

Title 113 WAC

CHIROPRACTIC DISCIPLINARY BOARD

Chapters

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Chapter 113-10 WAC

CHIROPRACTIC DISCIPLINARY BOARD CODE OF ETHICS

WAC

- 113-10-010 Privileged communications.
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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 113-10-080 Educational material. [Order PL 235, § 113-10-080, filed 12/31/75.] Repealed by 79-10-099 (Order PL 315), filed 9/25/79. Statutory Authority: RCW 18.26.110(1) and 18.26.110(2).

WAC 113-10-010 Privileged communications. A chiropractor shall not, without the consent of the patient, reveal any information acquired in attending such patient, which was necessary to enable the chiropractor to treat the patient: *Provided*, That this shall not apply to the release of information in an official proceeding where the release of information may be compelled by law. [Order PL 235, § 113-10-010, filed 12/31/75.]

WAC 113-10-020 Patient abandonment. The chiropractor shall always be free to accept or reject a particular patient, bearing in mind that whenever possible a chiropractor should respond to any reasonable request for his services in the interest of public health and welfare. [Order PL 235, § 113-10-020, filed 12/31/75.]

WAC 113-10-030 Consultation. In difficult or protracted cases consultations are advisable, and the chiropractor should be ready to act upon any desire the patient may express for a consultation, even though the chiropractor may not personally feel the need for it. [Order PL 235, § 113-10-030, filed 12/31/75.]

WAC 113-10-040 Unethical requests. A chiropractor shall not assist in any immoral practice such as aiding in the pretense of disability in order to avoid jury or

military duty, or the concealment of physical disability in order to secure favorable insurance. [Order PL 235, § 113-10-040, filed 12/31/75.]

WAC 113-10-050 Patient welfare. The health and welfare of the patient shall always be paramount, and expectation of remuneration or lack thereof shall not in any way affect the quality of service rendered the indigent patient. [Order PL 235, § 113-10-050, filed 12/31/75.]

WAC 113-10-060 Patient disclosure. Absolute honesty shall characterize all transactions with patients. The chiropractor should neither intentionally exaggerate nor minimize the gravity of the patient's condition, nor offer any false hope or prognosis. [Order PL 235, § 113-10-060, filed 12/31/75.]

WAC 113-10-070 Degree of skill. The chiropractor owes his or her patient(s) the highest degree of skill and care of which he or she is capable. To this end the chiropractor shall endeavor to keep abreast of new developments in chiropractic and shall constantly endeavor to improve his or her knowledge and skill in the science and art or philosophy of chiropractic, as defined in chapter 18.25 RCW. [Order PL 235, § 113-10-070, filed 12/31/75.]

WAC 113-10-090 Illegal practitioners. Chiropractors should safeguard their profession by exposing those who might attempt to practice without proper credentials, and by reporting violations of the laws regulating chiropractic to the proper authorities. [Order PL 235, § 113-10-090, filed 12/31/75.]

WAC 113-10-100 Excessive professional charges. (1) A chiropractor shall not charge a patient fees which are unreasonable or excessive. The measure of value of chiropractic services is not the value to the patient but rather is the reasonable value of the services in the community where they are rendered by the chiropractor who rendered them.

(2) A chiropractor shall not prescribe nor perform any services which are not reasonably necessary in consideration of the patient's condition and shall furnish an explanation of charges for chiropractic services upon request of the board. [Order PL 235, § 113-10-100, filed 12/31/75.]

WAC 113-10-110 Disparaging other practitioners. No chiropractor shall falsely malign another practitioner

or a practitioner's method of practice. [Order PL 235, § 113-10-110, filed 12/31/75.]

Chapter 113-12 WAC BOARD RULES—GENERALLY

WAC

113-12-010	Identification.
113-12-020	Telephone listings.
113-12-080	Vitamins and food supplements.
113-12-100	Billing.
113-12-115	Acupuncture.
113-12-120	Future care contracts prohibited.
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113-12-180	Ethical standards—Suggestion of need of chiropractic services.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

