

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1362 Session of
1985

INTRODUCED BY LLOYD, MILLER, RIEGER, MURPHY, BOOK, SEVENTY,
AFFLERBACH, LINTON AND DONATUCCI, JUNE 4, 1985

SENATOR BELL, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
IN SENATE, AS AMENDED, JUNE 24, 1986

AN ACT

1 Providing for the licensing of chiropractors and the regulation
2 of the practice of chiropractic; establishing the State Board
3 of Chiropractic ~~Examiners~~ in the Department of State and <—
4 providing for its powers and duties; providing for the
5 supervision of schools of chiropractic, for the examination
6 of applicants, for enforcement and for disciplinary actions;
7 providing penalties; and making repeals.

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3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 CHAPTER 1

6 PRELIMINARY PROVISIONS

7 Section 101. Short title.

8 This act shall be known and may be cited as the Chiropractic
9 Practice Act.

10 Section 102. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Board." The State Board of Chiropractic ~~Examiners~~. <—

15 "Bureau." The Bureau of Professional and Occupational
16 Affairs.

17 ~~"Chiropractic." A limited science of the healing arts <—~~
18 ~~dealing with the relationship between the articulations of the~~
19 ~~vertebral column, as well as other articulations, and the neuro-~~
20 ~~musculo-skeletal system and the role of these relationships in~~
21 ~~the restoration and maintenance of health. The term shall~~
22 ~~include systems of locating misaligned or displaced vertebrae of~~
23 ~~the human spine and other articulations; the examination~~
24 ~~preparatory to the adjustment or manipulation and the adjustment~~
25 ~~or manipulation of such misaligned or displaced vertebrae and~~
26 ~~other articulations; the use of board approved scientific~~
27 ~~instruments of analysis, including X ray, as taught in the~~
28 ~~approved schools and colleges of chiropractic. The term shall~~
29 ~~also include diagnosis, provided that such diagnosis is~~
30 ~~necessary to determine what, if any, chiropractic treatment is~~

~~1 appropriate. The term shall also include the use of adjunctive
2 procedures if the use of any such adjunctive procedure is
3 necessary to the performance of an adjustment or manipulation.
4 Provided, That the chiropractor was taught such adjunctive
5 procedure in a chiropractic school or college and the procedure
6 was included in the examination he passed in order to obtain a
7 license to practice chiropractic in this Commonwealth, or the
8 chiropractor participates in a board approved program of
9 continuing chiropractic education in the use of such adjunctive
10 procedure. No chiropractor may use any adjunctive procedure
11 during the first 18 months following the effective date of this
12 section unless such procedure has been approved by board action
13 or subsequent to those first 18 months unless such procedure has
14 been approved by regulation. The term shall not include the
15 treatment of minors, except in accordance with guidelines
16 approved by the board, for the first 18 months following the
17 effective date of this act, and in accordance with regulations
18 promulgated by the board subsequent to those first 18 months.
19 The term shall not include the practice of obstetrics or
20 gynecology, the reduction of fractures or major dislocations,
21 needle acupuncture, the treatment of cancer, the treatment of
22 infectious or communicable disease, or the use of drugs or
23 surgery.~~

24 "CHIROPRACTIC." A LIMITED SCIENCE OF THE HEALING ARTS <—
25 DEALING WITH THE RELATIONSHIP BETWEEN THE ARTICULATIONS OF THE
26 VERTEBRAL COLUMN, AS WELL AS OTHER ARTICULATIONS, AND THE
27 NERVOUS SYSTEM AND THE ROLE OF THESE RELATIONSHIPS IN THE
28 RESTORATION AND MAINTENANCE OF HEALTH. THE TERM SHALL INCLUDE
29 CHIROPRACTIC DIAGNOSIS; A SYSTEM OF LOCATING MISALIGNED OR
30 DISPLACED VERTEBRAE OF THE HUMAN SPINE AND OTHER ARTICULATIONS;

1 THE EXAMINATION PREPARATORY TO AND THE ADJUSTMENT OF SUCH
2 MISALIGNED OR DISPLACED VERTEBRAE AND OTHER ARTICULATIONS; THE
3 FURNISHING OF NECESSARY PATIENT CARE FOR THE RESTORATION AND
4 MAINTENANCE OF HEALTH AND THE USE OF SCIENTIFIC INSTRUMENTS OF
5 ANALYSIS, AS TAUGHT IN THE APPROVED SCHOOLS AND COLLEGES OF
6 CHIROPRACTIC, WITHOUT THE USE OF EITHER DRUGS OR SURGERY. THE
7 TERM SHALL NOT INCLUDE THE PRACTICE OF OBSTETRICS OR REDUCTION
8 OF FRACTURES OR MAJOR DISLOCATIONS.

9 "Chiropractor." A practitioner of chiropractic.

10 "Commissioner." The Commissioner of Professional and
11 Occupational Affairs.

12 "Department." The Department of State of the Commonwealth.

13 CHAPTER 3

14 STATE BOARD OF CHIROPRACTIC ~~EXAMINERS~~

<—

15 Section 301. State Board of Chiropractic ~~Examiners~~.

<—

16 (a) Establishment and composition.--There is hereby
17 established within the Department of State the State Board of
18 Chiropractic ~~Examiners~~. The board shall consist of nine members
19 as follows:

<—

20 (1) The commissioner.

21 (2) The Director of the Bureau of Consumer Protection in
22 the Office of Attorney General, or his designee.

23 (3) Two members representing the general public who
24 shall be appointed by the Governor with the advice and
25 consent of a majority of the MEMBERS ELECTED TO THE Senate.

<—

26 (4) Five members, appointed by the Governor with the
27 advice and consent of a majority of the MEMBERS ELECTED TO
28 THE Senate, who are licensed to practice chiropractic under
29 the laws of this Commonwealth and who have been engaged in
30 the full-time practice of chiropractic in this Commonwealth

<—

1 for at least five years immediately preceding their
2 appointment. No member shall be in any manner financially
3 interested in or connected with the faculty or management of
4 any school or college of chiropractic. No member shall be an
5 officer, representative, agent or consultant to a local,
6 state or national professional society or private entity
7 which establishes standards adjudging the practice and fees
8 of licensed members of the chiropractic profession or shall
9 receive any remuneration in any form from such society or
10 entity, directly or indirectly, or shall engage in any
11 activity related to the chiropractic profession for which he
12 receives remuneration in any form or amount, other than in
13 the capacity of treating patients. NOT MORE THAN TWO MEMBERS <—
14 OF THE BOARD SHALL BE GRADUATES OF ANY ONE SCHOOL OR COLLEGE
15 OF CHIROPRACTIC.

