

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 6054

Chapter 241, Laws of 1992
(partial veto)

52nd Legislature
1992 Regular Session

CHIROPRACTIC PRACTICE ACT--REVISIONS

EFFECTIVE DATE: 6/11/92

Passed by the Senate March 8, 1992
Yeas 35 Nays 11

JOEL PRITCHARD

President of the Senate

Passed by the House March 6, 1992
Yeas 91 Nays 5

JOE KING

**Speaker of the
House of Representatives**

Approved April 3, 1992, with the
exception of section 5, which is
vetoed.

BOOTH GARDNER

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the
Senate of the State of Washington, do
hereby certify that the attached is
ENGROSSED SENATE BILL 6054 as passed
by the Senate and the House of
Representatives on the dates hereon
set forth.

GORDON A. GOLOB

Secretary

FILED

April 3, 1992 - 5:30 p.m.

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 6054

AS AMENDED BY THE HOUSE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Senators L. Smith, Bauer, Johnson, Murray, von Reichbauer, Snyder, Metcalf, Conner, Thorsness, Vognild, Sutherland, Jesernig, M. Kreidler and Pelz

Read first time 01/13/92. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to chiropractic; amending RCW 18.25.005 and
2 18.25.006; adding a new section to chapter 18.25 RCW; creating a new
3 section; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** This act is intended to expand the scope
6 of practice of chiropractic only with regard to adjustment of
7 extremities in connection with a spinal adjustment.

8 **Sec. 2.** RCW 18.25.005 and 1974 ex.s. c 97 s 7 are each amended to
9 read as follows:

10 (~~For the purpose of chapters 18.25 and 18.26 RCW, the term~~
11 ~~"chiropractic" shall mean and include that practice of health care~~
12 ~~which deals with the detection of subluxations, which shall be defined~~
13 ~~as any alteration of the biomechanical and physiological dynamics of~~

1 contiguous spinal structures which can cause neuronal disturbances, the
2 chiropractic procedure preparatory to, and complementary to the
3 correction thereof, by adjustment or manipulation of the articulations
4 of the vertebral column and its immediate articulations for the
5 restoration and maintenance of health; it includes the normal regimen
6 and rehabilitation of the patient, physical examination to determine
7 the necessity for chiropractic care, the use of x-ray and other
8 analytical instruments generally used in the practice of chiropractic:
9 PROVIDED, That no chiropractor shall prescribe or dispense any medicine
10 or drug nor practice obstetrics or surgery nor use x-rays for
11 therapeutic purposes: PROVIDED, HOWEVER, That the term "chiropractic"
12 as defined in this act shall not prohibit a practitioner licensed under
13 chapter 18.71 RCW from performing accepted medical procedures, except
14 such procedures shall not include the adjustment by hand of any
15 articulation of the spine: AND PROVIDED FURTHER, That nothing herein
16 shall be construed to prohibit the rendering of dietary advice.))

17 (1) Chiropractic is the practice of health care that deals with the
18 diagnosis or analysis and care or treatment of the vertebral
19 subluxation complex and its effects, articular dysfunction, and
20 musculoskeletal disorders, all for the restoration and maintenance of
21 health and recognizing the recuperative powers of the body.

22 (2) Chiropractic treatment or care includes the use of procedures
23 involving spinal adjustments, and extremity manipulation insofar as any
24 such procedure is complementary or preparatory to a chiropractic spinal
25 adjustment. Chiropractic treatment also includes the use of heat,
26 cold, water, exercise, massage, trigger point therapy, dietary advice
27 and recommendation of nutritional supplementation except for medicines
28 of herbal, animal, or botanical origin, the normal regimen and
29 rehabilitation of the patient, first aid, and counseling on hygiene,
30 sanitation, and preventive measures. Chiropractic care also includes

1 such physiological therapeutic procedures as traction and light, but
2 does not include procedures involving the application of sound,
3 diathermy, or electricity.

4 (3) As part of a chiropractic differential diagnosis, a
5 chiropractor shall perform a physical examination, which may include
6 diagnostic x-rays, to determine the appropriateness of chiropractic
7 care or the need for referral to other health care providers. The
8 chiropractic disciplinary board shall provide by rule for the type and
9 use of diagnostic and analytical devices and procedures consistent with
10 this chapter.

