

**DISTRICT OF
COLUMBIA
MUNICIPAL
REGULATIONS
For
CHIROPRACTIC**

- Chapter: 17-48

CHIROPRACTIC

Title: 17 BUSINESS, OCCUPATIONS AND PROFESSIONS

Rule Number	Rule Heading	Effective Date
17-4800	GENERAL PROVISIONS	
17-4801	TERM OF LICENSE	
17-4802	EDUCATIONAL REQUIREMENTS	
17-4803	LICENSURE REQUIREMENTS AND QUALIFICATIONS FOR PHYSIOTHERAPY ANCILLARY PROCEDURES CERTIFICATION	10/14/2011
17-4804	NATIONAL EXAMINATION	
17-4805	DISTRICT EXAMINATION	10/14/2011
17-4806	CONTINUING EDUCATION REQUIREMENTS	
17-4807	APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES	
17-4808	CONTINUING EDUCATION CREDITS	
17-4809	STANDARDS OF CONDUCT	
17-4810	PRACTICE OF CHIROPRACTIC ASSISTANTS	
17-4811	SCOPE OF PRACTICE	
17-4812	VITAMINS AND MINERALS	
17-4899	DEFINITIONS	

4800 GENERAL PROVISIONS

- 4800.1 This chapter shall apply to applicants for and holders of a license to practice chiropractic.
- 4800.2 Chapters 40 (Health Occupations: General Rules) and 41 (Health Occupations: Administrative Procedures) of this title shall supplement this Chapter.
- 4800.3 Notwithstanding anything in Chapter 40 to the contrary, the Board shall only accept applications for licensure by one of the following means:
- (a) Examination;
 - (b) Reactivation of an inactive license;
 - (c) Reinstatement of an expired, suspended, or revoked license; or
 - (d) Reciprocity pursuant to § 4014.
- 4800.4 An applicant for a license to practice chiropractic shall submit with a complete application three (3) letters from chiropractors licensed in a jurisdiction of the United States in good standing who have personal knowledge of the applicant's abilities and qualifications to practice chiropractic.

AUTHORITY: Unless otherwise noted, the authority for this chapter is § 302(14) of the District of Columbia Health Occupations Revision Act of 1985, D.C. Law 6.99, D.C. Code § 2-3303.2(14) (1988 Repl. Vol.), 33 DCR 729, 732 (February 7, 1986), and Mayor's Order 86-110, 33 DCR 5220 (August 22, 1986).

SOURCE: Final Rulemaking published at 35 DCR 6658 (September 2, 1988); as amended by Final Rulemaking published at 37 DCR 2747, 2750 (May 4, 1990); as amended by Final Rulemaking published at 49 DCR 6820 (July 19, 2002); as amended by Final Rulemaking published at 49 DCR 11237 (December 13, 2002); as amended by Final Rulemaking published at 50 DCR 3955 (May 23, 2003); as amended by Final Rulemaking published at 55 DCR 7936 (July 25, 2008).

4801 TERM OF LICENSE

- 4801.1 Subject to § 4801.2, a license issued pursuant to this chapter shall expire at 12:00 midnight of December 31st of each even-numbered year.
- 4801.2 If the Director changes the renewal system pursuant to § 4006.3 of Chapter 40 of this title, a license issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birth date of the holder of the license, or other date established by the Director.

SOURCE: Final Rulemaking published at 35 DCR 6658, 6659 (September 2, 1988); as amended by Final Rulemaking published at 55 DCR 7937 (July 25, 2008).

4802 EDUCATIONAL REQUIREMENTS

4802.1 Except as otherwise provided in this subtitle, an applicant shall furnish proof satisfactory to the Board, in accordance with § 504(b) of the Act, (D.C. Official Code § 3-1205.04(b)) (2006 Supp.), that the applicant has met the following requirements:

(a) Has successfully completed two (2) years of education at the baccalaureate level at a college or university accredited at the time of the applicant's attendance by the Secretary of the United States Department of Education or the Council on Postsecondary Education; and

(b) Has graduated from an educational program in the practice of chiropractic that:

(1) Consists of four (4) academic years of study;

(2) Includes five hundred (500) hours of practical clinical experience under the supervision of a chiropractor; and

(3) Is accredited at the time of the applicant's graduation by:

(A) The Council on Chiropractic Education (CCE); or

(B) The Straight Chiropractic Academic Standards Association (SCASA); or

(C) Any other specialized chiropractic accrediting agency listed with the U.S. Department of Education.

4802.2 An applicant shall submit with a completed application a certified transcript from educational institution(s) to the Board.