16 (b) Term and vacancies.--The term of office of each
17 professional and public member shall be four years from his
18 appointment or until his successor has been duly appointed and
19 qualified according to law but no longer than six months beyond
20 the four-year period. In the event that any member should die or
21 resign OR OTHERWISE BECOME DISQUALIFIED during his term of <—
22 office, his successor shall be appointed in the same way and
23 with the same qualifications as set forth in subsection (a) and
24 shall hold office for the unexpired term. NO MEMBER SHALL BE <—
25 ELIGIBLE FOR APPOINTMENT TO SERVE MORE THAN TWO CONSECUTIVE
26 TERMS.

27 (c) Quorum and officers.--~~Five members of the board~~ A <—
28 MAJORITY OF THE MEMBERS OF THE BOARD SERVING IN ACCORDANCE WITH
29 LAW shall constitute a quorum FOR PURPOSES OF CONDUCTING THE <—
30 BUSINESS OF THE BOARD. EXCEPT FOR TEMPORARY AND AUTOMATIC

1 SUSPENSIONS UNDER SECTION 506, A MEMBER MAY NOT BE COUNTED AS
2 PART OF A QUORUM OR VOTE ON ANY ISSUE UNLESS HE IS PHYSICALLY IN
3 ATTENDANCE AT THE MEETING. The board shall annually select, from
4 among its members, a chairman and a secretary.

5 (d) Compensation.--Each member of the board other than the
6 commissioner and the Director of the Bureau of Consumer
7 Protection shall receive ~~reimbursement for reasonable traveling,~~ <—
8 ~~lodging and other necessary expenses and per diem compensation~~
9 ~~at the rate of \$60 per day for each day of actual service while~~
10 ~~on board business~~ \$60 PER DIEM WHEN ACTUALLY ATTENDING TO THE <—
11 WORK OF THE BOARD. MEMBERS SHALL ALSO RECEIVE THE AMOUNT OF
12 REASONABLE TRAVELING, HOTEL AND OTHER EXPENSES INCURRED IN THE
13 PERFORMANCE OF THEIR DUTIES IN ACCORDANCE WITH COMMONWEALTH
14 REGULATIONS.

15 (e) Attendance AT MEETINGS.--A member who fails to attend <—
16 three consecutive meetings shall forfeit his seat unless the
17 commissioner, upon written request from the member, finds that
18 the member should be excused from a meeting because of illness
19 or the death of an immediate family member.

20 (F) ATTENDANCE AT TRAINING SEMINARS.--A PUBLIC MEMBER WHO <—
21 FAILS TO ATTEND TWO CONSECUTIVE STATUTORILY MANDATED TRAINING
22 SEMINARS IN ACCORDANCE WITH SECTION 813(E) OF THE ACT OF APRIL
23 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF
24 1929, SHALL FORFEIT HIS SEAT UNLESS THE COMMISSIONER, UPON
25 WRITTEN REQUEST FROM THE PUBLIC MEMBER, FINDS THAT THE PUBLIC
26 MEMBER SHOULD BE EXCUSED FROM A MEETING BECAUSE OF ILLNESS OR
27 THE DEATH OF A FAMILY MEMBER.

28 Section 302. Powers and duties.

29 The board shall have powers and duties as follows:

30 (1) To provide for and regulate the issuance of a

1 license to any person:

2 (i) who meets the general and educational
3 qualifications of this act and who passes the examination
4 specified by the board; or

5 (ii) who meets the requirements for the issuance of
6 a license by reciprocity or of a limited license, as
7 provided for in this act.

8 (2) To decide matters relating to the issuance, renewal,
9 suspension or revocation of licenses.

10 (3) To promulgate, adopt, and enforce in the manner
11 provided by law, the rules and regulations necessary to carry
12 out this act.

13 (4) To approve or disapprove chiropractic schools and
14 colleges in accordance with section 303.

15 (5) To take appropriate actions to initiate injunctive
16 and criminal prosecution proceedings in connection with the
17 unlawful or unauthorized practice of chiropractic or other
18 violations of this act. Injunctive and criminal proceedings
19 shall be instituted in accordance with the act of October 15,
20 1980 (P.L.950, No.164), known as the Commonwealth Attorneys
21 Act.

22 (6) To provide for and schedule examinations in
23 accordance with this act and to contract with a professional
24 testing organization for the preparation and administration
25 of those examinations in accordance with section 812.1 of the
26 act of April 9, 1929 (P.L.177, No.175), known as The
27 Administrative Code of 1929.

28 (7) To conduct hearings and make adjudications,
29 including adjudications involving disciplinary actions. The
30 board may conduct such hearings or may designate a member of

1 the board or utilize a qualified hearing examiner to conduct
2 such hearings and to prepare adjudications, including
3 adjudications involving disciplinary actions, for final
4 revision and approval by the board.

5 (8) To keep a record showing the names and addresses of
6 all licensees under this act.

7 (9) To keep minutes and records of all its transactions
8 and proceedings, especially with relation to the issuance,
9 denial, registration, formal reprimand, suspension and
10 revocation of licenses. In all actions or proceedings in any
11 court, a transcript of any board record or any part thereof,
12 which is certified to be a true copy by the board, shall be
13 entitled to admission in evidence.

14 (10) To submit annually to the House and Senate
15 Appropriations Committees, 15 days after the Governor has
16 submitted his budget to the General Assembly, a copy of the
17 budget request for the upcoming fiscal year which the board
18 previously submitted to the department.

19 (11) To submit annually a report to the Professional
20 Licensure Committee of the House of Representatives and to
21 the Consumer Protection and Professional Licensure Committee
22 of the Senate CONTAINING a description of the types of <—
23 complaints received, status of cases, board action which has
24 been taken and the length of time from the initial complaint
25 to final board resolution.

26 (12) To hold at least four meetings a year for the
27 conduct of its business upon giving public notice of such
28 meetings in the manner provided by law.

