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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 517 Session of  
2019

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INTRODUCED BY BARRAR, A. DAVIS, DeLUCA, EVERETT, JOZWIAK, KORTZ,  
McNEILL, O'MARA, SCHMITT, SIMMONS, TOOHL AND NELSON,  
FEBRUARY 19, 2019

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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,  
FEBRUARY 19, 2019

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AN ACT

1 Amending the act of December 16, 1986 (P.L.1646, No.188),  
2 entitled "An act providing for the licensing of chiropractors  
3 and the regulation of the practice of chiropractic;  
4 establishing the State Board of Chiropractic in the  
5 Department of State and providing for its powers and duties;  
6 providing for the supervision of colleges of chiropractic,  
7 for the examination of applicants, for enforcement and for  
8 disciplinary actions; providing penalties; and making  
9 repeals," in preliminary provisions, further providing for  
10 definitions; in licensure and regulation, further providing  
11 for refusal, suspension or revocation of license; and, in  
12 supportive personnel, further providing for supportive  
13 personnel.

14 The General Assembly of the Commonwealth of Pennsylvania  
15 hereby enacts as follows:

16 Section 1. Section 102 of the act of December 16, 1986  
17 (P.L.1646, No.188), known as the Chiropractic Practice Act, is  
18 amended by adding a definition to read:

19 Section 102. Definitions.

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

1 \* \* \*

2 "Direct on-premises supervision." Oversight and personal  
3 direction of, and responsibility for, the activities and duties  
4 of the unlicensed supportive personnel by a licensed  
5 chiropractor who is physically present in the facility and  
6 immediately able to intervene personally when necessary. The  
7 licensed chiropractor does not need to be present in the room  
8 when the delegated activity or duty is performed.

9 \* \* \*

10 Section 2. Section 506(a) of the act is amended by adding  
11 paragraphs to read:

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

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

16 \* \* \*

17 (20) Delegating an activity or duty to unlicensed  
18 supportive personnel who is not qualified by documented  
19 training, education or experience to perform the activity or  
20 duty.

21 (21) Failing to exercise direct on-premises supervision  
22 of unlicensed supportive personnel to whom the chiropractor  
23 has delegated an activity or duty under section 601.

24 \* \* \*

25 Section 3. Section 601 of the act is amended to read:

26 Section 601. Supportive personnel.

27 (a) General rule.--Nothing in this act shall prohibit a  
28 licensed chiropractor from utilizing the assistance of  
29 unlicensed supportive personnel performing under the direct on-  
30 premises supervision of a licensed chiropractor, provided that a

1 chiropractor may not delegate any activity or duty to such  
2 unlicensed individuals which requires formal education or  
3 training in the practice of chiropractic or the knowledge and  
4 skill of a licensed chiropractor.

5 (b) Delegation.--A licensed chiropractor may not delegate to  
6 unlicensed supportive personnel an activity or duty unless the  
7 chiropractor is assured through personal observation and  
8 documented training that the unlicensed supportive personnel is  
9 competent and qualified to perform the delegated activity or  
10 duty.

11 (c) Adjunctive procedures.--A licensed chiropractor who is  
12 certified to use adjunctive procedures may delegate to  
13 unlicensed supportive personnel the performance of adjunctive  
14 procedures, including therapeutic exercises, provided the  
15 performance:

16 (1) is under the direct on-premises supervision of the  
17 chiropractor; and

18 (2) is pursuant to an order from the chiropractor. The  
19 order for therapeutic exercises shall be in writing and shall  
20 define the exercises and activities and how they are to be  
21 performed.

22 Section 4. This act shall take effect in 60 days.