SOURCE: Final Rulemaking published at 35 DCR 6658, 6659 (September 2, 1988); as amended by Final Rulemaking published at 37 DCR 2747, 2750 (May 4, 1990); as amended by Final Rulemaking published at 50 DCR 3955 (May 23, 2003); as amended by Final Rulemaking published at 55 DCR 7937, 7938 (July 25, 2008).

4803 LICENSURE REQUIREMENTS AND QUALIFICATIONS FOR PHYSIOTHERAPY ANCILLARY PROCEDURES CERTIFICATION

4803.1 An applicant who has completed educational requirements may apply for licensure in the District of Columbia in the following manner:

- (a) If the applicant graduated prior to September 1987 the applicant shall have successfully passed parts 1 and 2 of the national exam; or
- (b) If the applicant graduated prior to January 1, 1996, but after September 1987, the applicant shall have successfully passed parts 1, 2, and 3 of the national examination; or,
- (c) The applicant shall successfully pass the District of Columbia Chiropractic Exam and/or the National Boards SPEC Exam at the discretion of the D.C. Board of Chiropractic.

4803.2 An applicant applying for licensure under this section shall also comply with § 4805.1.

4803.3 In addition to the requirements provided in § 4802 for licensure, a chiropractor seeking to satisfy the requirements to qualify for physiotherapy and/or acupuncture ancillary procedures certification, shall achieve a passing score on the national examination for these test areas equal to or greater than the score recommended by the National Board of Chiropractic Examiners (NBCE).

SOURCE: Final Rulemaking published at 53 DCR 87 (January 6, 2006); as amended by Final Rulemaking published at 55 DCR 7938 (July 25, 2008); as amended by Notice of Final Rulemaking published at 58 DCR 8770 (October 14, 2011).

4804 NATIONAL EXAMINATION

4804.1 To qualify for a license by examination, an applicant shall receive a passing score on an examination administered by the National Board of Chiropractic Examiners (NBCE) (the national examination).

4804.2 An applicant shall submit with a completed application the applicant's national examination results, certified by the NBCE.

4804.3 The passing score on the national examination shall be the score recommended by the National Board of Chiropractic Examiners.

4804.4 The Board shall only consider examination results after the applicant has passed all parts of the examinations.

SOURCE: Final Rulemaking published at 35 DCR 6658, 6660 (September 2, 1988); as amended by Final Rulemaking published at 37 DCR 2747, 2750 (May 4, 1990) ; as amended by Final Rulemaking published at 49 DCR 6820 (July 19, 2002); as amended by Final Rulemaking published at 49 DCR 11237 (December 13, 2002).

4805 DISTRICT EXAMINATION

- 4805.1 To qualify for a license under this chapter, an applicant, without exception, shall receive a passing score on the District examination. The examination shall consist of written and/or oral tests on scope of practice, medical ethics and District law.
- 4805.2 Repealed
- 4805.3 An applicant shall pass all parts of the national examination to be eligible to take the District examination, except as specified in section 4803.1.
- 4805.4 The District examination may include questions on the following:
- (a) The District of Columbia Health Occupations Revision Act of 1985, D.C. Law 6-99, D.C. Official Code § 3-1201.01 et seq. (2001);
 - (b) Title 17 Chapter 48 of the District of Columbia Municipal Regulations; and
 - (c) Title 17 Chapters 40 and 41 of the District of Columbia Municipal Regulations;
 - (d) Scope of practice; and
 - (e) Medical ethics.
- 4805.5 The Board shall supply each applicant for examination by the Board with copies of the laws and rules on which the applicant will be tested thirty (30) days prior to the examination, unless waived by the applicant.
- 4805.6 A passing score on the District Examination shall be seventy-five percent (75%).
- 4805.7 Pursuant to the Health Occupations Revisions Act of 1985, an applicant approved for an initial license to sit for the next scheduled exam may request the Board's permission to practice under the supervision of a District licensed chiropractor until results of the exams are posted.

SOURCE: Final Rulemaking published at 35 DCR 6658, 6660 (September 2, 1988); as amended by Final Rulemaking published at 50 DCR 3955 (May 23, 2003); as amended by Final Rulemaking published at 55 DCR 7936 (July 25, 2008); as amended by Notice of Final Rulemaking published at 58 DCR 8770 (October 14, 2011).

