

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

Chiropractic Disciplinary Board

(name of governing body)

(agency name, if applicable)

Resolution No. _____

Administrative Order No. PM 806

(1) Be it resolved by the Chiropractic Disciplinary Board,
acting at Tukwila, Washington
(place)

that it does adopt the annexed rules relating to:

- new section WAC 113-12-101 BILLING
- new section WAC 113-12-103 RADIOGRAPHIC STANDARDS
- new section WAC 113-12-220 "RECORDS AND X-RAYS AND WITHDRAWAL FROM PRACTICE"--MAINTENANCE AND RETENTION OF PATIENT RECORDS
- new section WAC 113-12-230 DUTIES OF A CHIROPRACTOR WHO RETIRES OR WITHDRAWS FROM PRACTICE
- and repeal WAC 113-12-100

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. WSR 88-19-074
filed with the code reviser on Sept. 19, 1988. These rules shall take effect:
 thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).
 at a later date, such date being February 1, 1989.

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, _____, find that
an emergency exists and that this 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 the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026¹ 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 18.26.110
which directs that the

Chiropractic Disciplinary Board
(agency)

has authority to implement the provisions of
chapter 18.26 RCW
(name of act or RCW citation)

- (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW _____

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public
Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register
Act (chapter 34.08 RCW) in the adoption of these rules.

(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.

APPROVED AND ADOPTED November 3, 19 88

STATE OF WASHINGTON
FILED

DEC 9 1988

By [Signature]

Title

CODE REVISER'S OFFICE
WSR 89-01-017

NEW SECTION

WAC 113-12-101 BILLING. (1) A chiropractor shall bill for examination, adjustment, or other therapeutic services utilizing the levels of service described below. When necessity is substantiated by documented subjective complaints, if any, objective findings, and when not a routine part of the chiropractor's examination or treatment procedures, board-approved chiropractic procedures which are preparatory to and/or complementary to the adjustment may be used in combination with the adjustment, or when adjustment is precluded by adequate clinical justification.

A chiropractor whose billing does not conform to these specified levels of service, or whose case records do not contain adequate documentation of subjective complaints, if any, objective findings to justify the level and type of service billed for, shall be considered engaging in unprofessional conduct.

(a) Complementary procedures defined: Those chiropractic services, performed by or at the direction of the chiropractor, which initiate or complete the process intended to normalize joint function, decrease muscle spasm, reduce edema or inflammation, increase joint mobility, increase soft tissue flexibility, reduce pain, and maximize the integrity of the fibrosis of repair.

Complementary procedures shall include the application of manual spinal traction, massage, neuromuscular rehabilitation, muscle stretch techniques, fitting of necessary spinal orthoses, heel lifts, and/or manual muscle goading techniques including trigger point therapy and transverse friction massage.

(b) Preparatory procedures defined: Those chiropractic services, which may not require the attendance of the chiropractor or his assistant, which induce local or general relaxation, decrease muscle spasm, increase circulation, reduce edema or inflammation, and in other ways prepare the patient.

Preparatory procedures shall include the application of spinal traction, intersegmental mobilization, heat, light, and/or cold.

(c) Complementary teaching procedures defined: Those complementary chiropractic teaching services, performed by or at the direction of the chiropractor, which train the patient in proper or improved methods of performing activities of work, posture, ambulation, or daily living.

Complementary teaching procedures shall include dietary advice, gait training, posture training, exercise training, body mechanics, ergonomic considerations, or instruction in the activities of daily living.

(2) The necessity and rationale for examination, x-rays, or other diagnostic procedures, must be supported by documentation in the patient record of subjective complaints, if any, objective findings and assessment.

(3) Levels of service for chiropractic care:

(a) Brief level of service. A level of service requiring documentation of an abbreviated history and/or examination supported by subjective complaint, if any, objective findings, the assessment, and plan for care. This level of service may consist of interprofessional or intraprofessional consultation regarding the assessment and care of the patient. When adjustment is precluded by adequate clinical justification, preparatory procedures may be applied in the absence of an adjustment and billed at this level of service. Complementary teaching procedures may be applied and billed at this level of service.

(b) Limited level of service - (i.e., routine). A level of service pertaining to the evaluation of a circumscribed acute condition or the periodic reevaluation of an existing condition, with an interval history, examination, review of past care effectiveness, appropriate tests, and modification of plan for care, as indicated and supported by documentation of subjective complaints, if any, objective findings, and assessment. This level of service shall include a chiropractic spinal adjustment, unless the adjustment is precluded by adequate clinical justification. Complementary procedures (which may

be accompanied by preparatory procedures) may be applied in the absence of an adjustment and billed at this level of service.

