
Health Care & Wellness Committee

HB 1573

Brief Description: Clarifying the prohibitions against discriminating against licensed chiropractors.

Sponsors: Representatives Harris, Hope, Pettigrew, Green, Walsh, Cody, Moeller, Stonier and Morrell.

Brief Summary of Bill

- Allows chiropractors to perform sports physicals for school athletes and physical examinations for commercial driver's licenses.
- Prohibits school districts from discriminating against chiropractors.
- Prohibits state and local governments from contracting with the Washington Interscholastic Activities Association if it discriminates against chiropractors.

Hearing Date: 2/21/13

Staff: Jim Morishima (786-7191).

Background:

I. Licensed Chiropractors.

Chiropractic is a health care practice involving the diagnosis, analysis, care, and treatment of the vertebral subluxation complex and its effects, articular dysfunction, and musculoskeletal disorders, all for the restoration and maintenance of health and recognizing the recuperative powers of the body. Chiropractors are licensed and regulated by the Chiropractic Quality Assurance Commission.

The state and its political subdivisions are prohibited from discriminating against licensed chiropractors in performing and receiving compensation for their services. Similarly, the state and its political subdivisions are prohibited from contracting with individuals, groups,

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associations, or corporations that discriminate against licensed chiropractors in performing and receiving compensation for their services.

II. The Washington Interscholastic Activities Association.

The Washington Interscholastic Activities Association (WIAA) is a non-profit organization that plans, supervises, and administers school sports as delegated by individual school boards. Student athletes competing in WIAA-administered events must comply with a variety of requirements, including a physical examination. According to the WIAA handbook, providers authorized to perform such physicals include physicians, osteopathic physicians, advanced registered nurse practitioners, physician assistants, and naturopaths.

III. Commercial Driver's Licenses.

Drivers of certain types of vehicles, e.g., vehicles with a weight rating of 26,001 pounds or more, school buses, and vehicles designed to transport 16 or more people, must obtain a commercial driver's license. Under both state and federal law, a holder of a commercial driver's license is required to have a medical examiner's certificate on his or her person a medical examiner's certificate that he or she is physically qualified to drive a commercial motor vehicle.

The purpose of the medical examination is to certify that the driver is free from physical, mental, or organic conditions that may affect his or her ability to safely drive a commercial vehicle. The medical examiner must examine a variety of items, including the driver's: general appearance and development, head, eyes, ears, throat, heart, blood pressure, lungs, and abdomen and viscera. Beginning May 21, 2014, only a medical examiner on the National Registry of Certified Medical Examiners (NRCME) may perform the medical examination. In order to be on the NRCME, a provider must be licensed, certified, or registered to perform the physical examination and complete training and testing on the Federal Motor Carrier Safety Administration's physical qualifications standards and guidelines. Prior to May 21, 2014, any person licensed, certified, or registered to perform physical examinations may perform the medical examination.

Summary of Bill:

A school district may not discriminate against a licensed chiropractor in performing and receiving compensation for his or her services. The state and its political subdivisions may not contract with the WIAA if it discriminates against licensed chiropractors in performing and receiving compensation for their services.

A licensed chiropractor may perform sports physicals for school athletes and physical examinations for commercial driver's licenses.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.