

1971 Senate Bill 204

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CHAPTER 61, Laws of 1971

AN ACT to create 102.42 (10) of the statutes, relating to furnishing chiropractic treatment under workmen's compensation laws.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

102.42 (10) of the statutes is created to read:

102.42 (10) CHIROPRACTIC TREATMENT. (a) The employer shall supply chiropractic services as may be reasonably required to cure and relieve the effects of injury and in case of his neglect or refusal seasonably to do so, or in emergency until it is practical for the employe to give notice of injury, the employer shall be liable for the reasonable expense incurred by or on behalf of the employe in providing the same.

(b) The employe shall have the right to choose his attending chiropractor from a panel to be named by the employer. Failure of the employer to maintain a reasonable number of chiropractors on the panel ready to undertake treatment of the employe shall constitute neglect and refusal to furnish treatment. Nothing contained in this section shall limit the right of the employe to make a 2nd choice of a chiropractor from the panel named by the employer.

(c) In determining the reasonableness of the size of the chiropractic panel, the department shall take into account the number of competent chiropractors immediately available to the community in which the chiropractic service is required, and where only one such chiropractor is available, the tender of attention by such chiropractor shall be construed as a compliance with this section unless specialized or extraordinary treatment is necessary. In such panel, partners and clinics shall be deemed as one chiropractor. Every employer shall post the names and addresses of the chiropractors on his panel in a manner to afford his employes reasonable notice thereof.

(d) If a grievance arises with respect to chiropractic services, the department may file such grievance with the Wisconsin chiropractic association for its recommendation.

(e) In the event of a claim by a state employe, sub. (8) shall apply to chiropractic expense.

(f) Whenever an employe selects a chiropractor for treatment of an injury, ss. 102.13, 102.16 and 102.17 shall apply to chiropractors as they do to physicians who render services for an injured employe.

(g) Nothing in this subsection shall be construed as altering chiropractic practice as established by law.