
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2267 Session of
2022

INTRODUCED BY LAWRENCE, R. BROWN, SCHLEGEL CULVER, JAMES,
JOZWIAK, NEILSON, ROZZI, RYAN, SCHMITT AND SHUSTERMAN,
JANUARY 21, 2022

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
JANUARY 21, 2022

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," providing for certified chiropractic assistants; in
10 supportive personnel, further providing for supportive
11 personnel; and making editorial changes.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. The act of December 16, 1986 (P.L.1646, No.188),
15 known as the Chiropractic Practice Act, is amended by adding a
16 chapter to read:

17 CHAPTER 5A

18 CERTIFIED CHIROPRACTIC ASSISTANTS

19 Section 5A01. Chiropractic assistant certifications.

20 (a) Eligibility.--To be eligible for certification by the
21 board as a chiropractic assistant, an applicant shall:

1 (1) be at least 18 years of age unless otherwise
2 determined by the board;

3 (2) has proved to the satisfaction of the board that the
4 individual is of good moral character and is not unfit or
5 unable to practice as a chiropractic assistant by reason of
6 physical or mental impairment. In assessing the moral
7 character of an individual with a criminal conviction, the
8 board shall conduct an individualized assessment in
9 accordance with 63 Pa.C.S. § 3113 (relating to consideration
10 of criminal convictions);

11 (3) successfully complete a certified chiropractic
12 assistant program adopted by the board that has been approved
13 for the education and training of certified chiropractic
14 assistants by the appropriate nationally recognized
15 accrediting agency; and

16 (4) successfully pass an examination approved by the
17 board, subject to rules and regulations established by the
18 board and administered in accordance with section 812.1 of
19 the act of April 9, 1929 (P.L.177, No.175), known as The
20 Administrative Code of 1929. An applicant may not be
21 certified as a certified chiropractic assistant unless the
22 applicant has attained passing scores on the examination
23 under this paragraph as published prior to the administration
24 of the examination.

25 (b) Temporary certification.--Upon the submission of an
26 application for certification as a chiropractic assistant as
27 provided by the board, the board shall issue a temporary
28 certificate to the applicant who meets the requirements under
29 subsection (a) (1) and (3) and is eligible to take the
30 examination under subsection (a) (4). The board shall issue only

1 one temporary certificate under this subsection to an applicant.
2 A temporary certificate under this subsection shall expire upon
3 the applicant's failure of the first examination under
4 subsection (a) (4), or six months after the date of issuance of
5 the temporary certificate, whichever occurs first. Issuance of a
6 temporary certificate under this subsection shall permit the
7 applicant to engage in the practice of chiropractic assistance
8 only while under the direct on-premises supervision of a
9 licensed chiropractor. Upon the expiration a temporary
10 certificate under this subsection, the applicant shall promptly
11 return the temporary certificate to the board.

12 (c) Second examination.--If an applicant fails the first
13 examination under subsection (a) (4), the applicant for
14 certification shall, after the expiration of 60 days from the
15 date of the first examination and no later than one year after
16 the first examination, have the opportunity to take the
17 examination a second time. The board may adopt regulations
18 governing the eligibility of applicants who have failed to pass
19 two examinations under subsection (a) (4) in order to be admitted
20 to subsequent examinations.

21 (d) Use of title.--Only an individual who has been properly
22 certified as a chiropractic assistant with the board, in
23 accordance with this chapter and the rules and regulations
24 promulgated by the board, shall assist a licensed chiropractor
25 in the practice of chiropractic as a certified chiropractic
26 assistant and use the title "certified chiropractic assistant"
27 and the abbreviation "CCA." Until such time as the board
28 promulgates rules and regulations governing the certification of
29 chiropractic assistants, an individual who is properly
30 registered with the board shall be deemed certified for the

1 purposes of this section.

2 (e) Actions.--The board shall issue, renew, revoke or
3 suspend the certification of a chiropractic assistant in
4 accordance with the rules and regulations promulgated by the
5 board. All actions of the board under this subsection shall be
6 taken subject to the right of notice, hearing and adjudication
7 and the right of appeal in accordance with 2 Pa.C.S. (relating
8 to administrative law and procedure).

9 (f) Reinstatement.--Unless ordered by a court of competent
10 jurisdiction, the board shall not reinstate the certification of
11 an individual to practice as a chiropractic assistant that has
12 been revoked under subsection (e). The individual may apply for
13 certification as a chiropractic assistant after five years have
14 elapsed since the date of revocation in accordance with this
15 chapter.

16 (g) Renewals.--For each certificate renewal, a chiropractic
17 assistant shall complete within the preceding two-year period at
18 least 16 hours of continuing chiropractic education, including
19 eight hours of in-person learning, as approved by the board in
20 accordance with standards and criteria established by the board
21 by rules and regulations. A certified chiropractic assistant
22 shall provide the board with evidence of the completion of the
23 continuing chiropractic education under this subsection. The
24 board's rules and regulations shall remain in effect until such
25 time as the board establishes by regulations, standards and
26 criteria relating to continuing chiropractic education for
27 certified chiropractic assistants.