29 (13) TO ISSUE SUBPOENAS, UPON APPLICATION OF AN ATTORNEY <—
30 RESPONSIBLE FOR REPRESENTING THE COMMONWEALTH IN DISCIPLINARY

1 MATTERS BEFORE THE BOARD, FOR THE PURPOSE OF INVESTIGATING
2 ALLEGED VIOLATIONS OF THE DISCIPLINARY PROVISIONS
3 ADMINISTERED BY THE BOARD. THE BOARD SHALL HAVE THE POWER TO
4 SUBPOENA WITNESSES, TO ADMINISTER OATHS, TO EXAMINE WITNESSES
5 AND TO TAKE TESTIMONY OR COMPEL THE PRODUCTION OF BOOKS,
6 RECORDS, PAPERS AND DOCUMENTS AS IT MAY DEEM NECESSARY OR
7 PROPER IN AND PERTINENT TO ANY PROCEEDING, INVESTIGATION OR
8 HEARING HELD BY IT. CHIROPRACTIC RECORDS MAY NOT BE
9 SUBPOENAED WITHOUT CONSENT OF THE PATIENT OR WITHOUT ORDER OF
10 A COURT OF COMPETENT JURISDICTION ON A SHOWING THAT THE
11 RECORDS ARE REASONABLY NECESSARY FOR THE CONDUCT OF THE
12 INVESTIGATION. THE COURT MAY IMPOSE SUCH LIMITATIONS ON THE
13 SCOPE OF THE SUBPOENA AS ARE NECESSARY TO PREVENT UNNECESSARY
14 INTRUSION INTO PATIENT CONFIDENTIAL INFORMATION. THE BOARD IS
15 AUTHORIZED TO APPLY TO COMMONWEALTH COURT TO ENFORCE ITS
16 SUBPOENAS.

17 ~~Section 303. General supervision of chiropractic schools and~~ <—
18 ~~colleges.~~

19 ~~(a) Approval of schools and colleges. For the purposes of~~
20 ~~satisfying the educational requirements established in~~
21 ~~accordance with this act, the board shall approve any~~
22 ~~chiropractic school or college which is accredited by a~~
23 ~~chiropractic accrediting agency recognized by the United States~~
24 ~~Department of Education or the Council on Post Secondary~~
25 ~~Accreditation, but the board shall not approve any chiropractic~~
26 ~~school or college which is not so accredited.~~

27 ~~(b) Implementation. This section shall not immediately~~
28 ~~apply to a chiropractic school or college which is currently~~
29 ~~approved by the board on the basis of a self study and~~
30 ~~inspection of the institution, nor shall it immediately apply to~~

~~1 a chiropractic school or college which currently holds status as~~
~~2 a recognized candidate for accreditation with an appropriate~~
~~3 accrediting agency, as required by subsection (a). Such school~~
~~4 or college shall have five years from the effective date of this~~
~~5 act in which to obtain accreditation from an appropriate agency~~
~~6 as provided in this act.~~

7 SECTION 303. GENERAL SUPERVISION OF CHIROPRACTIC SCHOOLS. <—

8 (A) ACCREDITATION.--FOR THE PURPOSES OF SATISFYING THE
9 EDUCATIONAL REQUIREMENTS ESTABLISHED IN ACCORDANCE WITH THIS
10 ACT, THE BOARD SHALL APPROVE ANY CHIROPRACTIC SCHOOL OR COLLEGE
11 WHICH IS ACCREDITED BY A CHIROPRACTIC ACCREDITING AGENCY OR
12 REGIONAL ACCREDITING AGENCY RECOGNIZED BY THE UNITED STATES
13 DEPARTMENT OF EDUCATION OR THE COUNCIL ON POST-SECONDARY
14 ACCREDITATION, BUT THE BOARD SHALL NOT APPROVE ANY CHIROPRACTIC
15 SCHOOL OR COLLEGE WHICH IS NOT SO ACCREDITED.

16 (B) IMPLEMENTATION.--A CHIROPRACTIC COLLEGE WHICH IS NOT
17 ACCREDITED IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (B)
18 SHALL HAVE FIVE YEARS FROM THE EFFECTIVE DATE OF THIS ACT IN
19 WHICH TO OBTAIN ACCREDITATION FROM AN APPROPRIATE AGENCY AS
20 PROVIDED IN THIS ACT.

21 CHAPTER 5

22 LICENSURE AND REGULATION

23 SUBCHAPTER A

24 LICENSURE

25 Section 501. Applications for license.

26 (a) Requirement for licensure.--An applicant for a license
27 under this act shall submit satisfactory proof to the board that
28 the applicant meets all of the following:

29 (1) Is 21 years of age or older.

30 (2) Is of good moral character.

1 (3) Has a high school diploma or its equivalent.

2 (4) Has completed two years of college or 60 credit
3 hours.

4 (5) Has graduated from an approved school or college of
5 chiropractic, with successful completion of not less than the
6 minimum number of hours of classroom and laboratory
7 instruction required by regulation of the board, which
8 minimum shall be at least 4,000 hours.

9 (6) Has passed the examination required under this act.

10 (7) Has not been convicted of a felonious act prohibited
11 by the act of April 14, 1972 (P.L.233, No.64), known as The
12 Controlled Substance, Drug, Device and Cosmetic Act, or
13 ~~convicted of a felony relating to a controlled substance in a~~ <—
14 ~~court of law of the United States or any other state,~~
15 ~~territory or country~~ OF AN OFFENSE UNDER THE LAWS OF ANOTHER <—
16 JURISDICTION WHICH IF COMMITTED IN THIS COMMONWEALTH WOULD BE
17 A FELONY UNDER THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND
18 COSMETIC ACT, UNLESS THE APPLICANT SATISFIES ALL OF THE
19 FOLLOWING CRITERIA:

20 (I) AT LEAST TEN YEARS HAVE ELAPSED FROM THE DATE OF
21 CONVICTION.

22 (II) SATISFACTORILY DEMONSTRATES TO THE BOARD THAT
23 HE HAS MADE SIGNIFICANT PROGRESS IN PERSONAL
24 REHABILITATION SINCE THE CONVICTION SUCH THAT LICENSURE
25 OF THE APPLICANT SHOULD NOT BE EXPECTED TO CREATE A
26 SUBSTANTIAL RISK OF HARM TO THE HEALTH AND SAFETY OF HIS
27 PATIENTS OR THE PUBLIC OR A SUBSTANTIAL RISK OF FURTHER
28 CRIMINAL VIOLATIONS.

29 (III) SATISFIES THE QUALIFICATIONS CONTAINED IN THIS
30 ACT.

1 An applicant's statement on the application declaring the
2 absence of a conviction shall be deemed satisfactory evidence
3 of the absence of a conviction, unless the board has some
4 evidence to the contrary. AS USED IN THIS SECTION, THE TERM <—
5 "CONVICTED" SHALL INCLUDE A JUDGMENT, AN ADMISSION OF GUILT
6 OR A PLEA OF NOLO CONTENDERE.