11 (4) Chiropractic care shall not include the prescription or
12 dispensing of any medicine or drug, the practice of obstetrics or
13 surgery, the use of x-rays or any other form of radiation for
14 therapeutic purposes, colonic irrigation, or any form of venipuncture.

15 (5) Nothing in this chapter prohibits or restricts any other
16 practitioner of a "health profession" defined in RCW 18.120.020(4) from
17 performing any functions or procedures the practitioner is licensed or
18 permitted to perform, and the term "chiropractic" as defined in this
19 chapter shall not prohibit a practitioner licensed under chapter 18.71
20 RCW from performing medical procedures, except such procedures shall
21 not include the adjustment by hand of any articulation of the spine.

22 **Sec. 3.** RCW 18.25.006 and 1991 c 3 s 36 are each amended to read
23 as follows:

24 Unless the context clearly requires otherwise, the definitions in
25 this section apply throughout this chapter.

26 (1) "Department" means the department of health.

27 (2) "Secretary" means the secretary of the department of health or
28 the secretary's designee.

29 (3) "Chiropractor" means an individual licensed under this chapter.

1 (4) "Board" means the Washington state board of chiropractic
2 examiners.

3 (5) "Vertebral subluxation complex" means a functional defect or
4 alteration of the biomechanical and physiological dynamics in a joint
5 that may cause neuronal disturbances, with or without displacement
6 detectable by x-ray. The effects of the vertebral subluxation complex
7 may include, but are not limited to, any of the following: Fixation,
8 hypomobility, hypermobility, periarticular muscle spasm, edema, or
9 inflammation.

10 (6) "Articular dysfunction" means an alteration of the
11 biomechanical and physiological dynamics of a joint of the axial or
12 appendicular skeleton.

13 (7) "Musculoskeletal disorders" means abnormalities of the muscles,
14 bones, and connective tissue.

15 (8) "Chiropractic differential diagnosis" means a diagnosis to
16 determine the existence of a vertebral subluxation complex, articular
17 dysfunction, or musculoskeletal disorder, and the appropriateness of
18 chiropractic care or the need for referral to other health care
19 providers.

20 (9) "Chiropractic adjustment" means chiropractic care of a
21 vertebral subluxation complex, articular dysfunction, or
22 musculoskeletal disorder. Such care includes manual or mechanical
23 adjustment of any vertebral articulation and contiguous articulations
24 beyond the normal passive physiological range of motion.

25 (10) "Extremity manipulation" means a corrective thrust or maneuver
26 applied to a joint of the appendicular skeleton. The use of extremity
27 manipulation shall be complementary and preparatory to a chiropractic
28 spinal adjustment to support correction of a vertebral subluxation
29 complex and is considered a part of a spinal adjustment and shall not
30 be billed separately from or in addition to a spinal adjustment.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.25 RCW
2 to read as follows:

3 All state health care purchasers shall have the authority to set
4 service and fee limitations on chiropractic costs. The health care
5 authority shall establish pilot projects in defined geographic regions
6 of the state to contract with organizations of chiropractors for a
7 prepaid capitated amount.

9 *NEW SECTION. **Sec. 5.** *This act is necessary for the immediate
10 preservation of the public peace, health, or safety, or support of the
11 state government and its existing public institutions, and shall take
12 effect immediately.*

13 *Sec. 5 was vetoed, see message at end of chapter.

Passed the Senate March 8, 1992.

Passed the House March 6, 1992.

Approved by the Governor April 3, 1992, with the exception of
certain items which were vetoed.

Filed in Office of Secretary of State April 3, 1992.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to section 5,
Engrossed Senate Bill No. 6054 entitled:

"AN ACT Relating to Chiropractic."

Section 5 of Engrossed Senate Bill No. 6054 implements this bill
immediately. The language in the bill is ambiguous concerning the
ability of chiropractors to treat problems originating in the
extremities. The proponents of the bill assure me that the expansion
in the scope of practice does not include disorders that originate in
the extremities. I have asked the Chiropractic Disciplinary Board to
clarify this issue in rule.

For these reasons, I have vetoed section 5 of Engrossed Senate Bill
No. 6054.

With the exception of section 5, Engrossed Senate Bill No. 6054 is
approved."