

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 09-167

BY SENATOR(S) Boyd, Newell, Tochtrop, Heath, Hudak, Schwartz, Williams, Foster;
also REPRESENTATIVE(S) Kefalas, Fischer, Gerou, Nikkel, Ryden, Schafer S., Todd.

CONCERNING THE CONTINUATION OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS, AND, IN CONNECTION THEREWITH, INCREASING INSURANCE REQUIREMENTS, ADJUSTING THE BOARD'S DISCIPLINARY AUTHORITY, AUTHORIZING ANIMAL CHIROPRACTIC, AND MODIFYING THE SCOPE OF PRACTICE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 12-33-103 (3) (b), Colorado Revised Statutes, is amended to read:

12-33-103. State board of chiropractic examiners - subject to termination - repeal of article. (3) (b) This article is repealed, effective July 1, ~~2009~~ 2020.

SECTION 2. 24-34-104 (40) (p) and (51), Colorado Revised Statutes, are amended to read:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (40) The following agencies, functions, or both, shall terminate on July 1, 2009:

(p) ~~The Colorado state board of chiropractic examiners, created by article 33 of title 12, C.R.S.~~

(51) The following agencies, functions, or both, shall terminate on July 1, 2020:

(a) The regulation of persons working in coal mines by the department of natural resources through the coal mine board of examiners in accordance with article 22 of title 34, C.R.S.

(e) THE COLORADO STATE BOARD OF CHIROPRACTIC EXAMINERS, CREATED BY ARTICLE 33 OF TITLE 12, C.R.S.

SECTION 3. 12-33-116.5 (1) (a), Colorado Revised Statutes, is amended to read:

12-33-116.5. Professional liability insurance required. (1) (a) It is unlawful for any person to practice chiropractic within this state unless the person purchases and maintains professional liability insurance in an amount not less than ~~one~~ THREE hundred thousand dollars per claim with an aggregate liability limit for all claims during the year of ~~three hundred thousand~~ ONE MILLION dollars.

SECTION 4. 12-33-117 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12-33-117. Discipline of licensees - letters of admonition, suspension, revocation, denial, and probation - grounds. (1) Upon any of the following grounds, the board may issue a letter of admonition to a licensee or may revoke, suspend, deny, refuse to renew, or impose conditions on such licensee's license:

(ff) FAILING TO RESPOND TO A BOARD-GENERATED COMPLAINT LETTER.

SECTION 5. 12-33-103 (1), Colorado Revised Statutes, is amended to read:

12-33-103. State board of chiropractic examiners - subject to termination - repeal of article. (1) There is hereby created a Colorado state board of chiropractic examiners, referred to in this article as the "board", consisting of five members who are citizens of the United States, four of whom shall have practiced chiropractic in the state of Colorado for five years prior to their appointment and one of whom shall be appointed from the public at large. The governor shall appoint members of the board as follows: ~~One for a five-year term, one for a four-year term, one for a three-year term, one for a two-year term, and one for a one-year term. At the expiration of the term of each board member, a member shall be appointed by the governor for a term of four years.~~ Any board member may be removed by the governor for misconduct, incompetence, or neglect of duty. No member shall serve more than two consecutive terms.

SECTION 6. 12-33-102 (1) and (1.5), Colorado Revised Statutes, are amended, and the said 12-33-102 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

12-33-102. Definitions. As used in this article, unless the context otherwise requires:

(1) ~~"Chiropractic" means that branch of the healing arts which is based on the premise that disease is attributable to the abnormal functioning of the human nervous system. It includes the diagnosing and analyzing of human ailments and seeks the elimination of the abnormal functioning of the human nervous system by the adjustment or manipulation, by hand, of the articulations and adjacent tissue of the human body, particularly the spinal column, and the usage as indicated of procedures which facilitate and make the adjustment or manipulation more effective, and the use of sanitary, hygienic, nutritional, and physical remedial measures necessary to such practice. "Chiropractic" includes the use of venipuncture for diagnostic purposes. "Chiropractic" does not include colonic irrigation therapy. "Chiropractic" includes treatment by acupuncture when performed by an appropriately trained chiropractor as determined by the Colorado state board of chiropractic examiners. Nothing in this section shall apply to persons using acupuncture not licensed by the board~~ "ACUPUNCTURE" MEANS THE PUNCTURE OF THE SKIN WITH FINE NEEDLES FOR DIAGNOSTIC

AND THERAPEUTIC PURPOSES.