7 (b) Renewal of licenses.--A license ~~may~~ SHALL be renewed <—
8 biennially for a period of two years upon payment of the
9 biennial fee, provided that the licensee satisfies the other
10 requirements of this act. ANY PERSON WHO HAS FAILED TO RENEW HIS <—
11 LICENSE FOR A PERIOD OF LONGER THAN FIVE YEARS SHALL BE REQUIRED
12 TO APPLY FOR A LICENSE IN ACCORDANCE WITH SECTION 501(A) IF HE
13 DESIRES TO RESUME PRACTICING CHIROPRACTIC.

14 Section 502. Examination.

15 (a) Admission.--The board shall admit to a standard
16 examination any applicant who has satisfied all of the
17 requirements of section 501 except for the requirement to have
18 passed the examination. The board may, in its discretion, permit
19 a student in good standing in his final semester in an approved
20 chiropractic school or college to be admitted to the standard
21 examination, provided he meets all the other requirements of
22 this act, but he must have certification of graduation from said
23 school or college before a license may be granted.

24 (b) Nature and content of examination.--The examination
25 shall be oral, practical and written, upon the principles and
26 technique of chiropractic and shall include the following
27 subjects: anatomy, physiology, histology, chemistry, pathology,
28 ~~physics~~, bacteriology, diagnosis, hygiene and sanitation, <—
29 symptomatology, chiropractic analysis, X-ray, chiropractic
30 principles and a practical demonstration of chiropractic

1 technique.

2 (c) When conducted.--Examinations shall be conducted at
3 least twice each year.

4 (d) Testing organization.--All written, oral and practical
5 examinations required under this section shall be prepared and
6 administered by a qualified and approved professional testing
7 organization in accordance with section 812.1 of the act of
8 April 9, 1929 (P.L.177, No.175), known as The Administrative
9 Code of 1929, except that the oral and practical examinations
10 shall not be subject to section 812.1 until such examinations
11 are available from a testing organization.

12 (e) Score.--A license shall be granted to an applicant who
13 meets the requirements of this act and who achieves+ <—

14 ~~(1) an overall score of at least 75% on the entire~~
15 ~~examination; or~~

16 ~~(2) an average score of at least 74.5% on the oral and~~
17 ~~practical examination and a passing score on the written~~
18 ~~examination administered by the National Board of~~
19 ~~Chiropractic Examiners as such passing score is determined by~~
20 ~~the national board. A GENERAL AVERAGE OF NOT LESS THAN 75% OF~~ <—
21 A MAXIMUM OF 100.

22 Section 503. Failure of examination.

23 (a) Second examination.--Any applicant who shall fail any
24 examination shall, after the expiration of six months and within
25 two years, have the privilege of taking a second examination.

26 (b) Subsequent examinations.--The board may adopt
27 regulations governing the eligibility of applicants who have
28 failed to pass two examinations to be admitted to subsequent
29 examinations.

30 Section 504. Reciprocity.

1 The board may grant licenses without further examination to
2 individuals from other states and provinces of Canada if all of
3 the following conditions are met:

4 (1) The standards for licensing in such states or
5 provinces are substantially the same as those provided in
6 this act.

7 (2) Similar privileges are accorded persons licensed in
8 this Commonwealth.

9 (3) The applicants hold valid licenses.

10 (4) The applicable rules and regulations prescribed by
11 the board are complied with.

12 Section 505. Limited license.

13 (a) Requirements.--The following educational and
14 professional requirements must be met in order to secure a
15 limited license which may be issued to an out-of-State or
16 foreign chiropractic school or college graduate for a period not
17 to exceed one year for the purpose of teaching in an approved
18 graduate chiropractic education program:

19 (1) The applicant must submit a letter of appointment to
20 teach or practice from a training institution in this
21 Commonwealth.

22 (2) The applicant must submit an application for
23 licensure consisting of evidence that all requirements
24 contained in this act have been met.

25 (3) The applicant must submit evidence that he has had
26 teaching experience or its equivalent which is acceptable to
27 the board.

28 (4) The applicant must submit to an oral examination in
29 his specialty conducted by a board member or the board's
30 designated representative.

1 (b) License to practice.--Persons granted limited licenses
2 under this section shall not be authorized to practice
3 chiropractic in this Commonwealth other than for the purpose of
4 teaching, which shall not include treatment of patients, and
5 those persons who subsequently desire to obtain a license for
6 the practice of chiropractic shall be required to meet the
7 standards for such license as set forth by regulation.

8 (c) Use of titles.--The use of titles such as "fellow,"
9 "fellowship," "consultant," "visiting professor" or similar
10 designations of an individual in a health care institution does
11 not eliminate the need for proper licensure under this act for
12 the practice of chiropractic.

13 Section 506. Refusal, suspension or revocation of license.

14 (a) Reasons enumerated.--The board may refuse to issue a
15 license or may suspend or revoke a license for any of the
16 following reasons:

17 (1) Failing to demonstrate the qualifications or
18 standards for a license contained in this act or regulations
19 of the board.

20 (2) Making misleading, deceptive, untrue or fraudulent
21 representations in the practice of chiropractic.

22 (3) Practicing fraud or deceit in obtaining a license to
23 practice chiropractic.

24 (4) Displaying gross incompetence, negligence or
25 misconduct in carrying on the practice of chiropractic.

26 (5) Submitting a false or deceptive biennial
27 registration to the board.

28 (6) Being convicted of a felony ~~in any State or Federal~~ <—
29 ~~court or being convicted of the equivalent of a felony in any~~
30 ~~foreign country. As used in this paragraph, the term~~

1 ~~"convicted" includes a finding or verdict of guilt, an~~
2 ~~admission of guilt or a plea of nolo contendere OR A~~ <—
3 MISDEMEANOR IN THE PRACTICE OF CHIROPRACTIC, OR RECEIVING
4 PROBATION WITHOUT VERDICT, DISPOSITION IN LIEU OF TRIAL OR AN
5 ACCELERATED REHABILITATIVE DISPOSITION IN THE DISPOSITION OF
6 FELONY CHARGES, IN THE COURTS OF THIS COMMONWEALTH, A FEDERAL
7 COURT, OR A COURT OF ANY OTHER STATE, TERRITORY, POSSESSION
8 OR COUNTRY.