4806 CONTINUING EDUCATION REQUIREMENTS

- 4806.1 Subject to § 4806.2, this section shall apply to applicants for the renewal, reactivation, or reinstatement of a license.
- 4806.2 This section shall not apply to applicants for an initial license by examination, nor shall it apply to applicants for the first renewal of a license granted by examination.
- 4806.3 A continuing education credit shall be valid only if it is part of a program specified in § 4807.
- 4806.4 An applicant for renewal of a license shall submit proof upon request of the Board pursuant to § 4806.7 of having completed twenty-four (24) hours of approved continuing education credit during the two-year (2) period preceding the date the license expires.
- 4806.5 To qualify for a license, a person in inactive status within the meaning of § 511 of the Act, D.C. Official Code § 3-1205.11 (2001), who submits an application to reactivate a license shall submit proof pursuant to § 4806.7 of having completed twelve (12) hours of approved continuing education credit for each license year after December 31, 1990, that the applicant was in inactive status.
- 4806.6 To qualify for a license, an applicant for reinstatement of a license shall submit proof pursuant to § 4806.7 of having completed twelve (12) hours of approved continuing education credit for each year that the license was expired.
- 4806.7 At the request of the Board, an applicant under this section shall prove completion of required continuing education credits by submitting with the application the following information with respect to each program:
- (a) The name and address of the sponsor of the program;
 - (b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
 - (c) The dates on which the applicant attended the program;
 - (d) The hours of credit claimed; and
 - (e) Verification by the sponsor of completion by signature or stamp.
- 4806.8 An applicant for renewal of a license who fails to submit proof of having completed continuing education requirements by the date the license expires may renew the

license up to sixty (60) days after expiration by submitting proof pursuant to § 4806.7 and by paying the required additional late fee.

- 4806.9 Upon submitting proof and paying the late fee, the applicants shall be deemed to have possessed a valid license during the period between the expiration of the license and the submission of the required documentation and payment of the late fee.
- 4806.10 If an applicant for renewal of a license fails to submit proof of completion of continuing education requirements as requested by the Board or pay the late fee within sixty (60) days after the expiration of applicant's license, the license shall be considered to have lapsed on the date of expiration.
- 4806.11 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew after expiration if the applicant's failure to submit proof of completion was for good cause. For purposes of this section, "good cause" includes the following:
- (a) Serious and protracted illness of the applicant;
 - (b) The death or serious and protracted illness of a member of the applicant's immediate family.

SOURCE: Final Rulemaking published at 35 DCR 6658, 6661 (September 2, 1988); as amended by Final Rulemaking published at 37 DCR 2747, 2750 (May 4, 1990); as amended by Final Rulemaking published at 55 DCR 7936 (July 25, 2008).

4807 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

- 4807.1 The Board shall accept for credit continuing education programs provided or sponsored by the following:
- (a) A chiropractic college accredited by the CCE;
 - (b) The America Chiropractic Association;
 - (c) The Federation of Straight Chiropractic Organizations;
 - (d) The International Chiropractors Association; or
 - (e) Approved by the District of Columbia Board of Chiropractic.

SOURCE: Final Rulemaking published at 35 DCR 6658, 6662 (September 2, 1988); as amended by Final Rulemaking published at 50 DCR 3955 (May 23, 2003); as amended by Final Rulemaking published at 55 DCR 7942 (July 25, 2008).

4808 CONTINUING EDUCATION CREDITS

4808.1 The Board may grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.

SOURCE: Final Rulemaking published at 35 DCR 6658, 6663 (September 2, 1988).

4809 STANDARDS OF CONDUCT

4809.1 A licensee shall not engage in sexual conduct with a patient with whom he or she has a patient-chiropractor relationship.

4809.2 A patient-chiropractor relationship exists unless:

- (a) Professional services are terminated and the patient receives written notice of the termination, whether the termination was initiated by the patient or licensee;
- (b) The patient has been appropriately referred to another health professional in writing;
- (c) The patient has accepted treatment by another health professional and the licensee documents the patient's chart prior to closing the file; or
- (d) The patient has not received professional services for six (6) consecutive months and has not contacted the chiropractor for treatment.

4809.3 Sexual conduct includes the following:

- (a) Any behavior, gestures, or verbal or nonverbal expressions, which may reasonably be interpreted as seductive or sexual in nature; and
- (b) Sexual comments or discussion about a patient or a former patient that are not related to chiropractic care or treatment.

4809.4 A patient shall be provided with a private treatment room, as well as examination conditions, which prevent the exposure of the unclothed body of the patient unless it is necessary for the chiropractic exam or treatment.

4809.5 A licensee shall not engage in sexually harassing behavior in the practice of chiropractic of a single extreme act or multiple acts toward a patient, coworker,

employee, student or supervisee whether or not such individual is in a subordinate position to the licensee or not.

