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Date: (Filing No. H- )

**HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 795, L.D. 1220, “An Act to Allow Chiropractors to Treat Dogs and Equids”

Amend the bill by striking out the title and substituting the following:

**'An Act to Allow Chiropractors to Perform Animal Chiropractic Care Under Certain Conditions'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 32 MRSA §456** is enacted to read:

**§456. Animal chiropractic care**

**1. Definitions.** For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Animal" has the same meaning as in section 4853, subsection 1.

B. "Animal chiropractic care" means the evaluation and treatment of an animal's vertebral or extremity joint dysfunction through manual spinal and joint manipulation of the musculoskeletal system. "Animal chiropractic care" does not include medical diagnosis; systemic disease treatment; the performing of surgery; the dispensing or administering of medications, drugs or biologics; or the performance of any traditional veterinary care and diagnosis unless the individual is a veterinarian licensed pursuant to chapter 71-A.

C. "Evaluation" means a comprehensive clinical assessment and physical examination to assess the animal's musculoskeletal health, focusing on posture, gait and movement patterns.

**2. Authority to perform animal chiropractic care.** A chiropractor licensed under this chapter may submit an application together with the fee established pursuant to section 558 to the board for additional authority to perform animal chiropractic care in accordance with the following requirements.

**COMMITTEE AMENDMENT**

- 1           A. A licensee applying for the authority under this subsection shall provide:
- 2                   (1) Verification of having obtained initial certification from the Animal  
3                   Chiropractic Certification Commission or its successor organization demonstrating  
4                   successful completion of a basic chiropractic animal training program accredited  
5                   by the American Veterinary Chiropractic Association or the International  
6                   Veterinary Chiropractic Association or either of their successor organizations or  
7                   another basic chiropractic animal training program approved by the board; and
- 8                   (2) Verification of having successfully passed any written and practical  
9                   examinations approved by the American Veterinary Chiropractic Association, the  
10                  International Veterinary Chiropractic Association or either of their successor  
11                  organizations or other examinations approved by the board.
- 12           B. After receiving the additional authority to perform animal chiropractic care from the  
13           board under paragraph A, the licensee must successfully complete at least 22 hours of  
14           continuing education prior to each renewal of the licensee's license under section 553-A  
15           that is specific to the evaluation and treatment of animals, including a 2-hour course on  
16           the animal welfare laws and a 2-hour course on contagious, infectious and zoonotic  
17           diseases in this State and other jurisdictions that might affect a licensee's animal  
18           patients. The continuing education required under this paragraph may not be construed  
19           to expand the scope of animal chiropractic care beyond the initial authority obtained  
20           by a licensee under paragraph A.
- 21           **3. Requirements to perform animal chiropractic care.** A chiropractor licensed  
22           under this chapter who has been issued the additional authority by the board under  
23           subsection 2 may perform animal chiropractic care on a conscious animal in accordance  
24           with the requirements of this subsection.
- 25           A. A licensee may perform animal chiropractic care on an animal to only those species  
26           of animals on which the licensee has received training and as long as the licensee:
- 27                   (1) Has obtained a referral from a veterinarian licensed under chapter 71-A to  
28                   perform animal chiropractic care on that animal; or
- 29                   (2) After completing an initial evaluation of the animal, requests and receives  
30                   medical clearance from a veterinarian licensed under chapter 71-A that animal  
31                   chiropractic care for that animal is appropriate. A licensed veterinarian shall  
32                   respond to a request from a licensee under this paragraph within 48 hours of  
33                   receiving the request in accordance with joint rules adopted by the board and the  
34                   State Board of Veterinary Medicine. A licensee shall maintain accurate and  
35                   complete records of requests for medical clearance and documentation of requests  
36                   granted under this subparagraph and such records must be made available to the  
37                   board upon request. The board and the State Board of Veterinary Medicine shall  
38                   jointly adopt rules to implement the process for obtaining a medical clearance and  
39                   the responsibilities of licensees and licensed veterinarians under this subparagraph.  
40                   Rules adopted under this subparagraph are routine technical rules as described in  
41                   Title 5, chapter 375, subchapter 2-A.
- 42           B. Prior to providing animal chiropractic care to an animal and after meeting the  
43           requirements of paragraph A, a licensee shall obtain a completed application-for-care  
44           form for each animal signed by the animal's owner, owner's agent or another individual