9 (7) Having a license to practice chiropractic suspended,
10 revoked or refused or receiving other disciplinary action by
11 the proper chiropractic licensing authority of another state,
12 territory, POSSESSION or country. <—

13 (8) Being unable to practice chiropractic with
14 reasonable skill and safety to patients by reason of illness,
15 drunkenness, excessive use of drugs, narcotics, chemicals or
16 any other type of material, or as a result of any mental or
17 physical condition. In enforcing this paragraph, the board
18 shall, upon probable cause, have authority to compel a
19 chiropractor to submit to a mental or physical examination by
20 physicians approved by the board. Failure of a chiropractor
21 to submit to such examination when directed by the board,
22 unless such failure is due to circumstances beyond his
23 control, shall constitute an admission of the allegations
24 against him, consequent upon which a default and final order
25 may be entered without the taking of testimony or
26 presentation of evidence. A chiropractor affected under this
27 paragraph shall at reasonable intervals be afforded an
28 opportunity to demonstrate that he can resume a competent
29 practice of chiropractic with reasonable skill and safety to
30 patients.

1 (9) Violating a lawful regulation promulgated by the
2 board or violating a lawful order of the board previously
3 entered in a disciplinary proceeding.

4 (10) Knowingly aiding, assisting, procuring or advising
5 any unlicensed person to practice chiropractic, contrary to
6 this act or regulations of the board.

7 (11) Committing immoral or unprofessional conduct.
8 Unprofessional conduct shall include any departure from, or
9 failure to conform to, the standards of acceptable and
10 prevailing chiropractic practice. Actual injury to a patient
11 need not be established.

12 (12) Soliciting any engagement to perform professional
13 services by any direct, in-person or uninvited soliciting
14 through the use of coercion, duress, compulsion,
15 intimidation, threats, overreaching or harassing conduct.

16 (13) Failing to perform any statutory obligation placed
17 upon a licensed chiropractor.

18 (14) Intentionally submitting to any third-party payor a
19 claim for a service or treatment which was not actually
20 provided to a patient.

21 ~~(15) Failing to maintain chronological documentation of~~ <—
22 ~~patient care in accordance with regulations prescribed by the~~
23 ~~board.~~

24 ~~(16) Knowingly permitting radiologic procedures to be~~
25 ~~performed in violation of section 522, or in violation of the~~
26 ~~regulations promulgated or orders issued in accordance with~~
27 ~~section 522.~~

28 ~~(17) Unconditionally guaranteeing that a cure will~~
29 ~~result from the performance of chiropractic treatment.~~

30 ~~(18) Holding oneself out as a specialist in the~~

1 ~~development, treatment or health of children.~~

2 (b) Discretion of board.--When the board finds that the
3 license of any person may be refused, revoked or suspended under
4 the terms of subsection (a), the board may:

5 (1) Deny the application for a license.

6 (2) Administer a public reprimand.

7 (3) Revoke, suspend, limit or otherwise restrict a
8 license as determined by the board. Unless ordered to do so
9 by a court, the board shall not reinstate the license of a
10 person to practice chiropractic which has been revoked, and
11 such person shall be required to apply for a license after a
12 five-year period in accordance with section 501 if he desires
13 to practice at any time after such revocation.

14 (4) Require a licensee to submit to the care, counseling
15 or treatment of a physician or physicians designated by the
16 board.

17 (5) Suspend enforcement of its findings thereof and
18 place a licensee on probation with the right to vacate the
19 probationary order for noncompliance.

20 (6) Restore a suspended license to practice chiropractic
21 and impose any disciplinary or corrective measure which it
22 might originally have imposed.

23 (c) Procedure.--All actions of the board shall be taken
24 subject to the right of notice, hearing and adjudication and the
25 right of appeal therefrom in accordance with Title 2 of the
26 Pennsylvania Consolidated Statutes (relating to administrative
27 law and procedure).

28 (d) ~~Summary~~ TEMPORARY suspension.--The board shall
29 temporarily suspend a license under circumstances as determined
30 by the board to be an immediate and clear danger to the public

<—

1 health or safety. The board shall issue an order to that effect
2 without a hearing, but upon due notice to the licensee concerned
3 at his last known address, which shall include a written
4 statement of all allegations against the licensee. The
5 provisions of subsection (c) shall not apply to temporary
6 suspension. The board shall thereupon commence formal action to
7 suspend, revoke ~~and~~ OR restrict the license of the person <—
8 concerned as otherwise provided for in this act. All actions
9 shall be taken promptly and without delay. Within 30 days
10 following the issuance of an order temporarily suspending a
11 license, the board shall conduct, or cause to be conducted, a
12 preliminary hearing to determine that there is a prima facie
13 case supporting the suspension. The licensee whose license has
14 been temporarily suspended may be present at the preliminary
15 hearing and may be represented by counsel, cross-examine
16 witnesses, inspect physical evidence, call witnesses, offer
17 evidence and testimony and make a record of the proceedings. If
18 it is determined that there is not a prima facie case, the
19 suspended license shall be immediately restored. The temporary
20 suspension shall remain in effect until vacated by the board,
21 but in no event longer than 180 days.

22 (e) Automatic suspension.--A license issued under this act
23 shall automatically be suspended upon the legal commitment of a
24 licensee to an institution because of mental incompetency from
25 any cause upon filing with the board a certified copy of such
26 commitment; conviction of a felony under the act of April 14,
27 1972 (P.L.233, No.64), known as The Controlled Substance, Drug,
28 Device and Cosmetic Act; or conviction of an offense under the
29 laws of another jurisdiction, which, if committed in
30 Pennsylvania, would be a felony under The Controlled Substance,

1 Drug, Device and Cosmetic Act. As used in this subsection, the
2 term "conviction" shall include a judgment, an admission of
3 guilt or a plea of nolo contendere. Automatic suspension under
4 this section shall not be stayed pending any appeal of a
5 conviction. Restoration of such license shall be made as
6 provided in this act for revocation or suspension of such
7 license.