(c) Intermediate level of service. A level of service pertaining to the evaluation of a new or existing condition, complicated with a new diagnostic or management problem not necessarily relating to the primary diagnosis, that necessitates obtaining and/or evaluation of pertinent history, physical findings, diagnostic tests and procedures, and/or the application of the appropriate therapeutic management as indicated and supported by documentation of subjective complaints, if any, objective findings, and assessment; or a formal patient or family conference regarding patient chiropractic management, progress, and plan. This level of service may include the application of preparatory chiropractic procedures performed in addition to a chiropractic spinal adjustment.

(d) Extended level of service. A level of service requiring an unusual amount of effort or judgment which may include detailed history, review of recorded records, examination, and/or a formal conference with patient or family, to determine the need for care, and is supported by documentation of subjective complaints, if any, objective findings, assessment, and plan for care. This level of service may include the application of complementary and/or complementary teaching chiropractic procedures, performed in addition to a chiropractic spinal adjustment.

(e) Comprehensive level of service. A level of service providing an in-depth evaluation of a patient with a new or existing problem requiring the complete evaluation of chiropractic and other health data. This procedure may include the documentation of chief complaints, present conditions, family history, past health history, a complete chiropractic examination, to include neurologic and orthopedic findings, appropriate tests and procedures, and documentation of assessment and plan for care.

NEW SECTION

WAC 113-12-103 RADIOGRAPHIC STANDARDS. The following requirements for chiropractic x-ray have been established because of concerns about over-radiation and unnecessary x-ray exposure.

(1) The following should appear on the films:

- (a) Patient's name and age;
- (b) Doctor's name, facility name, and address;
- (c) Date of study;
- (d) Left or right marker;
- (e) Other markers as indicated;
- (f) Adequate collimation;
- (g) Gonad shielding, where applicable.

(2) Minimum of A/P and lateral views are necessary for any regional study unless clinically justified.

(3) As clinical evidence indicates, it may be advisable to produce multiple projections where there is an indication of possible fracture, significant pathology, congenital defects, or when an individual study is insufficient to make a comprehensive diagnosis/analysis.

(4) Each film should be of adequate density, contrast, and definition, and no artifacts should be present.

(5) The subjective complaints, if any, and the objective findings substantiating the repeat radiographic study must be documented in the patient record.

(6) These rules are intended to complement and not supersede those rules adopted by the radiation control agency set forth in chapter 402-28 WAC, Use of x-rays in the healing arts.

NEW SECTION

WAC 113-12-220 "RECORDS AND X-RAYS AND WITHDRAWAL FROM PRACTICE"--MAINTENANCE AND RETENTION OF PATIENT RECORDS. (1) Any chiropractor who treats patients in the state of Washington shall maintain all treatment records regarding patients treated. These records may include, but shall not be limited to treatment plans, patient charts, patient histories, correspondence, financial data, and billing. These records shall be retained by the chiropractor for five years in an orderly, accessible file and shall be readily available for inspection by the chiropractic disciplinary board or its authorized representative: PROVIDED, That x-rays or copies of records may be forwarded pursuant to a licensed agent's written request. Also, office records shall state the date on which the records were released, method forwarded and to whom, and the reason for the release. A reasonable fee may be charged the patient to cover mailing and clerical costs.

(2) A chiropractor shall honor within fifteen days a written request from an adult patient or their legal representative or that of a minor child to release original x-rays on a loan basis to other licensed health care providers or the chiropractor may provide duplicate films and may charge the patient reasonable duplication costs. Once the original films have been loaned at patient request, the chiropractor is no longer responsible for them, nor for their retrieval of subsequent production.

A chiropractor who has received original x-rays on a loan basis shall return them to the loaning chiropractor within sixty days unless other arrangements are made.

NEW SECTION

WAC 113-12-230 DUTIES OF A CHIROPRACTOR WHO RETIRES OR WITHDRAWS FROM PRACTICE. Any chiropractor who ceases practice in his or her community for any reason, including retirement, illness, disability, or relocation shall comply with the following duties:

(1) The chiropractor shall notify all current patients that he or she will not be able to provide chiropractic services and shall notify the patient to seek another chiropractor to continue their care.

(2) The chiropractor shall offer to deliver to the patient, or to another chiropractor or licensed health care professional chosen by the patient, the originals or copies of all patient examination and treatment records and x-rays or notify the patient of a community area location where the records and x-rays will be maintained and accessible for at least one year after the notice is sent to the patient.

(3) The chiropractor shall refund any part of fees paid in advance that have not been earned.

(4) The board requests that the executor or executrix of a deceased chiropractor comply with the duties set forth herein to the fullest extent possible. The board staff will provide advice and assistance to such executor or executrix upon request.

(5) For the purpose of this section, any relocation or restriction of practice which substantially interferes with a patient's reasonable access to his or her chiropractor should be cause for the chiropractor to comply with the duties set forth.

(6) Willful failure to comply with this section shall be cause to suspend a chiropractor's license until the required duties are fulfilled.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 113-12-100 BILLING.