

# HOUSE BILL No. 1965

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-5.1-1-4; IC 25-10-1; IC 25-27-1-1.

**Synopsis:** Chiropractors. Requires a chiropractor to complete at least 400 hours of classroom instruction in spinal manipulation or adjustment and at least 800 hours of supervised clinical training at an accredited facility where spinal manipulation or adjustment is a primary method of treatment. Provides that a chiropractor may use any instrument or procedure to practice chiropractic if the chiropractor is trained to use the instrument and perform the procedure through a chiropractic school or college approved by the board of chiropractic examiners. Allows a chiropractor to use physical therapy techniques in the practice of chiropractic. Provides that a chiropractor is presumed to be competent to testify as an expert witness if the court is satisfied that the information is of the type reasonably relied upon by other  
(Continued next page)

**Effective:** July 1, 1999.

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**Cook, Whetstone**

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January 26, 1999, read first time and referred to Committee on Public Health.

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Digest Continued

chiropractors. Prohibits an athletic trainer or a physical therapist from performing spinal manipulation or spinal adjustment.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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## HOUSE BILL No. 1965



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 25-5.1-1-4 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) "Athletic  
 3 training" means the practice of prevention, recognition, assessment,  
 4 management, treatment, disposition, and reconditioning of athletic  
 5 injuries under the direction of a licensed physician, osteopath,  
 6 podiatrist, or chiropractor. However, in a clinic accessible to the  
 7 general public, the term means practicing athletic training only upon  
 8 the referral and order of a licensed physician, osteopath, podiatrist, or  
 9 chiropractor. The term includes the following:  
 10 (1) Practice that may be conducted by an athletic trainer through  
 11 the use of heat, light, sound, cold, electricity, exercise,  
 12 rehabilitation, or mechanical devices related to the care and the  
 13 conditioning of athletes.  
 14 (2) The organization and administration of educational programs  
 15 and athletic facilities.



1 (3) The education and the counseling of the public on matters  
2 related to athletic training.

3 **(b) Athletic training does not include spinal manipulation or**  
4 **spinal adjustment (as defined in IC 25-10-1-1).**

5 SECTION 2. IC 25-10-1-1 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this  
7 article:

8 (1) "Chiropractic" means the diagnosis and analysis of any  
9 interference with normal nerve transmission and expression, the  
10 procedure preparatory to and complementary to the correction thereof  
11 by an adjustment of the articulations of the vertebral column, its  
12 immediate articulation, and includes other incidental means of  
13 adjustments of the spinal column and the practice of drugless  
14 therapeutics. However, chiropractic does not include any of the  
15 following:

16 (A) prescription or administration of legend drugs or other  
17 controlled substances;

18 (B) performing of incisive surgery or internal or external  
19 cauterization;

20 (C) penetration of the skin with a needle or other instrument for  
21 any purpose except for the purpose of blood analysis;

22 (D) use of colonic irrigations, plasmatics, ionizing radiation  
23 therapy, or radionics;

24 (E) conducting invasive diagnostic tests or analysis of body fluids  
25 except for urinalysis;

26 (F) the taking of x-rays of any organ other than the vertebral  
27 column and extremities; and

28 (G) the treatment or attempt to treat infectious diseases, endocrine  
29 disorders, or atypical or abnormal histology.

30 (2) "Chiropractor" means any person who is qualified under this  
31 chapter to practice the science of chiropractic.

32 (3) "Board" means the board of chiropractic examiners under  
33 section 1.5 of this chapter.

34 (4) "Bureau" means the health professions bureau under IC 25-1-5.