- 4809.6 A licensee may have a chiropractor-patient relationship with a spouse, family member or an individual with whom he or she has a mutually committed relationship and perform chiropractic treatment, provided the treatment is within accepted standards of chiropractic care and the performance of the services are not utilized to exploit the patient for sexual arousal or sexual gratification.
- 4809.7 A licensee shall not seek or solicit sexual contact with a patient with whom he or she has a patient-chiropractic relationship or in exchange for professional services.
- 4809.8 A licensee may not raise the following defenses to any action under this section:
- (a) The licensee was in love with or had affection for the patient; and
 - (b) The patient solicited or consented to the sexual contact with the licensee.
- 4809.9 A licensee shall exercise independent professional judgment in the treatment or evaluation of the patient regardless of whether the patient was referred by another healthcare provider.
- 4809.10 Repealed
- 4809.11 A licensee shall prepare a written or verbal report for consultative purposes for another chiropractor, another healthcare provider, hospital or agency that currently provides or has provided service to the patient upon request.
- 4809.12 A licensee shall terminate a professional relationship with a patient shall in an appropriate and timely manner so as not to adversely impact the health of the patient.
- 4809.13 A licensee shall continue a professional relationship for emergency treatment with a current patient for a reasonable period of time to allow the patient time to obtain another healthcare provider.
- 4809.14 A licensee shall arrange for adequate coverage of his or her patients during absences when the chiropractor is unavailable to the patients.
- 4809.15 A licensee shall not:
- (a) Accept a patient for treatment or continue with treatment when the treatment is unnecessary and the patient cannot be reasonably expected to benefit from

treatment within normal standards of chiropractic care and consistent with the treatment philosophy of the treating chiropractor.

- (b) Attempt to treat or make misrepresentations about his or her ability to treat patients beyond his or her scope of expertise and/or area of specialty certification.
- (c) Refer a patient to a diagnostic or treatment facility or prescribe goods and services to be purchased from another facility, in which the chiropractor has a pecuniary interest, without first disclosing that interest in writing to the patient or third party payor.

SOURCE: Final Rulemaking published at 53 DCR 87 (January 6, 2006); as amended by Final Rulemaking published at 55 DCR 7938 (July 25, 2008); as amended by Final Rulemaking published at 55 DCR 10139 (October 3, 2008).

4810 PRACTICE OF CHIROPRACTIC ASSISTANTS

4810.1 A chiropractic assistant may perform the following under the supervision of a licensed doctor of chiropractic:

- (a) Case histories, if properly trained by the supervising chiropractor;
- (b) Diagnostic testing, but must have specialized training by a program or institution listed in section 4807.1;
- (c) Therapeutic ancillary procedures, but must have specialized training by a program or institution listed in section 4807.1, and in addition, have specific written instructions from the supervising licensed chiropractor with ancillary privileges; and
- (d) The taking of x-rays, but must have specialized training by a program or institution listed in section 4807.1, and in addition, have specific written instructions from the supervising licensed chiropractor.

4810.2 A chiropractic assistant may not perform the following:

- (a) Any tasks requiring manipulative or adjustment techniques;
- (b) The rendering of diagnostic results or interpretations; or
- (c) Giving treatment advice without direct written orders from the Doctor of Chiropractic.

4810.3 A licensed doctor of chiropractic shall be fully responsible for all of the actions performed by the chiropractic assistant during the time of the supervision and is subject to disciplinary action for any violation of the Act or this chapter by the person supervised.

SOURCE: Final Rulemaking published at 53 DCR 558 (January 27, 2006); as amended by Final Rulemaking published at 55 DCR 7945 (July 25, 2008).

4811 SCOPE OF PRACTICE

4811.1 A chiropractor who is licensed to practice in the District of Columbia under the provisions of this chapter may provide the following chiropractic services:

- (a) Locating, diagnosing, and analyzing subluxated vertebrae as follows:
 - (1) By x-ray of the spinal column;
 - (2) By physical examination; and
 - (3) By employing other non-invasive procedures such as MRI and CAT scan;
- (b) Correcting vertebral subluxation displacement by applying specific localized force to the spine;
- (c) Advising patients about diet, exercise and stress;
- (d) Referring patients for specialized diagnostic testing, which may be necessary for chiropractic treatment or patient safety;
- (e) Referring patients to other healthcare practitioners as deemed necessary by the chiropractor; and
- (f) Diagnosing and treating bodily articulations by means of manipulation or adjustments.