1 responsible for the animal. At a minimum, the application-for-care form must include  
2 the following:

3 (1) A statement that the licensee is not a licensed veterinarian and may not maintain  
4 primary responsibility for the animal's care;

5 (2) A statement that animal chiropractic care is not intended to replace traditional  
6 veterinary care and is considered an alternative therapy to be used concurrently and  
7 in conjunction with traditional veterinary care by a licensed veterinarian;

8 (3) A statement of whether the animal has had a veterinarian-client-patient  
9 relationship as described in section 4877 with a licensed veterinarian within the  
10 past 12 months;

11 (4) A statement of whether a licensed veterinarian has provided a diagnosis of the  
12 medical condition of the animal for which animal chiropractic care is sought, and  
13 if so, a documentation of the specific diagnosis; and

14 (5) A statement authorizing the licensee to provide animal chiropractic care to the  
15 animal.

16 C. A licensee may not diagnose medical conditions of an animal for which animal  
17 chiropractic care is sought and shall refer an animal to a licensed veterinarian for  
18 imaging, laboratory work or other diagnostic testing if the licensee suspects that  
19 underlying conditions exist.

20 D. If a licensee suspects that the animal has a contagious disease required to be reported  
21 under state law, the licensee shall notify the animal's veterinarian and the Department  
22 of Agriculture, Conservation and Forestry, division of animal and plant health.

23 E. If a licensee suspects that the animal is the subject of cruelty or neglect in violation  
24 of Title 7, chapter 739 or of Title 17, chapter 42, the licensee shall report the suspected  
25 violation pursuant to Title 7, section 4018.

26 F. If a licensee has reasonable knowledge that an animal receiving animal chiropractic  
27 care from the licensee has died or has received emergency care or transport to a  
28 veterinarian within 48 hours of receiving care from the licensee, the licensee shall  
29 report that information to the board, including the date and time of the treatment  
30 provided by the licensee, the name of the animal's owner and a description of any  
31 treatment provided to the animal by the licensee.

32 G. A licensee shall maintain for at least 7 years a medical record for each animal  
33 provided with animal chiropractic care, including a copy of the signed application-for-  
34 care form under paragraph B for each animal. Upon request, the licensee shall provide  
35 the medical record to the board and to the animal's veterinarian within 2 business days.

36 **4. Use of title.** A chiropractor licensed under this chapter may not use the title "animal  
37 chiropractor" or purport to be an animal chiropractor unless the licensee has been issued  
38 the additional authority by the board under subsection 2 to perform animal chiropractic care  
39 under this section.

40 **5. Malpractice insurance.** A chiropractor licensed under this chapter who has been  
41 issued the additional authority by the board under subsection 2 to perform animal  
42 chiropractic care shall at all times maintain malpractice insurance specific to animal  
43 chiropractic care.

1           **6. List of licensees authorized to provide animal chiropractic care.** The board shall  
2           make available on its publicly accessible website a list of all licensees with authority to  
3           provide animal chiropractic care under this section. The board shall update the list as  
4           necessary, but not less frequently than quarterly.

5           **7. Practice of veterinary medicine; liability.** This section does not restrict a licensed  
6           veterinarian from engaging in the practice of veterinary medicine pursuant to chapter 71-A.  
7           A veterinarian who has an established veterinarian-client-patient relationship with an  
8           animal as described in section 4877 is not liable for any acts or omissions of a licensed  
9           chiropractor with authority under this section to provide animal chiropractic care.