28 Section 5A02. Performance of chiropractic acts and services.

29 While providing assistance to a licensed chiropractor, a
30 certified chiropractic assistant shall only perform patient-

1 related chiropractic acts and services that are assigned or
2 delegated by and under the supervision of a licensed
3 chiropractor. A certified chiropractic assistant may provide
4 therapeutic exercise under the supervision of a licensed
5 chiropractor. A certified chiropractic assistant may not perform
6 evaluations, adjustments, test interpretations or the planning
7 or modification of a plan of care for a patient. A licensed
8 chiropractor shall be responsible for the performance of acts
9 and services by a certified chiropractic assistant.

10 Section 5A03. Supervision of certified chiropractic assistants.

11 (a) Supervision.--

12 (1) A licensed chiropractor shall provide direct, on-
13 premises supervision of a certified chiropractic assistant
14 until the certified chiropractic assistant submits
15 satisfactory evidence to the board of any of the following:

16 (i) The certified chiropractic assistant has at
17 least 2,000 hours of experience providing patient-related
18 acts and services verified by the supervising
19 licensed chiropractor.

20 (ii) The certified chiropractic assistant has been
21 employed as a certified chiropractic assistant for at
22 least three of the prior five years.

23 (2) If a certified chiropractic assistant submits
24 evidence satisfactory to the board under paragraph (1), a
25 licensed chiropractor shall provide direct, on-premises
26 supervision of the certified chiropractic assistant for at
27 least 50% of the hours worked by the certified chiropractic
28 assistant during the calendar week.

29 (3) A certified chiropractic assistant shall consult
30 with the supervising licensed chiropractor in the event of a

1 change in the patient's condition that may require the
2 assessment of a licensed chiropractor.

3 (4) In all practice settings, the initial patient
4 contact shall be made by a licensed chiropractor for
5 evaluation of the patient and establishment of a plan of
6 care.

7 (b) Limitation.--A licensed chiropractor shall not supervise
8 more than three certified chiropractic assistants at any time.
9 If there is a change of the licensed chiropractor supervising a
10 certified chiropractic assistant, the succeeding licensed
11 chiropractor shall be responsible for the ongoing supervision of
12 the certified chiropractic assistant and shall be considered the
13 supervising licensed chiropractor for the purpose of this
14 section.

15 (c) Telecommunication.--A licensed chiropractor shall be
16 immediately available by telecommunication if not providing
17 direct on-premises supervision.

18 (d) Emergency situations.--

19 (1) In an emergency situation, including a serious
20 illness or death of a family member, which causes the
21 unanticipated absence of a supervising licensed chiropractor
22 for not more than two days per month, a certified
23 chiropractic assistant may continue to render services only
24 to the patients for which the certified chiropractic
25 assistant has previously participated in the intervention for
26 an established plan of care. A certified chiropractic
27 assistant may continue to render services under this
28 paragraph for a period not to exceed the regularly scheduled
29 operational hours of each day the supervising licensed
30 chiropractor is absent. A supervising licensed chiropractor

1 or certified chiropractic assistant shall make every effort
2 to obtain the supervision of care specified under this
3 paragraph. A supervising licensed chiropractor may only
4 utilize the emergency provisions of this paragraph for no
5 more than 10 days per year.

6 (2) A supervising licensed chiropractor who experiences
7 an unanticipated absence under paragraph (1) shall have all
8 of the following duties:

9 (i) Maintain a written record noting the date and
10 the emergency, which shall be available for board review.

11 (ii) Submit a report to the board on a biennial
12 basis stating each day the supervising licensed
13 chiropractor is absent and the reason for the absence.

14 Section 2. The heading of Chapter 6 of the act is amended to
15 read:

16 CHAPTER 6

17 UNLICENSED OR UNCERTIFIED SUPPORTIVE PERSONNEL

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

19 Section 601. Supportive personnel.

20 (a) Construction.--Nothing in this act shall prohibit a
21 licensed chiropractor from utilizing the assistance of
22 unlicensed or uncertified supportive personnel performing under
23 the direct on-premises supervision of a licensed chiropractor or
24 certified chiropractic assistant, provided that a chiropractor
25 may not delegate any activity or duty to such unlicensed or
26 uncertified individuals which requires formal education or
27 training in the practice of chiropractic or the knowledge and
28 skill of a licensed chiropractor or certified chiropractic
29 assistant.

30 (b) Definitions.--As used in this section, the term "direct

1 on-premises supervision" means supervision conducted while being
2 physically present onsite and immediately available for
3 direction.

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