

1993 Senate Bill 39

Date of enactment: **August 20, 1993**
Date of publication*: **September 3, 1993**

1993 WISCONSIN ACT 31

AN ACT to amend 446.02 (1) (intro.); to repeal and recreate 446.02 (2); and to create 446.02 (3g), 446.02 (3r) and 446.02 (7) to (9) of the statutes, relating to: the regulation of chiropractors and granting rule-making authority.

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

SECTION 1. 446.02 (1) (intro.) of the statutes is amended to read:

446.02 (1) (intro.) ~~No~~ Except as provided in sub. (9), no person may engage in the practice of chiropractic or attempt to do so or hold himself or herself out as authorized to do so, unless such person:

SECTION 2. 446.02 (2) of the statutes is repealed and recreated to read:

446.02 (2) (a) The examining board shall grant a license to practice chiropractic to a qualified person who submits an application for the license to the department on a form provided by the department, accompanied by satisfactory evidence of completion of the educational requirements established in the rules promulgated under par. (b), passes the examination described under sub. (3) and pays the license fee specified in s. 440.05 (1).

(b) The examining board shall promulgate rules establishing educational requirements for obtaining a license under par. (a). The rules shall require that an application for the license that is received by the department after June 30, 1998, be accompanied by satisfactory evidence that the applicant has a bachelor's degree from a college or university accredited by an accrediting body listed as nationally recognized by the secretary of the federal department of education, and has graduated from a college of chiropractic approved by the examining board.

SECTION 3. 446.02 (3g) of the statutes is created to read:

446.02 (3g) (a) The examining board may grant a license to practice chiropractic to an individual who is licensed in good standing to practice chiropractic in another state or territory of the United States or in another country if the applicant presents the license to the examining board, pays the fee specified in s. 440.05 (2) and meets the requirements established in rules promulgated under par. (b).

(b) The examining board shall promulgate rules establishing additional requirements for obtaining a license under par. (a).

SECTION 4. 446.02 (3r) of the statutes is created to read:

446.02 (3r) The examining board may promulgate rules providing for the granting of a temporary permit to practice chiropractic to an individual who is licensed to practice chiropractic in another state or territory of the United States or in another country, and establishing requirements for practicing chiropractic under a temporary permit.

SECTION 5. 446.02 (7) to (9) of the statutes are created to read:

446.02 (7) (a) Except as provided in par. (b), a chiropractor who is licensed under this chapter may delegate to a person who is not licensed under this chapter the performance of services that are adjunctive to the practice of chiropractic if the services are performed under the direct, on-premises supervision of the chiropractor.

(b) A chiropractor may not delegate to a person who is not licensed under this chapter the making of a diagnosis, the performance of a chiropractic adjustment, the

analysis of a diagnostic test or clinical information or any practice or service that the examining board, by rule, prohibits a chiropractor from delegating to a person who is not licensed under this chapter.

(c) A chiropractor who delegates the performance of a service that is adjunctive to the practice of chiropractic to a person who is not licensed under this chapter shall verify, according to standards and procedures established by the examining board by rule, that the person has adequate education, training and experience to perform the delegated service safely, and is responsible for that person's performance of the delegated service.

(8) Every practicing chiropractor shall have in effect professional liability insurance. The examining board shall promulgate rules establishing the minimum amount of insurance required under this subsection.

(9) No license under this chapter is required for any of the following:

(a) A student or graduate of a college of chiropractic who practices chiropractic, in a program for the clinical training of students and graduates that is reviewed and approved by the examining board, under the supervision of a chiropractor who is approved by the examining

board to supervise the clinical training of the student or graduate and who is licensed under this chapter and is responsible for the student's or graduate's practice in an infirmary, clinic, hospital or private chiropractic office that is connected or associated for training purposes with a college of chiropractic approved by the examining board.

(b) An individual who is licensed to practice chiropractic in another state or territory of the United States and who practices chiropractic under the jurisdiction of the U.S. armed forces, as defined in s. 40.02 (57m), federal public health service or U.S. department of veterans affairs.

(c) An individual who is licensed to practice chiropractic in another state or territory of the United States or in another country and who holds a temporary permit that is granted under the rules promulgated under sub. (3r).

(d) A person who performs services that are adjunctive to the practice of chiropractic and that are delegated to the person under sub. (7).

SECTION 6. Effective date. This act takes effect on the first day of the 7th month beginning after publication.