

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 760
HOUSE BILL 1291

AN ACT TO AMEND THE CHIROPRACTIC LAW.

The General Assembly of North Carolina enacts:

Section 1. The first sentence of G.S. 90-144 is repealed.

Sec. 2. G.S. 90-154(b)(4) is rewritten to read:

"(4) Unethical conduct in the practice and profession as defined in G.S. 90-154.1."

Sec. 3. G.S. 90-154(b)(7) is rewritten to read:

"(7) Not rendering acceptable care in the practice of the profession as defined in G.S. 90-154.2."

Sec. 4. Article 8 of Chapter 90 of the General Statutes is amended by adding a new section to read:

"§ 90-154.1. **Unethical conduct.**—Unethical conduct is defined as:

(1) The over-utilization or improper use, in the providing of treatment, physiological therapeutics, radiographics, or any other service not commensurate with the stated diagnosis and clinical findings. This determination shall be based upon the collective findings and experience of the Board utilizing the best available, relative information and advice. There must be a rationale for the services provided the patient.

(2) The billing or otherwise charging of a fee to a third party payor for a service offered by the doctor as a free service, which service is accepted as a free service by any patient when, in fact, the doctor of chiropractic is transmitting any charge to a third party payor for payment.

(3) The over-utilization of ionizing radiation in the re-x-ray of a patient. The acceptable guidelines for re-x-ray are:

- a. When fractures are evident;
- b. When bone pathologies are under evaluation;
- c. When soft tissue pathologies are under evaluation;
- d. When there is reinjury;
- e. When the original x-ray findings have revealed limitations of ranges and motion, re-x-ray may be done after clinical progress has revealed objective improvement, but not within 12 days and only limited views would be indicated.

(4) Any licensee's failure to use the words Chiropractic Physician, Chiropractor or the initials D.C. in conjunction with the use of his name in his capacity as a Chiropractor on all reports, statements of claim for services rendered and on all signs, letterheads, business cards, advertising, and any other items of identification.

(5) Violation of the Rules of Ethics of Advertising and Publicity.

(6) The allowance of any unlicensed person to practice chiropractic in the office of a licensed chiropractic."

Sec. 5. Article 8 of Chapter 90 of the General Statutes is amended by adding a new section to read:

"§ 90-154.2. **Acceptable practice.**—Acceptable care in the practice of chiropractic shall include:

(1) The usual and customary methods as taught in recognized chiropractic colleges for:

- a. Examination and diagnosis;
- b. The use of chiropractic adjustive procedures;
- c. Physiological therapeutic agents;
- d. Diagnostic radiology; and
- e. The maintenance of records sufficient to substantiate the patient's progress in the reestablishment and promotion of health in a hygenic manner.

(2) The maintenance of the office, premises and equipment in a clean, sanitary, safe, and adequate condition. Any and all care rendered which is not in accordance with the foregoing is unacceptable care. Nothing in this section shall be deemed to alter the lawful scope of the practice of chiropractic as defined in G.S. 90-143."

Sec. 6. G.S. 90-155 is amended by adding a new paragraph, at the end, to read:

"If any licensee of the Board retires from active practice, the licensee may renew his license annually by paying the license fee and shall not be required to furnish the Board proof of continuing education; however, if at a later time the licensee desires to resume active practice, the licensee shall first appear before the Board and the Board shall determine his competency to practice."

Sec. 7. This act shall become effective October 1, 1985.

In the General Assembly read three times and ratified, this the 15th day of July, 1985.