(1.3) (a) "ANIMAL CHIROPRACTIC" MEANS DIAGNOSING AND TREATING ANIMAL VERTEBRAL SUBLUXATION THROUGH CHIROPRACTIC ADJUSTMENT OF THE SPINE OR EXTREMITY ARTICULATIONS OF FULLY AWAKE DOGS AND HORSES. THE CHIROPRACTIC ADJUSTMENT MAY BE PERFORMED ONLY WITH THE HANDS OR WITH THE USE OF A HAND-HELD LOW-FORCE MECHANICAL ADJUSTING DEVICE FUNCTIONALLY EQUIVALENT TO THE DEVICE KNOWN AS AN ACTIVATOR; ALL OTHER EQUIPMENT IS PROHIBITED.

(b) "ANIMAL CHIROPRACTIC" DOES NOT INCLUDE:

(I) PERFORMING VETERINARY MEDICAL CARE AND DIAGNOSIS;

(II) PERFORMING SURGERY;

(III) DISPENSING OR ADMINISTERING MEDICATIONS, DIETARY OR NUTRITIONAL SUPPLEMENTS, HERBS, ESSENCES, NUTRACEUTICAL PRODUCTS, OR ANYTHING ELSE SUPPLIED ORALLY, RECTALLY, BY INHALATION, BY INJECTION, OR TOPICALLY EXCEPT TOPICALLY APPLIED HEAT OR COLD;

(IV) GENERATING RADIOGRAPHIC IMAGES OR PERFORMING IMAGING PROCEDURES, INCLUDING THERMOGRAPHY;

(V) PERFORMING ACUPUNCTURE, OR ANY TREATMENT ACTIVITY OTHER THAN CHIROPRACTIC ADJUSTMENT;

(VI) PROVIDING MAGNETIC OR OTHER NONMANUAL TREATMENT TECHNIQUES, COLONICS, COLORED-LIGHT THERAPY, HOMEOPATHY, RADIONICS, OR VITAMIN THERAPY;

(VII) VENIPUNCTURE;

(VIII) MAKING DIAGNOSES BY METHODS SUCH AS LIVE CELL ANALYSIS, PENDULUM DIVINING, IRIDOLOGY, HAIR ANALYSIS, NUTRITIONAL DEFICIENCY QUESTIONNAIRES, HERBAL CRYSTALLIZATION ANALYSIS, OR FOOD ALLERGY TESTING.

(1.5) ~~"Acupuncture" means the puncture of the skin with fine needles for diagnostic and therapeutic purposes~~ "ANIMAL VERTEBRAL

SUBLUXATION" MEANS A LESION OR DYSFUNCTION IN A JOINT OR MOTION SEGMENT IN WHICH ALIGNMENT, MOVEMENT INTEGRITY, OR PHYSIOLOGICAL FUNCTION ARE ALTERED, ALTHOUGH CONTACT BETWEEN JOINT SURFACES REMAINS INTACT, WHICH MAY INFLUENCE BIOMECHANICAL AND NEURAL INTEGRITY. DIAGNOSIS OF ANIMAL VERTEBRAL SUBLUXATION TYPICALLY INVOLVES EVALUATION OF GAIT AND RADIOGRAPHS, AND STATIC AND MOTION PALPATION TECHNIQUES THAT ARE USED TO IDENTIFY JOINT DYSFUNCTION. DIAGNOSIS OF ANIMAL VERTEBRAL SUBLUXATION DOES NOT INCLUDE METHODS SUCH AS APPLIED KINESIOLOGY, REFLEXOLOGY, PENDULUM DIVINING, OR THERMOGRAPHY.

