

# 281

## Chapter Chir 3

## PRACTICE

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**History:** Chapter Chir 3 as it existed on December 31, 1976 was repealed and a new chapter Chir 3 was created effective January 1, 1977.

**Chir 3.01 Chiropractic science defined.** The science of chiropractic is based on the premise that disease or abnormal function can be caused by abnormal nerve impulse transmission or expression, due to compression, traction, pressure or irritation upon nerves, as the result of bony segments, especially of the spine or contiguous structures, either deviating from juxtaposition and/or functioning in an abnormal manner so as to irritate nerves or their receptors.

**History:** Cr. Register, December, 1976, No. 252, eff. 1-1-77; am. Register, October, 1977, No. 262, eff. 11-1-77.

**Chir 3.02 Practice of chiropractic.** (1) The practice of chiropractic includes examination, counsel and advice with respect to the diagnosis and/or analysis of any interference with normal nerve transmission, expression and the correction thereof by a chiropractic adjustment to remove the interference as a cause of disease, without the use of drugs or surgery.

(2) The term diagnosis and/or analysis includes the use of diagnostic and analytical instruments and procedures approved by the board and within the scope of the practice of chiropractic in which the licensee can show proof of proficiency to the board.

(3) Ancillary instruments and their procedures, which are those methods utilized in the practice of chiropractic in a subordinate manner, either to prepare the patient for chiropractic adjustments or to enhance the effects of a chiropractic adjustment of the articulations and associated structures of the body, using heat, cold, vibration and traction, are permissible when the use of these instruments are taught in board approved chiropractic colleges and approved by the board pursuant to chapter 227. Ancillary instruments and their procedures that have been approved for use in a subordinate manner prior to and following a chiropractic adjustment are heat lamps, hot and cold packs, vibrators and traction. The use of instruments or machines such as colonic irrigators, diathermy, plasmatic, short wave, radionics (various makes or versions), and ultra-sonic are considered outside the scope of chiropractic practice in Wisconsin.

(4) Dietary advice, and supplementary foods in the original container, may be supplied for the purpose of providing special dietary needs and improving nutritional balance. Such foods may not be prescribed as treatment for specific diseases.

**History:** Cr. Register, December, 1976, No. 252, eff. 1-1-77; am. (1), (2) and (3), Register, October, 1977, No. 262, eff. 11-1-77.

Register, January, 1978, No. 265

**Chir 3.03 X-ray.** (1) X-ray may be used for diagnostic or analytical purposes only.

(2) Chiropractors shall not use the term x-ray or x-ray laboratories or roentgenologist or roentgenology in connection with advertisements or office signs.

(3) A chiropractor may employ a technician to operate an x-ray machine only upon furnishing proof satisfactory to the board that such technician has successfully completed a course of instruction approved by the board. Such work may be done only under the general supervision and direction of a licensed chiropractor.

**History:** Cr. Register, December, 1976, No. 252, eff. 1-1-77.

**Chir 3.04 Clinic or center.** No geographical or other terms may be used in the name or title of an office, clinic or center other than the names of the chiropractors practicing therein; the qualifications for the use of the term clinic or center must comply with the following requirements:

- (1) Two or more chiropractors must be practicing full-time together.
- (2) A trained laboratory technician, who may be one of the chiropractors, or another person.
- (3) Analytical diagnostic clinical laboratory procedures and x-rays as taught in board-approved chiropractic colleges.
- (4) Branch offices of a clinic or center, operating in a separate physical location, must comply with (1) (2), and (3) above.

**Chir 3.05 Unprofessional conduct.** The following enumerated acts (1) through (9) are considered to be unprofessional and will result in disciplinary action by the board.

(1) Unprofessional literature and material. (a) Literature, wording or material which the chiropractic examining board deems unprofessional, within the meaning of section 446.04 (5), Wis. Stats. including advertising by means of letterheads, envelopes, newspapers, and telephone listings.

- (b) Advertising Free services. (Examinations, x-rays, etc.)
- (c) Advertising Painless Procedure.
- (d) Advertising Complete Health Service.
- (e) Advertising Scientific Chiropractic.
- (f) Advertising Modern Chiropractic.
- (g) Advertising Listing of the diseases.
- (h) Advertising Listing of any methods of treatment other than chiropractic.
- (i) Advertising I Remove the Cause of Disease.
- (j) Advertising Modern Methods.
- (k) Using a Testimonial wherein a licensee's own name is used.

