A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 442-1, Hawaii Revised Statutes, is amended to read as follows:

"§442-1 Chiropractic defined. Chiropractic is defined to be the science of palpating and adjusting the articulations of the human spinal column by hand; provided that the practice of chiropractic as contemplated and set forth in this chapter may include the use of necessary patient evaluation and management procedures of the human spinal column, hot or cold packs, whirlpool, therapeutic and rehabilitative exercise, traction, electrical and electromechanical stimulation, therapeutic ultrasound, myofascial release, diathermy, infrared, and chiropractic spinal manipulative treatment and extraspinal evaluations for the diagnosis and treatment of neuromusculoskeletal conditions related to the human spinal column, subject to the restrictions contained in this chapter; and provided further that the practice of chiropractic as contemplated and set forth in this chapter shall not include the practice of lomilomi or massage. For the purposes of this
section, spinal refers to the five spinal regions: cervical region (includes atlanto-occipital joint); thoracic region (includes costovertebral and costotransverse joint); lumbar region; sacral region; and pelvic (sacroiliac joint) region.

(a) Chiropractic is the system of specific adjustment or manipulation of the joints and tissues of the body and the treatment of the human body by the application of manipulative, manual, mechanical, physiotherapeutic, or clinical nutritional methods for which those persons licensed under this chapter are trained. A person licensed to practice under this chapter may examine, diagnose, and treat patients; provided that the licensee shall not perform surgery or direct the use of legend drugs.

(b) Chiropractic is a portal of entry for consumers to obtain services from licensees whose practice includes all hygienic, sanitary, and therapeutic measures incident to humans. The scope of practice of chiropractic shall be limited to those diagnostic and treatment services and procedures that have been taught by a chiropractic college accredited by an accrediting organization recognized by the United States Department of Education and approved by the board in accordance with this chapter and rules adopted pursuant to this chapter.
(c) Licensees may examine, analyze, and diagnose the human body to:

(1) Correct, relieve, or prevent diseases and abnormalities by any physical, chemical, electrical, or thermal method;

(2) Use or order diagnostic imaging;

(3) Use or order laboratory testing; and

(4) Use the methods of examination for diagnosis and analysis taught by a chiropractic college accredited by an accrediting organization recognized by the United States Department of Education and approved by the board in accordance with this chapter and rules adopted pursuant to this chapter."

SECTION 2. Section 442-6, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The board may require additional post-licensure examinations administered by the National Board of Chiropractic Examiners [Special-Purposes-Examination] in circumstances where the board needs to assess a person's fitness to practice chiropractic, including [but not limited to]:

(1) State-to-state reciprocity or endorsement;

(2) Disciplinary action; or
(3) Licensure lapse, suspension, or revocation."

SECTION 3. Section 442-19, Hawaii Revised Statutes, is amended to read as follows:

"§442-19 Violations, penalty. Any person who practices or attempts to practice chiropractic, or any person who buys, sells, or fraudulently obtains a license to practice chiropractic, whether recorded or not, or who uses the title "chiropractor", "chiropractic physician", or "D.C.", or any word or title to induce, or tending to induce belief that the person is engaged in the practice of chiropractic, without first complying with this chapter; or any licensee under this chapter who uses the word "doctor" or the prefix "Dr." without the word "chiropractor" or "D.C." immediately following the licensee's name, or uses the letters "M.D." or the words "doctor of medicine", or the term "surgeon", [or the term "physician",] or the word "osteopath", or the letters "D.O.", or any other letters, prefixes, or suffixes, the use of which would indicate that the licensee is practicing a profession for which the licensee holds no license from the State, or any person who violates any of the provisions of this chapter, shall be fined not more than $1,000, [ex] imprisoned not more than ninety days, or both."
SECTION 4. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

INTRODUCED BY: [Signature]

JAN 27 2015
Report Title: Chiropractic; Scope of Practice

Description: Updates the scope of practice for chiropractic to reflect standards, practices, and terminology accepted by the National Board of Chiropractic Examiners.

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