(1.7) "CHIROPRACTIC" MEANS THAT BRANCH OF THE HEALING ARTS THAT IS BASED ON THE PREMISE THAT DISEASE IS ATTRIBUTABLE TO THE ABNORMAL FUNCTIONING OF THE HUMAN NERVOUS SYSTEM. IT INCLUDES THE DIAGNOSING AND ANALYZING OF HUMAN AILMENTS AND SEEKS THE ELIMINATION OF THE ABNORMAL FUNCTIONING OF THE HUMAN NERVOUS SYSTEM BY THE ADJUSTMENT OR MANIPULATION, BY HAND OR INSTRUMENT, OF THE ARTICULATIONS AND ADJACENT TISSUE OF THE HUMAN BODY, PARTICULARLY THE SPINAL COLUMN, AND THE USE AS INDICATED OF PROCEDURES THAT FACILITATE THE ADJUSTMENT OR MANIPULATION AND MAKE IT MORE EFFECTIVE AND THE USE OF SANITARY, HYGIENIC, NUTRITIONAL, AND PHYSICAL REMEDIAL MEASURES FOR THE PROMOTION, MAINTENANCE, AND RESTORATION OF HEALTH, THE PREVENTION OF DISEASE, AND THE TREATMENT OF HUMAN AILMENTS. "CHIROPRACTIC" INCLUDES THE USE OF VENIPUNCTURE FOR DIAGNOSTIC PURPOSES. "CHIROPRACTIC" DOES NOT INCLUDE COLONIC IRRIGATION THERAPY. "CHIROPRACTIC" INCLUDES TREATMENT BY ACUPUNCTURE WHEN PERFORMED BY AN APPROPRIATELY TRAINED CHIROPRACTOR AS DETERMINED BY THE COLORADO STATE BOARD OF CHIROPRACTIC EXAMINERS. NOTHING IN THIS SECTION SHALL APPLY TO PERSONS USING ACUPUNCTURE NOT LICENSED BY THE BOARD.

(5) "VETERINARY MEDICAL CLEARANCE" MEANS THAT A VETERINARIAN LICENSED UNDER ARTICLE 64 OF THIS TITLE HAS EXAMINED AN ANIMAL PATIENT, HAS PROVIDED A DIAGNOSIS OR DIFFERENTIAL DIAGNOSIS IF APPROPRIATE, AND HAS PROVIDED WRITTEN CLEARANCE, WHICH MAY BE TRANSMITTED ELECTRONICALLY, FOR ANIMAL CHIROPRACTIC. THE VETERINARY MEDICAL CLEARANCE SHALL PRECEDE THE COMMENCEMENT OF ANIMAL CHIROPRACTIC TREATMENT AND MAY CONTAIN LIMITATIONS ON THE SCOPE, DATE OF INITIATION, AND DURATION OF CHIROPRACTIC TREATMENT. ONCE A VETERINARY MEDICAL CLEARANCE HAS

BEEN RECEIVED, THE CHIROPRACTOR IS RESPONSIBLE FOR DEVELOPING THE PLAN OF CARE FOR THE ANIMAL PATIENT'S ANIMAL CHIROPRACTIC.

SECTION 7. 12-33-117 (1.5), Colorado Revised Statutes, is amended to read:

12-33-117. Discipline of licensees - letters of admonition, suspension, revocation, denial, and probation - grounds - fines - guidelines. (1.5) ~~In lieu of a suspension of a license, the board may impose a fine not to exceed ten~~ IN ADDITION TO ANY OTHER PENALTY THAT MAY BE IMPOSED PURSUANT TO THIS SECTION, A CHIROPRACTOR VIOLATING ANY PROVISION OF THIS ARTICLE OR ANY RULE PROMULGATED PURSUANT TO THIS ARTICLE MAY BE FINED NO LESS THAN ONE thousand dollars FOR A FIRST VIOLATION PROVEN BY THE BOARD, UP TO THREE THOUSAND DOLLARS FOR A SECOND VIOLATION PROVEN BY THE BOARD, AND UP TO FIVE THOUSAND DOLLARS FOR A THIRD OR SUBSEQUENT VIOLATION PROVEN BY THE BOARD. THE BOARD SHALL ESTABLISH GUIDELINES FOR THE IMPOSITION OF SUCH FINES. All fines collected pursuant to this subsection (1.5) shall be transferred to the state treasurer, who shall credit such moneys to the general fund.