8 ~~Section 507. Continuing chiropractic education.~~ <—

9 ~~(a) Requirement for license renewal. As a condition for the~~
10 ~~biennial renewal of a license to practice chiropractic, a~~
11 ~~licensee shall submit to the board evidence that he has~~
12 ~~completed at least 24 hours of continuing chiropractic education~~
13 ~~within the immediately preceding two year period, provided that~~
14 ~~a licensee shall be required to complete only 12 hours of~~
15 ~~continuing chiropractic education before the licensing period~~
16 ~~commencing in 1987.~~

17 ~~(b) Qualifying education. A licensee may receive credit for~~
18 ~~only those hours of continuing chiropractic education in a~~
19 ~~program approved by the board and for only those hours directed~~
20 ~~toward keeping the licensee apprised of advancements and new~~
21 ~~developments in chiropractic which build upon the basic courses~~
22 ~~required to practice chiropractic and which are in the following~~
23 ~~areas:~~

24 ~~(1) Anatomy.~~

25 ~~(2) Physiology.~~

26 ~~(3) Histology.~~

27 ~~(4) Chemistry.~~

28 ~~(5) Pathology.~~

29 ~~(6) Physics.~~

30 ~~(7) Bacteriology.~~

~~(8) Diagnosis.~~

~~(9) Hygiene and sanitation.~~

~~(10) Symptomatology.~~

~~(11) Chiropractic analysis.~~

~~(12) X ray.~~

~~(13) Chiropractic principles.~~

~~(14) Chiropractic technique.~~

~~No credit shall be given for any course in office management or practice building.~~

~~(c) Application by sponsors. Prior to receiving board approval for a program of continuing chiropractic education, a sponsor shall submit to the board by registered or certified mail the following information at least 60 days prior to the date on which the program is scheduled to be presented:~~

~~(1) Evidence that the sponsor's program would be directed toward keeping the licensee apprised of advancements and new developments in chiropractic which build upon the basic courses required to practice chiropractic and which are in the areas specified in subsection (b).~~

~~(2) A detailed course outline or syllabus, including such items as methods of instruction and testing materials, if any.~~

~~(3) A current curriculum vitae of each instructor, speaker or lecturer appearing in the program.~~

~~(d) Action on application. The board shall notify each sponsor by registered or certified mail of approval or disapproval of the application within 30 days of the receipt of the application. If an application is disapproved, the board shall detail the reasons for disapproval in order that the sponsor may cure any defect and submit an amended application in~~

~~a timely manner.~~

~~(e) Evidence of completion. Each licensee, in order to qualify for biennial renewal of his license, shall complete a form provided by the sponsor and supplied by the board which contains the name of the licensee, business address, name of the sponsor and instructor, course taken, hours completed, date and place of the continuing education program offered, and a signed statement sworn and attested to by the licensee that the licensee was fully in attendance at the program offered and that the information in such form is true and correct. The licensee shall be responsible for sending this form to the board.~~

~~(f) Notification. The board, within 30 days after the effective date of this act, shall notify all licensees subject to this section that they will be required to complete 12 hours of continuing education before the licensing period commencing in 1987 and shall notify such licensees of continuing education required when renewal applications are issued for 1987 and every renewal period thereafter.~~

~~(g) Approved programs. A continuing education program offered by a chiropractic school or college approved in accordance with this act and attended by a licensee must be accepted by the board so long as the course requirements of this section are met.~~

~~(h) Exceptions. The board may make exceptions to the continuing education program requirements in emergency or hardship cases on the basis of evidence submitted in proof of an emergency or hardship.~~

~~Section 508. Professional liability insurance.~~

~~As a condition for the biennial renewal of a license to practice chiropractic in this Commonwealth, a licensee shall~~

1 ~~submit to the board satisfactory evidence that he has obtained~~
2 ~~professional liability insurance, or that he has established~~
3 ~~self insurance for professional liability, in the minimum amount~~
4 ~~of \$100,000 per occurrence and \$300,000 per annual aggregate.~~

5 SUBCHAPTER B

6 GENERAL REGULATION

7 Section 521. License required.

8 It shall be unlawful after the effective date of this act for
9 any person in this Commonwealth to engage in the practice of
10 chiropractic or indicate in any manner whatsoever the ability to
11 practice chiropractic unless licensed under the provisions of
12 this act, except that any person licensed or legally authorized
13 to practice chiropractic in this Commonwealth under any other
14 act shall thereafter continue to possess the same rights and
15 privileges with respect to the practice of chiropractic without
16 being required to be licensed anew under the provisions of this
17 act, and as fully as if he were licensed under the provisions of
18 this act; and to that extent, he shall be exempt from any
19 penalties under this act.

20 Section 522. Radiologic procedures; EDUCATION AND TRAINING
21 REQUIRED.

22 (a) ~~Education and training required~~ SUPERVISION; EDUCATIONAL
23 REQUIREMENTS.--On and after January 1, 1987, no auxiliary
24 personnel shall perform radiologic procedures ~~in the office~~ ON
25 THE PREMISES of a chiropractor unless ~~any such personnel~~ PERSON
26 is under the direct supervision of a chiropractor who is on the
27 premises at the time the X-ray of the patient is taken and
28 unless ~~any such personnel~~ PERSON has passed an examination
29 approved by the board and administered in accordance with
30 section 812.1 of the act of April 9, 1929 (P.L.177, No.175),

1 known as The Administrative Code of 1929. ~~Such examination shall~~ <—
2 ~~include the following subjects:~~

3 ~~(1) Radiation physics.~~

4 ~~(2) Radiation biology.~~

5 ~~(3) Radiation health and safety protection.~~

6 ~~(4) X ray films and radiographic film quality.~~

7 ~~(5) Radiographic techniques.~~

8 ~~(6) Dark room and processing techniques.~~

9 ~~(b) Limitations. No chiropractic office shall utilize for~~
10 ~~radiologic procedures more than one such auxiliary personnel per~~
11 ~~chiropractor practicing in that office at any one particular~~
12 ~~time.~~

13 ~~(c) Regulations~~

14 (B) EXCLUSION.--The board shall, by regulation, provide for <—
15 the exclusion of an auxiliary personnel from performing
16 radiologic procedures if the continued performance of radiologic
17 procedures by the auxiliary personnel is determined by the board
18 to pose a threat to the health, safety or welfare of the public.

19 (C) PENALTY.--IT SHALL BE UNLAWFUL UNDER THIS ACT TO <—
20 KNOWINGLY PERMIT RADIOLOGIC PROCEDURES TO BE PERFORMED IN
21 VIOLATION OF THIS SECTION OR IN VIOLATION OF THE REGULATIONS
22 PROMULGATED OR ORDERS ISSUED IN ACCORDANCE WITH THIS SECTION.

23 (D) EDUCATION AND TESTING.--NO AUXILIARY PERSONNEL WHO HAS
24 OR OBTAINS A LICENSE, CERTIFICATE OR REGISTRATION ISSUED BY, OR
25 ON BEHALF OF, A BOARD WITHIN THE BUREAU OF PROFESSIONAL AND
26 OCCUPATIONAL AFFAIRS SHALL BE REQUIRED TO UNDERGO ANY ADDITIONAL
27 EDUCATION OR TESTING PURSUANT TO THIS SECTION IF RADIOLOGIC
28 PROCEDURES WERE INCLUDED IN THE EDUCATION OR THE EXAMINATION
29 WHICH HE OR SHE WAS REQUIRED TO COMPLETE SUCCESSFULLY IN ORDER
30 TO BE ELIGIBLE FOR SUCH LICENSE, CERTIFICATE OR REGISTRATION.

