

State of Washington

CHIROPRACTIC DISCIPLINARY BOARD

(name of governing body)

(agency name, if applicable)

Resolution No. 8-80

Administrative Order No. PL-352

(1) Be it resolved by the Chiropractic Disciplinary Board acting at Olympia Room of the Vance Airport Inn, Seattle, Washington that it does promulgate and adopted the annexed rules relating to:

Amending WAC 113-12-150 ETHICAL STANDARDS -- PROHIBITED PUBLICITY AND ADVERTISING

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules. This action is taken pursuant to Notice No. * filed with the code reviser on 6/23/80. Such rules shall take effect: *WSR 80-08-013 X pursuant to RCW 34.04.040(2) at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules. We, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is: Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

(a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of (name of act or RCW citation)

X (c) This rule is promulgated under the general rule making authority of the Chiropractic Disciplinary Board (agency)

as authorized in RCW 18.26.110

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON FILED

AUG 18 1980

CODE REVISER'S OFFICE WSR 80-11-043

By James F. Dawson, D.C., Secretary

AMENDATORY SECTION (Order PL 315, filed 9/25/79.)

WAC 113-12-150 ETHICAL STANDARDS -- PROHIBITED PUBLICITY AND ADVERTISING. (1) A chiropractor shall not, on behalf of himself, his partner, associate or any other chiropractor affiliated with his office or clinic, use or allow to be used, any form of public communications or advertising which ~~((+1))~~ is false, fraudulent, deceptive ~~((+))~~ or misleading, ~~((or-sensational))~~ including, but not limited to, such advertising which takes any of the following forms:

- ~~((+2--uses))~~ (a) sensational advertising;
- ~~((+3))~~ (b) testimonials;
- ~~((+4))~~ (c) advertising which guarantees any result of care;
- ~~((+4))~~ (d) advertising which offers gratuitous goods or services or discounts in connection with chiropractic services, but this clause shall not be construed to relate to the negotiation of fees between chiropractors and patients or to prohibit the rendering of chiropractic services for which no fee is charged;
- ~~((+5))~~ (e) advertising which makes claims of professional superiority;
- ~~((+6))~~ (f) advertising which states or includes prices for chiropractic services except as provided for in WAC 113-12-160;
- ~~((+7))~~ (g) advertising which fails to differentiate chiropractic care from all other methods of healing;
- ~~((+8--advertised))~~ (h) advertising for a service outside the practice of chiropractic as permitted in Washington;
- ~~((+9))~~ (i) advertising which otherwise exceeds the limits of WAC 113-12-160.

(2) A chiropractor who advertises in any form, including, but not limited to, those forms listed in (1) above shall, upon request made by the board, provide the board with substantiation of the truth and accuracy of any and all claims made in his or her advertisements.