SECTION 8. 12-33-120, Colorado Revised Statutes, is amended to read:

12-33-120. Unauthorized practice - penalties - exemption.
(1) EXCEPT AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION, any person who practices or offers or attempts to practice chiropractic without an active license issued under this article commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S., for the first offense, and, for the second or any subsequent offense, the person commits a class 6 felony and shall be punished as provided in section 18-1.3-401, C.R.S.

(2) A CHIROPRACTOR WHO LAWFULLY PRACTICES CHIROPRACTIC IN ANOTHER STATE OR TERRITORY AND WHOSE LICENSE IS IN GOOD STANDING IN SUCH OTHER STATE OR TERRITORY MAY PRACTICE CHIROPRACTIC IN THIS STATE FOR THE LIMITED PURPOSE OF TREATING MEMBERS, COACHES, AND STAFF OF A VISITING SPORTS TEAM WHILE IN COLORADO WITHOUT HAVING A LICENSE ISSUED PURSUANT TO THIS ARTICLE. AN UNLICENSED CHIROPRACTOR PRACTICING PURSUANT TO THIS SUBSECTION (2) SHALL NOT:

(a) PRACTICE IN COLORADO MORE THAN TEN DAYS IN A TWELVE-MONTH PERIOD;

(b) ENTER COLORADO TO PRACTICE MORE THAN THREE TIMES IN A TWELVE-MONTH PERIOD; OR

(c) HOLD HIMSELF OR HERSELF OUT AS A CHIROPRACTOR TO OR PRACTICE CHIROPRACTIC WITH MEMBERS OF THE GENERAL PUBLIC.

SECTION 9. Part 1 of article 33 of title 12, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

12-33-127. Animal chiropractic - registration - qualifications - continuing education - collaboration with veterinarian - discipline - title restriction - rules. (1) (a) A LICENSED CHIROPRACTOR WHO IS REGISTERED UNDER THIS SECTION IS AUTHORIZED TO PERFORM ANIMAL CHIROPRACTIC WHEN SUCH CHIROPRACTIC DIAGNOSIS AND TREATMENT IS CONSISTENT WITH THE SCOPE OF PRACTICE FOR CHIROPRACTORS AND THE ANIMAL HAS BEEN PROVIDED A VETERINARY MEDICAL CLEARANCE BY A LICENSED VETERINARIAN. A CHIROPRACTOR SHALL HAVE THE KNOWLEDGE, SKILL, ABILITY, AND DOCUMENTED COMPETENCY TO PERFORM AN ACT THAT IS WITHIN THE SCOPE OF PRACTICE FOR CHIROPRACTORS.

(b) IN RECOGNITION OF THE SPECIAL AUTHORITY GRANTED BY THIS SECTION, THE PERFORMANCE OF ANIMAL CHIROPRACTIC IN ACCORDANCE WITH THIS SECTION SHALL NOT BE DEEMED A VIOLATION OF SECTION 12-64-104.

(c) A LICENSED CHIROPRACTOR WHO IS NOT REGISTERED UNDER THIS SECTION MAY PERFORM ANIMAL CHIROPRACTIC IF THE ANIMAL HAS BEEN PROVIDED A VETERINARY MEDICAL CLEARANCE BY A LICENSED VETERINARIAN AND THE ANIMAL CHIROPRACTIC IS PERFORMED UNDER THE DIRECT, ON-PREMISES SUPERVISION OF THE VETERINARIAN WHO HAS PROVIDED THE VETERINARY MEDICAL CLEARANCE.

(d) AN INDIVIDUAL WHO IS NOT LICENSED AS A CHIROPRACTOR OR A VETERINARIAN MAY NOT PERFORM ANIMAL CHIROPRACTIC.