10          **8. Rules.** Except as provided in subsection 3, paragraph A, subparagraph (2), the board  
11          may adopt rules to implement this section as necessary and prior to adopting any rules, the  
12          board shall consult with the State Board of Veterinary Medicine. Rules adopted pursuant  
13          to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter  
14          2-A.

15          **Sec. 2. 32 MRSA §503-B, sub-§4,** as enacted by PL 2007, c. 402, Pt. H, §7, is  
16          amended to read:

17          **4. Nonchiropractic practice.** Offering health services outside the field of  
18          chiropractic; or

19          **Sec. 3. 32 MRSA §503-B, sub-§5,** as enacted by PL 2007, c. 402, Pt. H, §7, is  
20          amended to read:

21          **5. Fee-splitting.** Splitting or dividing a fee with an individual who is not an associate  
22          licensed as a chiropractor; or

23          **Sec. 4. 32 MRSA §503-B, sub-§6** is enacted to read:

24          **6. Animal chiropractic care.** Violating this chapter or rules adopted by the board  
25          when providing animal chiropractic care.

26          **Sec. 5. 32 MRSA §4859-B** is enacted to read:

27          **§4859-B. Joint rules; animal chiropractic care**

28          Pursuant to section 456, subsection 3, paragraph A, subparagraph (2), the board shall  
29          jointly adopt rules with the Board of Chiropractic Licensure to implement the process for  
30          obtaining a medical clearance from a licensed veterinarian authorizing animal chiropractic  
31          care and the responsibilities under that subparagraph of licensed veterinarians and licensed  
32          chiropractors with authority to provide animal chiropractic care. Rules adopted under this  
33          paragraph are routine technical rules as described in Title 5, chapter 375, subchapter 2-A.

34          **Sec. 6. 32 MRSA §4860, sub-§13** is enacted to read:

35          **13. Licensed chiropractor authorized to perform animal chiropractic care.** A  
36          chiropractor licensed under chapter 9 performing animal chiropractic care in accordance  
37          with the requirements of section 456.'

38          Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
39          number to read consecutively.

**SUMMARY**

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2 This amendment, which is the majority report of the committee, replaces the bill and  
3 changes the title. The amendment authorizes a chiropractor licensed in this State to apply  
4 for additional authority from the Board of Chiropractic Licensure to provide animal  
5 chiropractic care to animals as long as the licensed chiropractor obtains training and  
6 successfully passes any written and practical examinations approved by the licensing  
7 board. After receiving initial authority, a licensed chiropractor must complete at least 22  
8 hours of continuing education prior to each renewal of the licensee's chiropractic license  
9 that is specific to the evaluation and treatment of animals, including a 2-hour course on the  
10 animal welfare laws and a 2-hour course on contagious, infectious and zoonotic diseases  
11 in this State.

12 The amendment authorizes a licensed chiropractor with this additional authority to  
13 perform animal chiropractic care to only those species of animals on which the licensee has  
14 received training and as long as the licensee has obtained a referral from a licensed  
15 veterinarian to perform animal chiropractic care on that animal or, after completing an  
16 initial evaluation of the animal, has received medical clearance from a licensed veterinarian  
17 that animal chiropractic care for that animal is appropriate. A licensed veterinarian must  
18 respond to a request for medical clearance within 48 hours of receiving the request. The  
19 amendment requires the Board of Chiropractic Licensure and the State Board of Veterinary  
20 Medicine to jointly adopt rules to implement the process for obtaining a medical clearance  
21 and the responsibilities of licensees and licensed veterinarians.

22 The amendment requires a licensed chiropractor with this additional authority to notify  
23 the animal's veterinarian and the Department of Agriculture, Conservation and Forestry,  
24 division of animal and plant health of suspected contagious disease and to report suspected  
25 animal abuse or neglect. The amendment also requires a licensee to maintain malpractice  
26 insurance specific to animal chiropractic care.

27 **FISCAL NOTE REQUIRED**

28 **(See attached)**