4811.2 A chiropractor who is certified by the Board to perform ancillary procedures pursuant to § 4803.3 may perform any physiotherapy for which the chiropractor has received specialized training at a program or institution listed in § 4807.1 as long as the physiotherapy is preparatory and complementary to chiropractic care.

SOURCE: Final Rulemaking published at 35 DCR 6658, 6663 (September 2, 1986); as amended by Final Rulemaking published at 37 DCR 2747, 2750 (May 4, 1990); as amended by Final Rulemaking published at 49 DCR 6820 (July 19, 2002); as amended by Final Rulemaking published at 49 DCR 11237 (December

13, 2002); as amended by Final Rulemaking published at 50 DCR 3955 (May 23, 2003); as amended by Final Rulemaking published at 55 DCR 7946 (July 25, 2008).

4812 VITAMINS AND MINERALS

- 4812.1 A chiropractor, who is licensed to practice in the District of Columbia may recommend vitamins, minerals and other dietary supplements in the care and treatment of a patient. The rationale for the recommendation and use shall be documented by the practitioner.
- 4812.2 The practitioner shall conform to standards in the practice of chiropractic in the application of vitamins, minerals, and other dietary supplements as it relates to neuro-muscular-skeletal disorders. The recommendation of vitamins minerals and other dietary supplements shall be therapeutic and not experimental.
- 4812.3 A chiropractor may sell or dispense vitamins, minerals and other dietary supplements from his or her place of business in accordance with applicable laws in the District of Columbia.
- 4812.4 A chiropractor shall not sell, dispense, recommend or suggest vitamins, minerals and dietary supplements or any combination of these products in toxic doses.

SOURCE: Final Rulemaking published at 35 DCR 6658, 6664 (September 2, 1988); as amended by Final Rulemaking published at 49 DCR 6820 (July 19, 2002); as amended by Final Rulemaking published at 49 DCR 11237 (December 13, 2002); as amended by Final Rulemaking published at 51 DCR 6628 (July 2, 2004).

4899 DEFINITIONS

- 4899.1 For purposes of this chapter, the following terms shall have the meanings ascribed:

Ancillary - any physiotherapy procedure used on a patient prior to, and complimentary to, receiving a chiropractic treatment.

Applicant - A person applying for a license to practice chiropractic or certification to practice ancillary procedures under this chapter.

Board - The D.C. Board of Chiropractic, established by § 216 of the Health Occupations Revision Act, D.C. Official Code § 3-1202.16 (2001).

CAT scan - A diagnostic, medical, radiological scan in which cross-sectional images of a part of the body are formed through computerized axial tomography and shown on a computer screen.

Chiropractor - A person licensed to practice chiropractic under the Health Occupations Revision Act, D.C. Official Code § 3-1205.01 et seq. (2001).

MRI - An imaging technique that uses electromagnetic radiation to obtain images of the body's soft tissues by subjecting the body to a powerful magnetic field, allowing tiny signals from atomic nuclei to be detected and then processed and converted into images by a computer.

NBCE - The National Board of Chiropractic Examiners.

Physiotherapy - any external modality that the chiropractor uses on a patient prior to receiving a chiropractic adjustment / manipulation, that creates a physiological change in the human tissue condition, and that contributes to the overall improvement of the condition for which the patient is being treated.

Spinal adjustment/manipulation - A specific thrust applied to a subluxated vertebra utilizing parts of the vertebra and contiguous structures as levers to directionally correct that particular articular malposition, and thus influencing neural integrity in that area.

Subluxation - A complex of functional and/or structural changes that occur in the spinal column that compromises neural integrity and thus may influence organ system function and general health.

Supervision - Having a licensed District of Columbia chiropractor in the same office on a continuous basis while the assistant is on duty. The supervising chiropractor should be immediately available for delegated acts that the chiropractic assistant performs. Telecommunication is insufficient for supervision purposes or as a means for directing delegated acts.

4899.2 The definitions in § 4099 of Chapter 40 of this title are incorporated by reference into and apply to this chapter, except that the definition of "Board" shall mean the D.C. Board of Chiropractic.

SOURCE: Final Rulemaking published at 35 DCR 6658, 6685 (September 2, 1988); as amended by Final Rulemaking published at 49 DCR 6820 (July 19, 2002); as amended by Final Rulemaking published at 49 DCR 11237 (December 13, 2002); as amended by Final Rulemaking published at 53 DCR 558 (January 27, 2006); as amended by Final Rulemaking published at 55 DCR 7947 (July 25, 2008).