1 Section 523. Reporting of multiple licensure.

2 Any licensed chiropractor of this Commonwealth who is also
3 licensed to practice chiropractic in any other state, territory, <—
4 POSSESSION or country shall report this information to the board
5 on the biennial registration application. Any disciplinary
6 action taken in ~~other states must~~ SUCH OTHER JURISDICTION SHALL <—
7 be reported to the board on the biennial registration
8 application OR WITHIN 90 DAYS OF FINAL DISPOSITION, WHICHEVER IS <—
9 SOONER. Multiple licensure ~~will~~ SHALL be noted on the <—
10 chiropractor's record and such state, territory, POSSESSION or <—
11 country ~~will~~ SHALL be notified BY THE BOARD of any disciplinary <—
12 actions taken against said chiropractor in this Commonwealth.

13 Section 524. Display of certificate.

14 Every holder of a license granted by the board under this act
15 shall display the license in a conspicuous place in the office
16 where such person practices chiropractic.

17 Section 525. Doctor of Chiropractic and abbreviation.

18 Any person who has a valid license in accordance with this
19 act may practice chiropractic and use the title "Doctor of
20 Chiropractic" and the abbreviation "DC."

21 Section 526. Relationship with other branches of the healing
22 arts.

23 (A) IN GENERAL.--This act shall not apply either directly or <—
24 indirectly, by intent or purpose, to affect the practice of any
25 other branch of the healing arts by any person duly licensed by
26 the department to engage in such practice.

27 (B) REPRESENTATION AS A LICENSED PHYSICAL THERAPIST.--A <—
28 CHIROPRACTOR SHALL NOT HOLD HIMSELF OUT IN ANY MANNER TO BE A
29 LICENSED PHYSICAL THERAPIST UNLESS HE IS DULY LICENSED UNDER THE
30 ACT OF OCTOBER 10, 1975 (P.L.383, NO.110), KNOWN AS THE PHYSICAL

1 THERAPY PRACTICE ACT.

2 SECTION 527. REVOKED LICENSES; REINSTATEMENT; REPORTS TO THE
3 BOARD.

4 (A) SURRENDER OF LICENSE.--THE BOARD SHALL REQUIRE A PERSON
5 WHOSE LICENSE HAS BEEN SUSPENDED OR REVOKED TO RETURN THE
6 LICENSE IN SUCH MANNER AS THE BOARD DIRECTS. A PERSON WHO FAILS
7 TO DO SO COMMITS A MISDEMEANOR OF THE THIRD DEGREE.

8 (B) REINSTATEMENT AFTER FELONY CONVICTION.--ANY PERSON WHOSE
9 LICENSE HAS BEEN SUSPENDED OR REVOKED BECAUSE OF A FELONY
10 CONVICTION UNDER THE ACT OF APRIL 14, 1972 (P.L.233, NO.64),
11 KNOWN AS THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC
12 ACT, OR SIMILAR LAW OF ANOTHER JURISDICTION, MAY APPLY FOR
13 REINSTATEMENT AFTER A PERIOD OF AT LEAST TEN YEARS HAS ELAPSED
14 FROM THE DATE OF CONVICTION. THE BOARD MAY REINSTATE THE LICENSE
15 IF THE BOARD IS SATISFIED THAT THE PERSON HAS MADE SIGNIFICANT
16 PROGRESS IN PERSONAL REHABILITATION SINCE THE CONVICTION SUCH
17 THAT HIS REINSTATEMENT SHOULD NOT BE EXPECTED TO CREATE A
18 SUBSTANTIAL RISK OF HARM TO THE HEALTH AND SAFETY OF HIS
19 PATIENTS OR THE PUBLIC OR A SUBSTANTIAL RISK OF FURTHER CRIMINAL
20 VIOLATIONS AND IF THE PERSON MEETS ALL OTHER LICENSING
21 QUALIFICATIONS OF THIS ACT, INCLUDING THE EXAMINATION
22 REQUIREMENT.

23 (C) REPORTS TO THE BOARD.--AN ATTORNEY RESPONSIBLE FOR
24 REPRESENTING THE COMMONWEALTH IN DISCIPLINARY MATTERS BEFORE THE
25 BOARD SHALL NOTIFY THE BOARD IMMEDIATELY UPON RECEIVING
26 NOTIFICATION OF AN ALLEGED VIOLATION OF THIS ACT. THE BOARD
27 SHALL MAINTAIN CURRENT RECORDS OF ALL REPORTS OF ALLEGED
28 VIOLATIONS AND PERIODICALLY REVIEW THE RECORDS FOR THE PURPOSE
29 OF DETERMINING THAT EACH ALLEGED VIOLATION HAS BEEN RESOLVED IN
30 A TIMELY MANNER.

1 CHAPTER 7

2 PENALTY PROVISIONS

3 Section 701. Practice of chiropractic without license
4 prohibited.

5 (a) Offense defined.--It shall be unlawful for any person
6 to:

7 (1) Engage or attempt to engage in the practice of
8 chiropractic or to hold himself out as a practitioner of
9 chiropractic unless he has first fulfilled the requirements
10 of this act and has been licensed by the board.

11 (2) Practice or hold himself out as a practitioner of
12 spinal adjustment or manipulation, spinal mobilization or
13 manipulation of articulations of the human body for
14 therapeutic benefit unless he has first fulfilled the
15 requirements of this act and has been licensed by the board
16 or unless he has been licensed or certified in accordance
17 with another act of this Commonwealth.

18 (b) Penalty.--A person who violates this section commits a
19 misdemeanor of the third degree and shall, upon conviction, for
20 a first offense, be sentenced to a fine not to exceed \$1,000, or
21 to imprisonment for not more than six months, or both. A second
22 offense shall be subject to a fine not to exceed \$2,000, or
23 imprisonment for a term of six months to one year, or both.

24 Section 702. Violation of other provisions.

25 A person commits a misdemeanor of the third degree and, upon
26 conviction, shall be sentenced to pay a fine of not more than
27 \$500, or to imprisonment for not more than six months, or both,
28 if he commits any act declared unlawful by any other provision
29 of this act, other than section 701, or if he:

30 (1) Makes misleading, deceptive, untrue or fraudulent

1 representations in the practice of chiropractic.

2 (2) Practices fraud or deceit in obtaining a license to
3 practice chiropractic.

