrition, risk factor screening, wellness, and good health  
3 habits.  
4 (9) Ordering, performing, and interpreting laboratory,  
5 radiological, electrodiagnostic, or any other diagnostic  
6 studies, including x-ray studies and advanced imaging of all  
7 parts of the human body.

