

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 354

Short Title: Chiropractic Assistant Modifications. (Public)

Sponsors: Representatives White and Sasser (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Health, if favorable, Rules, Calendar, and Operations of the House

March 14, 2023

A BILL TO BE ENTITLED

AN ACT TO ALLOW CHIROPRACTIC CLINICAL ASSISTANTS IN A CHIROPRACTIC
PRECEPTORSHIP PROGRAM TO PROVIDE CERTAIN SERVICES UNDER DIRECT
SUPERVISION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-143.4 reads as rewritten:

"§ 90-143.4. Chiropractic clinical assistants; certification of competency.

(a) "Chiropractic clinical assistant" means a nonlicensed employee of a chiropractic physician whose duties include (i) collecting general health data, such as the taking of an oral history or vital sign measurements, (ii) applying therapeutic procedures, such as thermal, sound, light and electrical modalities, and hydrotherapy, and (iii) monitoring prescribed rehabilitative activities. Nothing in this section shall be construed to allow a chiropractic clinical assistant to provide a chiropractic adjustment, manual therapy, nutritional instruction, ~~counseling~~, or any other therapeutic service that requires individual ~~license~~ licensure, except for chiropractic clinical assistants who are graduates of or students enrolled in accredited chiropractic colleges and participating in a preceptorship program in this State under G.S. 90-142.1 may provide all of the following services under the direct supervision of a licensed chiropractor:

- (1) Chiropractic adjustment.
- (2) Manual therapy.
- (3) Nutritional instruction.

For the purposes of this section, the term "direct supervision" means that the supervising licensed chiropractor must be within the immediate patient treatment area and available to the student at all times.

...."

SECTION 2. G.S. 90-147 reads as rewritten:

"§ 90-147. Practice without license a misdemeanor; injunctions.

Any person practicing chiropractic in this State without possessing a license as provided in this Article shall be guilty of a Class 1 ~~misdemeanor~~ misdemeanor, except that students of chiropractic participating in a preceptorship program under G.S. 90-142.1 may perform chiropractic services as set forth in G.S. 90-143.4(a) without a license under direct supervision and in accordance with that section.

The North Carolina State Board of Chiropractic Examiners may appear in its own name in the superior court in an action for injunctive relief to prevent violation of this section, and the superior court shall have the power to grant such injunction regardless of whether criminal prosecution has been or may be instituted. An action under this section shall be commenced in



1 the superior court district in which the respondent resides or has his principal place of business
2 or in which the alleged violation occurred."

3 **SECTION 3.** The North Carolina State Board of Chiropractic Examiners shall adopt
4 rules to implement the provisions of this act.

5 **SECTION 4.** This act becomes effective October 1, 2023.