

CERTIFICATION OF ENROLLMENT  
**SUBSTITUTE HOUSE BILL 1629**

52nd Legislature  
1991 Regular Session

Passed by the House March 12, 1991  
Yeas 75 Nays 21

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**Speaker of the  
House of Representatives**

Passed by the Senate April 16, 1991  
Yeas 44 Nays 3

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1629** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

Secretary of State  
State of Washington



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**SUBSTITUTE HOUSE BILL 1629**

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AS AMENDED BY THE SENATE

Passed Legislature - 1991 Regular Session

**State of Washington                      52nd Legislature                      1991 Regular Session**

**By** House Committee on Health Care (originally sponsored by Representatives Prentice, Wood, R. Meyers, Franklin, Day, Miller, Ludwig, Morris, Pruitt, Brough, Braddock, Anderson, Betrozoff, Cooper, Fuhrman, R. King, McLean, Cantwell, Leonard, Kremen, Nealey, Phillips, P. Johnson, Wynne and Dorn).

Read first time February 28, 1991.

1            AN ACT Relating to chiropractic; amending RCW 18.25.040 and  
2 18.25.090; adding a new section to chapter 18.25 RCW; adding new  
3 sections to chapter 18.26 RCW; and creating a new section.

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

5            NEW SECTION.    **Sec. 1.**            Unless the context clearly requires  
6 otherwise, the definitions in this section apply throughout sections 2  
7 through 7 of this act.

8            (1) "Accepted standards" means those standards of practice, skill,  
9 and treatment that are recognized by a reasonably prudent chiropractor  
10 as being acceptable under similar conditions and circumstances.

11            (2) "Appropriate chiropractic treatment" means treatment and other  
12 services performed or ordered, in connection with a substantiated and  
13 properly documented condition, which would appear to a reasonably  
14 prudent chiropractor to be consistent with the diagnosis or analysis  
15 presented.

1 (3) "Excessive" fees or costs means charges above the usual and  
2 customary charges in that service area as paid by public and private  
3 third-party payors.

4 (4) "Patient" means an individual who receives chiropractic  
5 evaluation or treatment, or both.

6 (5) "Peer review committee" means the committee established under  
7 section 2 of this act.

8 (6) "Peer review proceeding" or "peer review" means an evaluation,  
9 based on accepted standards, by the peer review committee, of the  
10 appropriateness, quality, utilization, and cost of health services  
11 provided to a patient. Peer review does not include matters related to  
12 the licensing, discipline, or scope of practice of any health care  
13 profession.

14 (7) "Properly utilized services" means appropriate services  
15 rendered or ordered, including the frequency and duration of such  
16 services, which are documented as being necessary and reasonable by  
17 clinical records and reports or by other facts, presentations, or  
18 evidence reviewed by the peer review committee.

19 (8) "Services rendered" means all services provided to a patient.

20 NEW SECTION. **Sec. 2.** (1) The board shall appoint the peer  
21 review committee, which shall be constituted as follows: The chair of  
22 the peer review committee shall be a member of the board and shall not  
23 vote except to break a tie; one chiropractor from each congressional  
24 district; one independent member representative of the health insurance  
25 industry; and one representative from the department of labor and  
26 industries. The term of appointment of peer review committee members  
27 shall be one year, and no member shall serve more than four consecutive  
28 terms. The board may appoint additional pro tem members as necessary.  
29 Chiropractor members shall have at least five years of active practice

1 in this state. The board shall adopt rules establishing other  
2 qualifications for appointment of the chiropractic members to the peer  
3 review committee, including rules to avoid conflict of interest or the  
4 appearance of conflict of interest.

5 (2) The peer review committee may be compensated in accordance with  
6 RCW 43.03.240 and may be paid travel expenses while engaged in the  
7 business of the committee in accordance with RCW 43.03.050 and  
8 43.03.060.

9 NEW SECTION. **Sec. 3.** (1) A patient, a patient's  
10 representative, an insurer, an agency of the state of Washington, or a  
11 chiropractor may request a peer review proceeding by submitting an  
12 inquiry about services rendered to a patient by a chiropractor. The  
13 board shall, in its discretion, determine whether the inquiry should be  
14 reviewed as a peer review proceeding, as a matter for possible  
15 voluntary mediation, or as a disciplinary proceeding. Peer review  
16 shall not be used to replace the independent medical/chiropractic  
17 examination.

18 (2) Request for peer review constitutes consent to submission by  
19 the requesting party of all necessary records and other information  
20 concerning the chiropractic services rendered. Chiropractors licensed  
21 under this chapter who are a party to the peer review are required to  
22 submit all necessary records and other information concerning services  
23 rendered by the chiropractor.

24 (3) All costs associated with conducting peer review under this  
25 chapter shall be borne by the chiropractic profession as part of the  
26 licensing fees. Notwithstanding, the board shall assess a fee to cover  
27 the costs of the review when the requesting party is a chiropractor or  
28 a third-party payor.

1        NEW SECTION.    **Sec. 4.**        (1) The peer review committee may review  
2 matters regarding the appropriateness, quality, utilization, or cost of  
3 chiropractic services rendered. The peer review committee on each  
4 review shall include in its findings a determination whether  
5 appropriate chiropractic treatment was rendered, whether the services  
6 rendered were properly utilized services, whether treatment or services  
7 rendered or ordered were appropriate in accordance with accepted  
8 standards, and whether the fees charged were excessive or not.

9        (2) The committee may appoint subcommittees to assist it in  
10 conducting peer review. All activities of the subcommittees shall be  
11 reviewed and approved or disapproved by the committee.