4 (3) Displays gross incompetence, negligence or
5 misconduct in carrying on the practice of chiropractic.

6 (4) Makes a false or deceptive biennial registration
7 with the board.

8 (5) Violates a lawful regulation promulgated by the
9 board or a lawful order of the board previously entered in a
10 disciplinary proceeding.

11 (6) Knowingly aids, assists, procures or advises any
12 unlicensed person to practice chiropractic, contrary to this
13 act or regulations of the board.

14 (7) Commits immoral or unprofessional conduct.
15 Unprofessional conduct shall include any departure from, or
16 failure to conform to, the standards of acceptable and
17 prevailing chiropractic practice. Actual injury to a patient
18 need not be established.

19 (8) Solicits any engagement to perform professional
20 services by any direct, in-person or uninvited soliciting
21 through the use of coercion, duress, compulsion,
22 intimidation, threats, overreaching or harassing conduct.

23 (9) Fails to perform any statutory obligation placed
24 upon a licensed chiropractor.

25 (10) Submits intentionally to any third-party payor a
26 claim for a service or treatment which was not actually
27 provided to a patient.

28 ~~(11) Knowingly permits radiologic procedures to be~~ <—
29 ~~performed in violation of section 522 or in violation of the~~
30 ~~regulations promulgated in orders issued in accordance with~~

1 ~~section 522.~~

2 ~~(12) Unconditionally guarantees that a cure will result~~
3 ~~from the performance of chiropractic treatment.~~

4 ~~(13) Holds oneself out as a specialist in the~~
5 ~~development, treatment or health of children.~~

6 Section 703. Civil penalty.

7 In addition to any other civil remedy or criminal penalty
8 provided for in this act, the board, by a vote of the majority
9 of the maximum number of the authorized membership of the board
10 as provided by law or by a vote of the majority of the duly
11 qualified and confirmed membership or a minimum of four members,
12 whichever is greater, may levy a civil penalty of up to \$1,000
13 on any current licensee who violates any provision of this act
14 or on any person who practices chiropractic without being
15 properly licensed to do so under this act. The board shall levy
16 this penalty only after affording the accused party the
17 opportunity for a hearing, as provided in Title 2 of the
18 Pennsylvania Consolidated Statutes (relating to administrative
19 law and procedure).

20 Section 704. Fines and penalties.

21 All fines and civil penalties imposed in accordance with this
22 chapter shall be paid into the Professional Licensure
23 Augmentation Account.

24 CHAPTER 11

25 MISCELLANEOUS PROVISIONS

26 Section 1101. Fees.

27 (a) Adoption.--The board shall, by regulation, fix the fees
28 required for examination, licensure, renewal of licenses and
29 limited licenses.

30 (b) Insufficient revenue.--If the revenues raised by fees,

1 fines and civil penalties imposed pursuant to this act are not
2 sufficient to meet expenditures over a two-year period, the
3 board shall increase those fees by regulation so that the
4 projected revenues will meet or exceed projected expenditures.

5 (c) Increase by bureau.--If the bureau determines that the
6 fees established by the board pursuant to subsections (a) and
7 (b) are inadequate to meet the minimum enforcement efforts
8 required by this act, then the bureau, after consultation with
9 the board, shall increase the fees by regulation so that
10 adequate revenues are raised to meet the required enforcement
11 effort.

12 (d) Review.--Any regulation proposed under this section
13 shall be subject to the act of June 25, 1982 (P.L.633, No.181),
14 known as the Regulatory Review Act.

15 Section 1102. Current members of board.

16 ~~Persons who are members of the State Board of Chiropractic~~ <—
17 ~~Examiners on the effective date of this act, pursuant to the act~~
18 ~~of August 10, 1951 (P.L.1182, No.264), known as the Chiropractic~~
19 ~~Registration Act of 1951, shall serve on the State Board of~~
20 ~~Chiropractic Examiners as provided for in this act until their~~
21 ~~current terms would have expired or until their successors are~~
22 ~~duly appointed and qualified but no longer than six months after~~
23 ~~the expiration of their terms.~~

24 THE PRESENTLY CONFIRMED MEMBERS OF THE STATE BOARD OF <—
25 CHIROPRACTIC EXAMINERS CONSTITUTED UNDER SECTION 461 OF THE ACT
26 OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE
27 CODE OF 1929, AS OF THE EFFECTIVE DATE OF THIS ACT, SHALL
28 CONTINUE TO SERVE AS BOARD MEMBERS UNTIL THEIR PRESENT TERMS OF
29 OFFICE EXPIRE, PROVIDED THAT ANY PRESENT BOARD MEMBER WHOSE TERM
30 HAS EXPIRED ON OR BEFORE THE EFFECTIVE DATE OF THIS ACT SHALL

1 SERVE UNTIL A SUCCESSOR HAS BEEN APPOINTED AND QUALIFIED, BUT NO
2 LONGER THAN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ACT.

3 Section 1103. Current licensees.

4 Any person who holds a valid license issued by the State
5 Board of Chiropractic Examiners under the act of August 10, 1951
6 (P.L.1182, No.264), known as the Chiropractic Registration Act
7 of 1951, prior to the effective date of this ~~amendatory~~ act <—
8 shall, on and after the effective date hereof, be deemed to be
9 licensed by the State Board of Chiropractic ~~Examiners~~ as <—
10 provided for in this act.

11 Section 1104. Existing regulations.

12 Each rule, regulation or fee of the board in effect on the
13 effective date of this act shall remain in effect after such
14 date until REPEALED OR amended by the board, provided that the <—
15 board shall immediately initiate the repeal or amendment of any
16 rule or regulation which is inconsistent with the provisions of
17 this act.

18 Section 1105. Reestablishment of agency.

19 This act, with respect to the State Board of Chiropractic
20 Examiners, shall constitute the legislation required to
21 reestablish an agency pursuant to the act of December 22, 1981
22 (P.L.508, No.142), known as the Sunset Act.

23 Section 1106. Repeals.

24 (a) Absolute repeals.--The following acts and parts of acts
25 are repealed:

26 Section 461 of the act of April 9, 1929 (P.L.177, No.175),
27 known as The Administrative Code of 1929.

28 Act of August 10, 1951 (P.L.1182, No.264), known as the
29 Chiropractic Registration Act of 1951.

30 (b) General repeals.--All other acts and parts of acts are

1 repealed insofar as they are inconsistent with this act.

2 Section 1107. Effective date.

3 This act shall take effect ~~January 1, 1986, or immediately,~~

<—

4 ~~whichever is later~~ IMMEDIATELY.

<—