



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2017 Assembly Bill 260

**Assembly Amendments 1 and 2
and Senate Amendment 1**

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2017 ASSEMBLY BILL 260

The bill makes various changes to laws relating to chiropractors. Among other changes, the bill creates a process to allow a licensed chiropractor to be certified by the Chiropractic Examining Board (CEB) to practice “chiropractic dry needling.” Additionally, the bill creates a process to allow a licensed chiropractor to be registered by CEB as a practitioner of “chiropractic acupuncture.” These practices are defined in the bill, as follows:

- “Chiropractic dry needling” means puncturing the skin of the human body with needles at trigger points to treat neuromusculoskeletal pain and performance.
- “Chiropractic acupuncture” means to promote, maintain, or restore health or to diagnose, prevent, or treat disease by treating specific areas of the human body, known as acupuncture points or meridians, by the insertion of needles or by the application of manual, thermal, or electrical stimulation or any other secondary therapeutic technique.

The bill establishes procedures related to certifications and registrations for the practices described above, and directs CEB to promulgate rules to implement the changes.

The bill modifies current provisions of the administrative code promulgated by CEB, related to the scope of the practice of chiropractic. Currently, the administrative code specifies that “acupuncture by needle insertion or invasive laser application” is outside the scope of the practice of chiropractic. The bill specifies that this does not prohibit the use of cold laser therapy by a licensed chiropractor, and also that this does not prohibit the practice of acupuncture by a licensed chiropractor who is also a certified acupuncturist, at the same location where he or she practices chiropractic.

Also, currently, the administrative code identifies certain techniques, ancillary procedures, and instruments that are prohibited from being used in the practice of chiropractic. The bill specifies that CEB may consider the opinion of the National Board of Chiropractic Examiners (NBCE) with respect to the techniques, ancillary procedures, and instruments that are considered safe and effective for the practice of chiropractic.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 removes the provisions in the bill creating a process for chiropractic dry needling certifications and a process for chiropractic acupuncture registrations, establishing procedures related to these practices, and directing CEB to promulgate rules to implement the changes.

Assembly Amendment 1 retains the bill's provision modifying the administrative code to specify that cold laser therapy is not outside the scope of the practice of chiropractic. In addition, the amendment retains the bill's provision specifying that a licensed chiropractor who is also a certified acupuncturist may practice acupuncture at the same location where he or she practices chiropractic.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 removes the provision in the bill modifying the administrative code to specify that CEB may consider the opinion of NBCE with respect to the techniques, ancillary procedures, and instruments that are considered safe and effective for the practice of chiropractic.

SENATE AMENDMENT 1

Senate Amendment 1 removes the provisions in the bill relating to physical examinations conducted by chiropractors.

BILL HISTORY

Representative Wichgers introduced the bill on April 21, 2017. The Assembly Committee on Health held a public hearing on the bill on April 26, 2017. Representative Wichgers offered Assembly Amendments 1 and 2 on June 9, 2017. The Assembly Committee on Health held an executive session on June 13, 2017, and recommended adoption of Assembly Amendments 1 and 2, on votes of Ayes, 11; Noes, 0; and passage of the bill, as amended, on a vote of Ayes, 7; Noes, 4.

Senate Amendment 1 was introduced by Senator Olsen on February 2, 2018. On February 8, 2018, the Senate Committee on Health and Human Services recommended adoption of Senate Amendment 1 on a vote of Ayes, 5; Noes, 0, and concurrence of the bill, as amended, on a vote of Ayes 3; Noes, 2.

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