

Introduced by Senator YeeFebruary 20, 2013

An act to add Section 734 to the Business and Professions Code, relating to chiropractic practice.

LEGISLATIVE COUNSEL'S DIGEST

SB 381, as introduced, Yee. Healing arts: chiropractic practice.

Existing law, the Chiropractic Act, enacted by an initiative measure, provides for the licensure and regulation of chiropractors by the State Board of Chiropractic Examiners. Under the act, a license authorizes its holder to practice chiropractic as taught in chiropractic schools or colleges but does not authorize its holder to practice medicine, surgery, osteopathy, dentistry, or optometry.

Existing law provides for the licensure and regulation of physicians and surgeons and osteopathic physicians and surgeons by the Medical Board of California and the Osteopathic Medical Board of California, respectively.

This bill would prohibit a health care practitioner from performing a joint manipulation or joint adjustment, as defined, unless he or she is a licensed chiropractor, physician and surgeon, or osteopathic physician and surgeon. The bill would provide that a health care practitioner who performs a joint manipulation or joint adjustment in violation of these provisions engages in the unlawful practice of chiropractic, which shall constitute, among other things, good cause for the revocation or suspension of the health care practitioner's license, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 734 is added to the Business and
2 Professions Code, to read:

3 734. (a) Notwithstanding any other law, a health care
4 practitioner subject to regulation pursuant to this division shall not
5 be authorized to perform a joint manipulation or joint adjustment
6 except for the following individuals:

7 (1) A chiropractor licensed by the State Board of Chiropractic
8 Examiners.

9 (2) A physician and surgeon licensed by the Medical Board of
10 California.

11 (3) An osteopathic physician and surgeon licensed by the
12 Osteopathic Medical Board of California.

13 (b) A health care practitioner who performs a joint manipulation
14 or joint adjustment in violation of this section engages in the
15 unlawful practice of chiropractic, which shall constitute good cause
16 for the revocation or suspension of the health care practitioner’s
17 license, or any other disciplinary action deemed appropriate by
18 the health care practitioner’s licensing board.

19 (c) For purposes of this section, “joint manipulation” and “joint
20 adjustment” are synonymous terms that describe a method of
21 skillful and beneficial treatment where a person uses a direct thrust
22 to move the joint of a patient beyond its normal range of motion,
23 but without exceeding the limits of anatomical integrity, as taught
24 in chiropractic schools or colleges.

O