

JAN 21 2011

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# A BILL FOR AN ACT

RELATING TO CHIROPRACTIC.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 442-1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~§442-1~~ **Chiropractic defined.** [~~Chiropractic is defined to~~  
4 ~~be the science of palpating and adjusting the articulations of~~  
5 ~~the human spinal column by hand; provided that the practice of~~  
6 ~~chiropractic as contemplated and set forth in this chapter may~~  
7 ~~include the use of necessary patient evaluation and management~~  
8 ~~procedures of the human spinal column, hot or cold packs,~~  
9 ~~whirlpool, therapeutic and rehabilitative exercise, traction,~~  
10 ~~electrical and electromechanical stimulation, therapeutic~~  
11 ~~ultrasound, myofascial release, diathermy, infrared, and~~  
12 ~~chiropractic spinal manipulative treatment and extraspinal~~  
13 ~~evaluations for the diagnosis and treatment of~~  
14 ~~neuromusculoskeletal conditions related to the human spinal~~  
15 ~~column, subject to the restrictions contained in this chapter,~~  
16 ~~and provided further that the practice of chiropractic as~~  
17 ~~contemplated and set forth in this chapter shall not include the~~  
18 ~~practice of lomilomi or massage. For the purposes of this~~



1 ~~section, spinal refers to the five spinal regions: cervical~~  
2 ~~region (includes atlanto-occipital joint); thoracic region~~  
3 ~~(includes costovertebral and costotransverse joint); lumbar~~  
4 ~~region; sacral region; and pelvic (sacroiliac joint) region.]~~  
5 Chiropractic is the system of specific adjustment or  
6 manipulation of the joints and tissues of the body and the  
7 treatment of the human body by the application of manipulative,  
8 manual, mechanical, physiotherapeutic, or clinical nutritional  
9 methods for which those persons licensed under this chapter are  
10 trained. A person licensed to practice under this chapter may  
11 examine, diagnose, and treat patients; provided that the  
12 licensee shall not perform surgery or direct the use of legend  
13 drugs.

14 Chiropractic is a portal of entry for consumers to obtain  
15 services from licensees whose practice includes all hygienic,  
16 sanitary, and therapeutic measures incident to humans. The  
17 scope of practice of chiropractic shall include those diagnostic  
18 and treatment services and procedures that have been taught by  
19 an accredited chiropractic college and have been approved by the  
20 board in accordance with this chapter and rules adopted pursuant  
21 to this chapter.



1        Licenses may examine, analyze, and diagnose the human body  
2 to:  
3        (1) Correct, relieve, or prevent diseases and  
4        abnormalities by any physical, chemical, electrical,  
5        or thermal method;  
6        (2) Use or order diagnostic imaging;  
7        (3) Use or order laboratory testing; and  
8        (4) Use any other method of examination for diagnosis and  
9        analysis taught by an accredited chiropractic college  
10       and approved by the board in accordance with this  
11       chapter and rules adopted pursuant to this chapter."

12       SECTION 2. Section 442-6, Hawaii Revised Statutes, is  
13 amended by amending subsection (b) to read as follows:

14       "(b) The board may require additional post-licensure  
15 examinations administered by the National Board of Chiropractic  
16 Examiners [~~Special Purposes Examination~~] in circumstances where  
17 the board needs to assess a person's fitness to practice  
18 chiropractic, including [~~but not limited to:~~]

- 19       (1) State-to-state reciprocity or endorsement;  
20       (2) Disciplinary action; or  
21       (3) Licensure lapse, suspension, or revocation."



1 SECTION 3. Section 442-19, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§442-19 Violations, penalty. Any person who practices or  
4 attempts to practice chiropractic, or any person who buys,  
5 sells, or fraudulently obtains a license to practice  
6 chiropractic, whether recorded or not, or who uses the title  
7 "chiropractor", "chiropractic physician", or "D.C.", or any word  
8 or title to induce, or tending to induce belief that the person  
9 is engaged in the practice of chiropractic, without first  
10 complying with this chapter; or any licensee under this chapter  
11 who uses the word "doctor" or the prefix "Dr." without the word  
12 "chiropractor" or "D.C." immediately following the licensee's  
13 name, or uses the letters "M.D." or the words "doctor of  
14 medicine", or the term "surgeon", [~~or the term "physician",~~] or  
15 the word "osteopath", or the letters "D.O.", or any other  
16 letters, prefixes, or suffixes, the use of which would indicate  
17 that the licensee is practicing a profession for which the  
18 licensee holds no license from the State, or any person who  
19 violates any of the provisions of this chapter, shall be fined  
20 not more than \$1,000, [~~or~~] imprisoned not more than ninety days,  
21 or both."



# S.B. NO. 961

1 SECTION 4. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun, before its effective date.

4 SECTION 5. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 6. This Act shall take effect upon its approval.

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**Report Title:**

Chiropractic; Scope of Practice

**Description:**

Updates the scope of practice for chiropractic to reflect standards, practices, and terminology accepted by the National Board of Chiropractic Examiners.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