(2) THE STATE BOARD OF CHIROPRACTIC EXAMINERS SHALL

REGULATE ANIMAL CHIROPRACTIC AND DIAGNOSIS, INCLUDING, WITHOUT LIMITATION, EDUCATIONAL AND CLINICAL REQUIREMENTS FOR THE PERFORMANCE OF ANIMAL CHIROPRACTIC AND THE PROCEDURE FOR REFERRING COMPLAINTS TO THE DEPARTMENT OF REGULATORY AGENCIES REGARDING ANIMAL CHIROPRACTIC DIAGNOSIS AND THERAPY.

(3) **Registry.** (a) THE STATE BOARD OF CHIROPRACTIC EXAMINERS SHALL MAINTAIN A DATABASE OF ALL LICENSED CHIROPRACTORS THAT ARE REGISTERED PURSUANT TO THIS SECTION AND RULES PROMULGATED PURSUANT TO THIS ARTICLE TO PRACTICE ANIMAL CHIROPRACTIC IN THIS STATE. INFORMATION IN THE DATABASE SHALL BE OPEN TO PUBLIC INSPECTION AT ALL TIMES AND SHALL BE EASILY ACCESSIBLE IN ELECTRONIC FORM.

(b) A LICENSED CHIROPRACTOR WHO CHOOSES TO PRACTICE ANIMAL CHIROPRACTIC AND WHO SEEKS REGISTRATION IN ANIMAL CHIROPRACTIC SHALL PROVIDE THE STATE BOARD OF CHIROPRACTIC EXAMINERS WITH REGISTRATION INFORMATION AS REQUIRED BY THE BOARD, WHICH SHALL INCLUDE THE CHIROPRACTOR'S NAME, CURRENT ADDRESS, EDUCATION AND TRAINING IN THE FIELD OF ANIMAL CHIROPRACTIC, ACTIVE COLORADO CHIROPRACTIC LICENSE, AND QUALIFICATIONS TO PERFORM ANIMAL CHIROPRACTIC AND TREATMENT. FORMS FOR CHIROPRACTORS TO PROVIDE SUCH INFORMATION SHALL BE PROVIDED BY THE BOARD.

(4) **Educational qualifications.** A LICENSED CHIROPRACTOR WHO SEEKS REGISTRATION IN ANIMAL CHIROPRACTIC SHALL OBTAIN EDUCATION IN THE FIELD OF ANIMAL CHIROPRACTIC FROM AN ACCREDITED COLLEGE OF VETERINARY MEDICINE, AN ACCREDITED COLLEGE OF CHIROPRACTIC, OR AN EDUCATIONAL PROGRAM DEEMED EQUIVALENT BY MUTUAL AGREEMENT OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS AND THE STATE BOARD OF VETERINARY MEDICINE. THE EDUCATIONAL PROGRAM SHALL CONSIST OF NO FEWER THAN TWO HUNDRED TEN HOURS, SHALL INCLUDE BOTH CLASSROOM INSTRUCTION AND CLINICAL EXPERIENCE, AND SHALL CULMINATE WITH A PROFICIENCY EVALUATION. THE EDUCATIONAL PROGRAM SHALL INCLUDE THE FOLLOWING SUBJECTS:

(a) CHIROPRACTIC TOPICS, INCLUDING:

(I) HISTORY AND SYSTEMS REVIEW;

(II) SUBLUXATION AND VERTEBRAL SUBLUXATION; AND

(III) ADJUSTMENT TECHNIQUES FOR DOGS AND HORSES;

(b) VETERINARY TOPICS SPECIFIC TO CANINE AND EQUINE SPECIES,
INCLUDING:

(I) ANATOMY, INCLUDING SACROPELVIC, THORACOLUMBAR,
CERVICAL, AND EXTREMITY, INCLUDING NORMAL HOOF ANATOMY AND CARE;

(II) PHYSIOLOGY;

(III) BEHAVIOR;

(IV) KNOWLEDGE OF BREED ANOMALIES;

(V) RESTRAINT;

(VI) BIOMECHANICS, GAIT, AND LAMENESS;

(VII) NEUROLOGY, NEUROANATOMY, AND NEUROLOGICAL
CONDITIONS;

(VIII) DIFFERENTIAL DIAGNOSIS OF NEUROMUSCULOSKELETAL
CONDITIONS;

(IX) MOTION PALPATION;

(X) PATHOLOGY; AND

(XI) RADIOGRAPHIC INTERPRETATION;

(c) RECOGNITION OF CANINE AND EQUINE ZONOTIC AND
CONTAGIOUS DISEASES;

(d) ANIMAL-SPECIFIC CASE MANAGEMENT, OUTCOME ASSESSMENT,
AND DOCUMENTATION; AND

(e) ANIMAL-SPECIFIC PROFESSIONAL ETHICS AND LEGALITIES.