113-12-030	Display of identification. [Order 8, § 113-12-030, filed 9/9/68.] Repealed by 79-10-099 (Order PL 315), filed 9/25/79. Statutory Authority: RCW 18.26.110(1) and 18.26.110(2).
113-12-040	Announcements of office openings. [Order 8, § 113-12-040, filed 9/9/68.] Repealed by Order PL 235, filed 12/31/75. Later promulgation, see WAC 113-12-045.
113-12-045	Announcements. [Order PL 235, § 113-12-045, filed 12/31/75. Formerly WAC 113-12-040.] Repealed by 79-10-099 (Order PL 315), filed 9/25/79. Statutory Authority: RCW 18.26.110(1) and 18.26.110(2).
113-12-050	Material for distribution. [Order PL 235, § 113-12-050, filed 12/31/75; Order 8, § 113-12-050, filed 9/9/68.] Repealed by 79-10-099 (Order PL 315), filed 9/25/79. Statutory Authority: RCW 18.26.110(1) and 18.26.110(2).
113-12-060	Letterheads and cards. [Order 8, § 113-12-060, filed 9/9/68.] Repealed by Order PL 235, filed 12/31/75. Later promulgation, see WAC 113-12-065.
113-12-065	Professional cards. [Order PL 235, § 113-12-065, filed 12/31/75. Formerly WAC 113-12-060.] Repealed by 79-10-099 (Order PL 315), filed 9/25/79. Statutory Authority: RCW 18.26.110(1) and 18.26.110(2).
113-12-070	Representations as to free services. [Order PL 235, § 113-12-070, filed 12/31/75; Order 8, § 113-12-070, filed 9/9/68.] Repealed by 79-10-099 (Order PL 315), filed 9/25/79. Statutory Authority: RCW 18.26.110(1) and 18.26.110(2).
113-12-090	Public relations advertising. [Order PL 235, § 113-12-090, filed 12/31/75; Order PL-101, § 113-12-090, filed 10/5/70.] Repealed by 79-10-099 (Order PL 315), filed 9/25/79. Statutory Authority: RCW 18.26.110(1) and 18.26.110(2).
113-12-110	Prohibited practices. [Order PL-137, § 113-12-110, filed 11/13/72.] Repealed by Order PL 235, filed 12/31/75. Later promulgation, see WAC 113-12-115.

WAC 113-12-010 Identification. A chiropractor (1) must clearly identify himself as a chiropractor on his office signs.

(2) May identify his practice only by use of his name or by use of a geographic name which would clearly indicate the place of his practice. [Order PL-137, § 113-12-010, filed 11/13/72; Order 8, § 113-12-010, filed 9/9/68.]

WAC 113-12-020 Telephone listings. Telephone directory listings including more than the name, address, phone number, identification as a chiropractor and professional association as listed in the chiropractic act, or of such size that a charge is made for such listing in addition to the charge for business phone service, shall be considered as advertising by the chiropractor. [Order 15, § 113-12-020, filed 5/16/69; Order 8, § 113-12-020, filed 9/9/68.]

WAC 113-12-080 Vitamins and food supplements. No chiropractor shall sell or dispense or permit to be sold or dispensed any vitamins or food supplements. [Order 8, § 113-12-080, filed 9/9/68.]

WAC 113-12-100 Billing. A chiropractor who repeatedly bills separately for therapy procedures other than chiropractic shall be considered engaging in unprofessional conduct. The use of X-ray, examination or consultation is not considered therapy. [Order PL-125, § 113-12-100, filed 6/2/72.]

WAC 113-12-115 Acupuncture. No chiropractor shall: (1) Employ the use of needles in the treatment of a patient; or

(2) Hold himself out as practicing acupuncture in any form. [Order PL 235, § 113-12-115, filed 12/31/75. Formerly WAC 113-12-110.]

WAC 113-12-120 Future care contracts prohibited. It shall be considered unprofessional conduct for any chiropractor to enter into a written contract which would obligate a patient for care to be rendered in the future. [Statutory Authority: RCW 18.26.110(1) and 18.26.110(2). 79-10-099 (Order PL 315), § 113-12-120, filed 9/25/79; Order PL-145, § 113-12-120, filed 6/6/73.]

WAC 113-12-130 Civic and charitable contribution recognition. A chiropractor shall be permitted to allow his or her name and the designation "D.C." to be included in a listing of individuals supporting civic or charitable activities or organizations. [Order PL 235, § 113-12-130, filed 12/31/75.]

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 is false, fraudulent, deceptive or misleading, including, but not limited to, such advertising which takes any of the following forms:

- (a) sensational advertising;
- (b) testimonials;
- (c) advertising which guarantees any result of care;
- (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;
- (e) advertising which makes claims of professional superiority;
- (f) advertising which states or includes prices for chiropractic services except as provided for in WAC 113-12-160;
- (g) advertising which fails to differentiate chiropractic care from all other methods of healing;
- (h) advertising for a service outside the practice of chiropractic as permitted in Washington;
- (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. [Statutory Authority: RCW 18.26.110. 80-11-043 (Order PL-352, Resolution 8-80), § 113-12-150, filed 8/18/80. Statutory Authority: RCW 18.26.110(1) and 18.26.110(2). 79-10-099 (Order PL 315), § 113-12-150, filed 9/25/79. Statutory Authority: RCW 18.26.110(2). 78-05-052 (Order PL 287, Resolution 78-142), § 113-12-150, filed 4/25/78.]