35 **(5) "Spinal adjustment" or "spinal manipulation" means a**  
36 **method of skillful and beneficial treatment in which a person uses**  
37 **direct thrust or leverage to move a joint of a patient's spine beyond**  
38 **the normal range of motion without exceeding the limits of**  
39 **anatomical integrity.**

40 SECTION 3. IC 25-10-1-2 IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) A person who is  
42 at least eighteen (18) years of age and who has not been convicted of

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1 a crime that has a direct bearing on the person's ability to practice  
 2 competently is eligible to be licensed to practice chiropractic in Indiana  
 3 if the person is a graduate of an incorporated chiropractic school or  
 4 college incorporated for the purpose of teaching the science of  
 5 chiropractic. The school or college must meet the reasonable  
 6 requirements of the board and must be accredited by the Accreditation  
 7 Commission of the Council on Chiropractic Education during the  
 8 applicant's attendance at the accredited school or college. The board  
 9 may not discriminate against a chiropractic school or college that meets  
 10 these requirements.

11 (b) In addition to the requirements in subsection (a) an applicant for  
 12 a license to practice chiropractic must have completed:

13 (1) at least two (2) years (sixty (60) semester hours) of education  
 14 in a college or university of learning accredited by an accrediting  
 15 agency that has been approved by the United States Department  
 16 of Education before the applicant's training and education in a  
 17 chiropractic school or college; **and**

18 **(2) at least four hundred (400) hours of classroom instruction**  
 19 **in spinal manipulation or spinal adjustment and at least eight**  
 20 **hundred (800) hours of supervised clinical training at an**  
 21 **accredited facility where spinal manipulation or spinal**  
 22 **adjustment is a primary method of treatment.**

23 SECTION 4. IC 25-10-1-14.5 IS ADDED TO THE INDIANA  
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 1999]: **Sec. 14.5. (a) A chiropractor licensed**  
 26 **under this article may use any instrument or procedure to practice**  
 27 **chiropractic, if the chiropractor is trained to:**

28 (1) perform the procedures; and

29 (2) use the instruments;

30 **through a chiropractic school or college that is approved by the**  
 31 **board.**

32 (b) A chiropractor licensed under this article may use:

33 (1) physiotherapeutic devices;

34 (2) physiotherapeutic modalities;

35 (3) physical therapy; and

36 (4) physical therapy techniques;

37 **to practice chiropractic.**

38 SECTION 5. IC 25-10-1-15 IS AMENDED TO READ AS  
 39 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 15. In any legal  
 40 proceeding, a chiropractor's testimony ~~relating to records or reports of~~  
 41 ~~a licensed physician may~~ **is presumed** to be admissible as evidence in  
 42 the legal proceeding if the:



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- 1 (1) chiropractor is qualified as an expert by the chiropractor's
- 2 knowledge, skill, experience, training, or education; and
- 3 (2) court is satisfied that the information is of the type reasonably
- 4 relied upon by other chiropractors.

5 SECTION 6. IC 25-27-1-1 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. For the purposes of  
 7 this chapter:

8 (1) "Physical therapy" means the evaluation of, administration of,  
 9 or instruction in physical rehabilitative and habilitative techniques  
 10 and procedures to evaluate, prevent, correct, treat, alleviate, and  
 11 limit physical disability, pathokinesiological function, bodily  
 12 malfunction, pain from injury, disease, and any other physical  
 13 disability or mental disorder, including:

- 14 (A) the use of physical measures, agents, and devices for
- 15 preventive and therapeutic purposes;
- 16 (B) neurodevelopmental procedures;
- 17 (C) the performance, interpretation, and evaluation of physical
- 18 therapy tests and measurements; and
- 19 (D) the provision of consultative, educational, and other
- 20 advisory services for the purpose of preventing or reducing the
- 21 incidence and severity of physical disability, bodily
- 22 malfunction, and pain.

23 **Physical therapy does not include spinal manipulation or**  
 24 **spinal adjustment (as defined in IC 25-10-1-1).**

- 25 (2) "Physical therapist" means a person who practices physical
- 26 therapy as defined in this chapter.
- 27 (3) "Physical therapist's assistant" means a person who assists in
- 28 the practice of physical therapy as defined in this chapter.
- 29 (4) "Board" refers to the medical licensing board.
- 30 (5) "Committee" refers to the Indiana physical therapy committee
- 31 established under section 4 of this chapter.
- 32 (6) "Person" means an individual.

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