(5) **Continuing education.** A LICENSED CHIROPRACTOR WHO IS REGISTERED TO PERFORM ANIMAL CHIROPRACTIC SHALL COMPLETE TWENTY HOURS OF CONTINUING EDUCATION PER LICENSING PERIOD THAT IS SPECIFIC TO THE DIAGNOSIS AND TREATMENT OF ANIMALS. ALL CONTINUING EDUCATION COURSES SHALL BE IN THE FIELDS OF STUDY LISTED IN SUBSECTION (4) OF THIS SECTION.

(6) **Records and professional collaboration.** (a) A LICENSED VETERINARIAN WHO PROVIDES VETERINARY MEDICAL CLEARANCE FOR ANIMAL CHIROPRACTIC MAY REQUIRE A VETERINARIAN'S PRESENCE AT ANY CHIROPRACTIC TREATMENT RENDERED PURSUANT TO THE VETERINARY MEDICAL CLEARANCE.

(b) THE CHIROPRACTOR AND THE VETERINARIAN SHALL CONTINUE PROFESSIONAL COLLABORATION AS NECESSARY FOR THE WELL-BEING OF THE ANIMAL PATIENT. THE VETERINARIAN SHALL PROVIDE THE ANIMAL PATIENT'S MEDICAL RECORD TO THE CHIROPRACTOR UPON REQUEST.

(c) THE CHIROPRACTOR SHALL MAINTAIN AN ANIMAL PATIENT RECORD THAT INCLUDES THE WRITTEN VETERINARY MEDICAL CLEARANCE, INCLUDING THE NAME OF THE VETERINARIAN, DATE, AND TIME THE CLEARANCE WAS RECEIVED. THE CHIROPRACTOR SHALL FURNISH A COPY OF THE MEDICAL RECORD TO THE VETERINARIAN UPON THE VETERINARIAN'S REQUEST.

(d) A LICENSED CHIROPRACTOR REGISTERED TO PERFORM ANIMAL CHIROPRACTIC SHALL MAINTAIN COMPLETE AND ACCURATE RECORDS OR PATIENT FILES IN THE CHIROPRACTOR'S OFFICE FOR A MINIMUM OF THREE YEARS.

(7) **Discipline.** COMPLAINTS RECEIVED IN THE OFFICE OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS THAT INCLUDE ALLEGATIONS OF A VIOLATION RELATED TO ANIMAL CHIROPRACTIC SHALL BE FORWARDED TO THE STATE BOARD OF VETERINARY MEDICINE FOR ITS REVIEW AND ADVISORY RECOMMENDATION TO THE STATE BOARD OF CHIROPRACTIC EXAMINERS. THE STATE BOARD OF CHIROPRACTIC EXAMINERS RETAINS THE FINAL AUTHORITY FOR DECISIONS RELATED TO THE DISCIPLINE OF A CHIROPRACTOR.

(8) **Separate treatment room.** A LICENSED CHIROPRACTOR WHO

PROVIDES ANIMAL CHIROPRACTIC DIAGNOSIS AND TREATMENT IN THE SAME FACILITY WHERE HUMAN PATIENTS ARE TREATED SHALL MAINTAIN A SEPARATE, NONCARPETED ROOM FOR THE PURPOSE OF ADJUSTING ANIMALS. THE TABLE AND EQUIPMENT USED FOR ANIMALS SHALL NOT BE USED FOR HUMAN PATIENTS.