(l) Use of photograph of chiropractor in advertisement, other than provided in Chir 3.05 (12).

(m) Advertising school or college of graduation.

(n) Comparison of school hours with other professions.

(o) Advertising of specialization in a specific area of treatment, or advertising of competence in a specific area of the practice of chiropractic.

(2) The practice of chiropractic regularly in living quarters (bedside care excepted) as well as the maintenance of an unsanitary office or equipment shall be considered to be unprofessional conduct.

(3) Practicing chiropractic while any impairment of judgement or ability exists due to the use of alcohol or other drugs which prevent the rendering of competent professional service.

(4) The conviction of a crime by a chiropractor which relates to his chiropractic duties, functions, responsibilities or office.

(5) Engaging in any conduct, or making any claim which is false, misleading or deceptive.

(6) Practicing chiropractic when knowing or having reason to know of a mental or physical disability which prevents the rendering of competent professional services.

(7) Violating any law or rule relating to the practice of chiropractic.

(8) Engaging in any activity related to the practice of chiropractic which does not comply with the accepted standards of practice in the profession.

(9) Repeated complaints for overutilization, lack of radiation protection for patient and operator or exorbitant fees.

(9m) Violation of the following requirements is also considered unprofessional conduct.

(10) The licensee must be in attendance when procedures preparatory or complementary to the chiropractic adjustment are administered.

(11) Office signs shall conform to the requirements of section 446.04 (5) (e) and shall be of a size and character reasonably suited for their location. Any sign larger than 15 square feet requires prior approval of the design by the board.

(12) Upon establishing a practice in a new location, the licensee is permitted to publish a one-time announcement containing licensee's picture and a resume of his bibliographic data and credentials of a size and content that is customary and usual in the area for primary health care professionals. All other news media advertising is prohibited other than the use of the professional card in accordance with section 446.04 (5) (f), Wis. Stats.

(13) In the yellow pages the heading shall be Chiropractor — Doctor of Chiropractic (D.C.). The name shall then be listed with no identification. In the white pages, use the title "Dr." before with the identification of chiropractor following licensee's name. Bold type is permitted in the yellow and white pages of the directory if this is a common procedure in licensee's community with other chiropractors and professional people.

**(14) Incompetent use of ancillary instruments and their procedures shall be cause for disciplinary action.**

**History:** Cr. Register, December, 1976, No. 252, eff. 1-1-77; am. (1) (l) and cr. (14), Register, October, 1977, No. 262, eff. 11-1-77.

**Chir 3.06 Radiation.** (1) All x-ray equipment must be of shock-proof construction.

(2) Lead cones, diaphragm or collimator shall be used to confine the radiation to the examination area.

(3) Filtration equivalent to 4.5 MM of aluminum shall be used on all x-ray tubes.

(4) Lead screen, or, preferably, lead-lined booths with sufficient thickness, 1/16 lead.

(5) X-ray equipment should be located as to direct all primary rays to the outside or away from any occupied adjacent rooms.

(6) Lead, leaded material, steel, or concrete of sufficient thickness must be used where needed to protect persons in living quarters or adjacent offices. Further radiation protection must be adhered to as stated in H 57.05, Wisconsin Administrative Code.

**History:** Cr. Register, December, 1976, No. 252, eff. 1-1-77.

**Chir 3.07 Recognition of certificate of competence.** Within the practice of chiropractic, upon acceptance by the Wisconsin chiropractic examining board of the certification of the applicant, all credits leading to the certificate must be earned in a course, under the auspices of an approved chiropractic college.

**History:** Cr. Register, December, 1976, No. 252, eff. 1-1-77.

**Chir 3.08 Continuing education requirements for license renewal.** Each resident licensee shall submit to the board beginning December 31, 1977, and each year thereafter, satisfactory evidence that said licensee has attended within the calendar year, 12 hours of instruction in subjects relating to chiropractic and approved by the board. Said instruction must be under the supervision of college instructors, or the continuing education faculty of board approved chiropractic colleges, at a seminar given by the Wisconsin chiropractic association, chiropractic examining board, American chiropractic association, international chiropractic association, or at a board-approved chiropractic college. Credits may be earned either from one session or accumulated from several sessions that calendar year. The board may, in its discretion, waive said educational requirements for the licensee by reason of an unusual emergency, extreme hardship or for other good and reasonable cause.

**History:** Cr. Register, December, 1976, No. 252, eff. 1-1-77; r. and recr. Register, January, 1978, No. 265, eff. 2-1-78.