12        (3) The peer review committee shall submit to all parties and to  
13 the board a decision setting forth the committee's findings and  
14 recommendations.

15        (4) Any party may appeal the decision to the board. The board, on  
16 the record of the peer review committee, may return the proceeding with  
17 recommendations to the committee for reconsideration, may initiate  
18 disciplinary proceedings, or may approve the decision of the peer  
19 review committee, or may take any combination of the above actions.

20        NEW SECTION.    **Sec. 5.**        The peer review committee shall file  
21 with the board a complaint against a chiropractor if the committee  
22 determines that reasonable cause exists to believe the chiropractor has  
23 committed unprofessional conduct. The peer review committee shall  
24 transmit all information pertinent to the complaint to the board. Such  
25 information shall be confidential and shall be used solely for  
26 disciplinary purposes.

27        NEW SECTION.    **Sec. 6.**        The board shall prepare a biennial  
28 report summarizing its peer review decisions and shall include such

1 report as part of the board's report requirements under RCW 18.130.310.  
2 The published summary of peer review decisions shall not be used and  
3 shall not serve as the basis for establishing appropriate fee schedules  
4 or treatment regimes for the profession.

5 NEW SECTION. **Sec. 7.** No findings or decisions of the peer  
6 review committee shall have any effect on or be admissible in any court  
7 proceeding or administrative proceedings conducted under another  
8 chapter of the Revised Code of Washington.

9 **Sec. 8.** RCW 18.25.040 and 1991 c 3 s 39 are each amended to read  
10 as follows:

11 Persons licensed to practice chiropractic under the laws of any  
12 other state, territory of the United States, the District of Columbia,  
13 Puerto Rico, or province of Canada, having ~~((equal requirements of))~~  
14 qualifications substantially equivalent to those required by this  
15 chapter, may, in the discretion of the board of chiropractic examiners,  
16 and after such examination ~~((by the board in principles of~~  
17 ~~chiropractic, x ray, and adjusting, as taught by chiropractic schools~~  
18 ~~and colleges))~~ as may be required by rule of the board, be issued a  
19 license to practice in this state without further examination, upon  
20 payment of a fee determined by the secretary as provided in RCW  
21 43.70.250.

22 **Sec. 9.** RCW 18.25.090 and 1989 c 258 s 6 are each amended to read  
23 as follows:

24 On all cards, books, papers, signs or other written or printed  
25 means of giving information to the public, used by those licensed by  
26 this chapter to practice chiropractic, the practitioner shall use after  
27 or below his or her name the term chiropractor, chiropractic physician,

1 D.C., or D.C.Ph.C., designating his or her line of drugless practice,  
2 and shall not use the letters M.D. or D.O.: PROVIDED, That the word  
3 doctor or "Dr." or physician may be used only in conjunction with the  
4 word "chiropractic" or "chiropractor". Nothing in this chapter shall  
5 be held to apply to or to regulate any kind of treatment by prayer.

6 NEW SECTION. **Sec. 10.** A new section is added to chapter 18.25 RCW  
7 to read as follows:

8 Nothing in this chapter shall be construed to prohibit:

9 (1) The temporary practice in this state of chiropractic by any  
10 chiropractor licensed by another state, territory, or country in which  
11 he or she resides. However, the chiropractor shall not establish a  
12 practice open to the general public and shall not engage in temporary  
13 practice under this section for a period longer than thirty days. The  
14 chiropractor shall register his or her intention to engage in the  
15 temporary practice of chiropractic in this state with the board of  
16 chiropractic examiners before engaging in the practice of chiropractic,  
17 and shall agree to be bound by such conditions as may be prescribed by  
18 rule by the board.

19 (2) The practice of chiropractic, except the administration of a  
20 chiropractic adjustment, by a person who is a regular senior student in  
21 an accredited school of chiropractic approved by the board if the  
22 practice is part of a regular course of instruction offered by the  
23 school and the student is under the direct supervision and control of  
24 a chiropractor duly licensed pursuant to this chapter and approved by  
25 the board.

26 (3) The practice of chiropractic by a person serving a period of  
27 postgraduate chiropractic training in a program of clinical  
28 chiropractic training sponsored by a school of chiropractic accredited  
29 in this state if the practice is part of his or her duties as a



1 clinical postgraduate trainee and the trainee is under the direct  
2 supervision and control of a chiropractor duly licensed pursuant to  
3 this chapter and approved by the board.

4 (4) The practice of chiropractic by a person who is eligible and  
5 has applied to take the next available examination for licensing  
6 offered by the board of chiropractic examiners, except that the  
7 unlicensed chiropractor must provide all services under the direct  
8 control and supervision of a licensed chiropractor approved by the  
9 board. The unlicensed chiropractor may continue to practice as  
10 provided by this subsection until the results of the next available  
11 examination are published, but in no case for a period longer than six  
12 months. The board shall adopt rules necessary to effectuate the intent  
13 of this subsection.

14 Any provision of chiropractic services by any individual under  
15 subsection (1), (2), (3), or (4) of this section shall be subject to  
16 the jurisdiction of the chiropractic disciplinary board as provided in  
17 chapters 18.26 and 18.130 RCW.

18 NEW SECTION. **Sec. 11.** The board may adopt rules necessary and  
19 appropriate to implement sections 1 through 7 of this act.

20 NEW SECTION. **Sec. 12.** Sections 1 through 7 of this act are  
21 each added to chapter 18.26 RCW.