(9) **Use of title.** ONLY A LICENSED CHIROPRACTOR QUALIFIED AND REGISTERED IN COLORADO TO PERFORM ANIMAL CHIROPRACTIC MAY USE THE TITLES "ANIMAL CHIROPRACTOR", "ANIMAL ADJUSTER", "EQUINE CHIROPRACTOR", OR "EQUINE ADJUSTER". NO CHIROPRACTOR SHALL USE THE TITLES "VETERINARY CHIROPRACTOR" OR "VETERINARY ADJUSTER" UNLESS THE CHIROPRACTOR IS ALSO LICENSED TO PRACTICE VETERINARY MEDICINE IN COLORADO. NOTHING IN THIS SECTION SHALL PROHIBIT A LICENSED VETERINARIAN FROM USING THE TITLES "ANIMAL ADJUSTER" OR "EQUINE ADJUSTER".

(10) **Rules.** THE STATE BOARD OF CHIROPRACTIC EXAMINERS, IN CONSULTATION WITH THE STATE BOARD OF VETERINARY MEDICINE, MAY ESTABLISH BY RULE ANY ADDITIONAL REQUIREMENTS TO BE MET BY A CHIROPRACTOR REGARDING REQUIRED DOCUMENTATION AND ANY OTHER RULES NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION.

(11) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT, LIMIT, OR ALTER THE PRIVILEGES OR PRACTICES OF ANY OTHER LICENSED PROFESSION, INCLUDING VETERINARIANS, FROM PERFORMING SPINAL, EXTREMITY, OR OTHER ASPECTS OF ADJUSTMENT, MANIPULATION, OR MOBILIZATION ON ANIMALS AS ALLOWED FOR IN THE SCOPE OF THEIR RESPECTIVE PRACTICE ACTS.

12-33-128. Chiropractic assistants. A CHIROPRACTOR MAY SUPERVISE UP TO FIVE UNLICENSED PERSONS AS CHIROPRACTIC ASSISTANTS IF SUCH PERSONS HAVE RECEIVED APPROPRIATE TRAINING AS ESTABLISHED BY THE BOARD BY RULE PROMULGATED PURSUANT TO SECTION 12-33-107. A CHIROPRACTIC ASSISTANT MAY PERFORM HIS OR HER DUTIES ONLY UNDER THE DIRECT SUPERVISION OF A CHIROPRACTOR AND ONLY IN THOSE AREAS IN WHICH THE CHIROPRACTIC ASSISTANT HAS THE REQUISITE SKILL AND TRAINING. A CHIROPRACTIC ASSISTANT SHALL NOT PERFORM A DIAGNOSIS, AN ADJUSTMENT, OR ACUPUNCTURE.

SECTION 10. 12-64-104 (1), Colorado Revised Statutes, is

amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12-64-104. License requirements and exceptions - definitions.

(1) No person may practice veterinary medicine in this state who is not a licensed veterinarian. No person may practice artificial insemination or ova transplantation of cattle or other animal species in this state except in accordance with section 12-64-105 (9) (c). This article shall not be construed to prohibit:

(p) THE PRACTICE OF ANIMAL CHIROPRACTIC PURSUANT TO SECTION 12-33-127.

SECTION 11. 13-21-115.5 (3) (c) (II) (B), Colorado Revised Statutes, is amended to read:

13-21-115.5. Volunteer service act - immunity - exception for operation of motor vehicles. (3) As used in this section, unless the context otherwise requires:

(c) (II) "Volunteer" includes:

(B) A licensed chiropractor governed by ~~the provisions of~~ article 33 of title 12, C.R.S., performing chiropractic, as defined in section 12-33-102, ~~(1)~~, C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;

SECTION 12. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of registrations, for the continuation of the state board of chiropractic examiners, for the fiscal year beginning July 1, 2009, the sum of fourteen thousand fifty-seven dollars (\$14,057) cash funds, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of law, for the fiscal year beginning July 1, 2009, the sum of four thousand eight hundred eighty-two dollars (\$4,882), or so much thereof as may be necessary, for the provision of legal services

to the department of regulatory agencies related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of regulatory agencies out of the appropriation made in subsection (1) of this section.

SECTION 13. Applicability. This act shall apply to acts occurring on or after the effective date of this act.

SECTION 14. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO