



STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL  
& FINANCIAL REGULATION  
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION



Janet T. Mills  
Governor

Joan F. Cohen  
Commissioner

March 10, 2025

Senator Donna Bailey, Senate Chair  
Representative Kristi Mathieson, House Chair  
Joint Standing Committee on Health Coverage, Insurance and Financial Services  
100 State House Station  
Augusta, ME 04333-0100

Re: *LD 649, An Act to Certify Chiropractic Assistants Who Perform X-rays as Radiologic Technologists*

Dear Senator Bailey, Representative Mathieson, and Members of the Committee:

I am writing on behalf of the Department of Professional and Financial Regulation's Office of Professional and Occupational Regulation ("OPOR"), an umbrella agency that supports the Maine Board of Chiropractic Licensure ("Board").

This bill creates a new licensure category within the Board of Chiropractic Licensure ("Board") establishing the requirements for a licensed chiropractic assistant to obtain a radiologic technology certification to use ionizing radiation as part of their duties while working in a chiropractic office. It requires the Board to determine the minimum qualifications for the certification, including completion of a Board-approved radiologic technology course and to adopt continuing professional education rules for licensure renewal.

OPOR is not taking a position on LD 649, but offers the following information as the Committee considers the necessity of this bill:

1. Is this level of regulation necessary to protect the public when seeking chiropractic services?  
**No**, not necessarily. Under the current practice act, a chiropractor may delegate certain duties to a licensed chiropractic assistant so long as they are under the direct control of and in the presence of the chiropractor. The chiropractor delegating those activities is legally liable for those activities performed by such an individual and that individual is considered to be the chiropractor's agent.
2. See Title 32, Chapter 9 [Chiropractors](#). However, existing laws governing the practice of radiologic technology prevent such delegation as there is not a stated exemption for licensed chiropractic assistants. See 32 § 9854 (3) [Exemptions to Medical Radiation Health and Safety Act](#). Passage of this bill as written will require that OPOR assess its ability to implement a

Office Location: 76 Northern Avenue, Gardiner, Maine 04345  
Mailing Address: 35 State House Station, Augusta, Maine 04333  
[www.maine.gov/pfr/professionallicensing/](http://www.maine.gov/pfr/professionallicensing/)

Phone: (207) 624-8603

TTY: Please Call Maine Relay 711

Fax: (207) 624-8637

new license category and determine if additional staffing is needed. At this time there is no information on the possible number of individuals who may seek to obtain this certification.

3. Also, adding a new licensure category to an existing regulated profession potentially triggers a sunrise review process to conduct a needs analysis, numbers affected, and the public risk or harm to support a new certification for a chiropractic assistant to perform radiologic technology services or is there an alternative and least burdensome solution such as amending the radiologic technology law by added an exemption for chiropractic assistants.

The Committee should also be aware of two prior bills that were introduced by Representative Wadsworth in the 128<sup>th</sup> and 129<sup>th</sup> legislatures. LD 460 in the 128<sup>th</sup> sought an exemption to licensure under the Radiologic Board of Examiners, and LD 1406 in the 129<sup>th</sup> sought a separate licensure category with the Board of Chiropractic Licensure. Both bills were voted ONTP in committee and died either in committee or on the floor.

Thank you for the opportunity to share this information, and I would be happy to answer any questions at the work session.

Sincerely,

A handwritten signature in cursive script, appearing to read "Geraldine A. Betts".

Geraldine "Jeri" Betts  
Regulatory Board Manager