WAC 113-12-160 Ethical standards--Permitted publicity and advertising. To facilitate the process of informed selection of a chiropractor by potential patients, a chiropractor may publish the following information in print media, provided that the information disclosed by the chiropractor in such publication complies with all other ethical standards promulgated by the board:

- (1) Name, including name of professional service corporation or clinic, and names of professional associates, addresses and telephone numbers.
- (2) Date and place of birth.
- (3) Date and fact of admission to practice in Washington and other states.
- (4) Schools attended with dates of graduation, degrees and other scholastic distinction.
- (5) Chiropractic teaching positions.
- (6) Membership in chiropractic fraternities, societies and associations.
- (7) Membership in scientific, technical and professional associations and societies.
- (8) Whether credit cards or other credit arrangements are accepted.
- (9) Office and telephone answering service hours.
- (10) Fee for an initial examination and/or consultation.
- (11) Availability upon request of a written schedule of fees or range of fees for specific services.

(12) The range of fees for specified routine chiropractic services, provided that the statement discloses, in print size equivalent to the largest print used in setting forth the fee information, that the specific fee within the range which will be charged will vary depending upon the particular matter to be handled for each patient, and the patient is entitled without obligation to an estimate of the fee within the range likely to be charged.

(13) Fixed fees for specified routine chiropractic services, the description of which would not be misunderstood by or be deceptive to a prospective patient, provided that the statement discloses in print size at least equivalent to the largest print used in setting forth the fee information that the quoted fee will be available only to patients whose matters fall into the services described, and that the client is entitled without obligation to a specific estimate of the fee likely to be charged. [Statutory Authority: RCW 18.26.110(2). 78-05-052 (Order PL 287, Resolution 78-142), § 113-12-160, filed 4/25/78.]

WAC 113-12-161 Ethical standards--Permitted identification of chiropractor. Nothing in chapter 113-12 of the Washington Administrative Code shall be construed to limit the identification of a chiropractor as a chiropractor as well as by name:

- (1) in political advertisements;
- (2) in routine reports and announcements of a bona fide business, civic, professional, or political organization in which he serves as a director or officer; or
- (3) in and on chiropractic textbooks, treatises, and other chiropractic publications, and in advertisements thereof. [Statutory Authority: RCW 18.26.110(2). 78-05-052 (Order PL 287, Resolution 78-142), § 113-12-161, filed 4/25/78.]

WAC 113-12-165 Ethical standards--Honoring of publicity and advertisements. (1) If a chiropractor advertises a fee for a service, the chiropractor must render that service for no more than the fee advertised.

(2) Unless otherwise specified in the advertisement, if a chiropractor publishes any fee information authorized under chapter 113-12 WAC, the chiropractor shall be bound by any representation made therein for the periods specified in the following categories:

- (a) If in a publication which is published more frequently than one time per month, for a period of not less than thirty days after such publication.
- (b) If in a publication which is published once a month or less frequently, until the publication of the succeeding issue.
- (c) If in a publication which has no fixed date for publication of the succeeding issue, for a reasonable period of time after publication, but in no event less than one year. [Statutory Authority: RCW 18.26.110(2). 78-05-052 (Order PL 287, Resolution 78-142), § 113-12-165, filed 4/25/78.]

WAC 113-12-170 Ethical standards--Prohibited transactions. A chiropractor shall not compensate or give anything of value to representatives of the press, radio,

television or other communication media in anticipation of or in return for professional publicity of any individual chiropractor in a news item. [Statutory Authority: RCW 18.26.110(2). 78-05-052 (Order PL 287, Resolution 78-142), § 113-12-170, filed 4/25/78.]

WAC 113-12-175 Ethical standards—Professional notices, letterheads, cards, and mailings. In his use of professional notices, letterheads, cards, and mailings, a chiropractor is subject to the same regulations of chapter 113-12 WAC which apply to his use of other print media. [Statutory Authority: RCW 18.26.110(2). 78-05-052 (Order PL 287, Resolution 78-142), § 113-12-175, filed 4/25/78.]

WAC 113-12-180 Ethical standards—Suggestion of need of chiropractic services. A chiropractor who has given in-person, unsolicited advice to a lay person that he should obtain chiropractic care shall not accept employment resulting from that advice except that:

(1) A chiropractor may accept employment by a close friend, relative, former patient (if the advice is germane to the former treatment), or one whom the chiropractor reasonably believes to be a patient; and

(2) Without affecting his right to accept employment, a chiropractor may speak publicly or write for publication on chiropractic topics so long as he does not emphasize his own professional experience or reputation and does not undertake to give individual advice. [Statutory Authority: RCW 18.26.110(2). 78-05-052 (Order PL 287, Resolution 78-142), § 113-12-180, filed 4/25/78.]