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H.B. NO. 2486

A Bill for an Act Relating to Chiropractic Licensure Requirements.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 442-2, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) It shall be unlawful for any person to practice chiropractic without a license. Any person applying for a license to practice chiropractic shall submit an application to the board of chiropractic examiners [no later than sixty days prior to the examination,] accompanied by the application [and examination fees] fee, and all documents and affidavits that may be prescribed by law. The application shall be submitted in accordance with the rules of the board, shall be on a form prescribed by the board, and shall be signed by the applicant. In addition thereto, each applicant shall furnish to the board:

- [(1) A photostatic copy of the applicant’s diploma from a chiropractic college or school holding status with the commission on accreditation as provided in this section;]
- [(2)] (1) Satisfactory proof that the applicant has [completed two years of liberal arts or science study at a university or college;] met the educational requirements prescribed in the rules of the board; provided that [this requirement] these educational requirements shall not apply to applicants having entered an approved chiropractic college on or before October 31, 1955; and
- [(3) Evidence of having attended and] (2) Satisfactory proof that the applicant graduated from a chiropractic college accredited by, or recognized as a candidate for accreditation by, any chiropractic college accrediting agency recognized by the United States Department of Education[. Students who have]; provided that the requirements shall not apply to applicants who matriculated in any chiropractic college prior to October 15, 1984[, shall be exempt].”

SECTION 2. Section 442-6, Hawaii Revised Statutes, is amended to read as follows:

“**§442-6 Examinations.** [(a) The board of chiropractic examiners shall schedule examinations at least two times each year. The office of the board shall be in Honolulu.

(b) Each applicant shall be designated by a number instead of the name, so that the applicant's identity will not be disclosed to the examiners until the papers are graded.

(c) The applicant shall be required to pass parts I and II of the National Board of Chiropractic Examiners' written examination and the written clinical competency examination in order to qualify for the state chiropractic examination. The state chiropractic examination shall be designed to ascertain the fitness and qualifications of the applicant to practice chiropractic. The board may contract with professional testing services to prepare, administer, and grade the state chiropractic examination. The state chiropractic examination may include both a practical demonstration and a written examination. A license shall be granted to any applicant who attains a numerical score of seventy-five or higher in all subjects and sections of the state chiropractic examination. Any applicant failing to make the required grade may be reexamined at the next regular examination upon payment of a reexamination fee. Any person seeking licensure under this chapter, including approval to use physiotherapy modalities, shall demonstrate to the satisfaction of the board that the person has received training in the use of physiotherapy modalities at an accredited institution and passed the physiotherapy portion of the National Board of Chiropractic Examiners' examination.] (a) An applicant for licensure who has met the requirements of chapters 436B and 442, the requirements prescribed in the rules of the board, and one of the following requirements shall be licensed:

- (1) Successful completion of the National Board of Chiropractic Examiners parts I, II, III, IV, and physiotherapy;
- (2) Successful completion of National Board of Chiropractic Examiners parts I, II, III, physiotherapy, and Special Purposes Examination and evidence of licensure in good standing under the laws of another state or states after December 31, 1988; or
- (3) Successful completion of National Board of Chiropractic Examiners parts I, II, physiotherapy, and Special Purposes Examination and evidence of licensure in good standing under the laws of another state or states prior to January 1, 1989.

(b) The board may require the National Board of Chiropractic Examiners Special Purposes Examination in circumstances where the board needs to assess a person's fitness to practice chiropractic, including but not limited to:

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

[(d)] (c) No person licensed to practice chiropractic in this State shall use physiotherapy modalities without receiving approval by the board to do so.

The board shall adopt rules for granting approval for the use of physiotherapy modalities by persons holding valid, current licenses under this chapter on June 4, 1984. The board [may] shall require any licensed chiropractor seeking approval to use physiotherapy modalities and all new applicants for chiropractic licensure to take and pass [a written or practical examination before granting approval to use] the National Board of Chiropractic Examiners physiotherapy [modalities.] examination.

[(e) For each year of actual practice as a licensed chiropractor in another state the applicant shall be given a credit of one-half point up to twenty years maximum to be added to each score for each subject area.]”

SECTION 3. Section 442-7, Hawaii Revised Statutes, is amended to read as follows:

“§442-7 [Time] **Application, scheduling, administration, scoring, and place of examination.** [The board of chiropractic examiners shall give notice of the

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time and place of all examinations to be held under this chapter. The notice shall be given in such manner as the board deems expedient and in ample time to allow all candidates to comply with this chapter.] The application requirements and candidate qualifications to take the National Board of Chiropractic Examiners examinations specified in section 442-6, and the scheduling, administration, reexamination, scoring, and place of the examinations required for licensure shall be in accordance with the policies and requirements of the National Board of Chiropractic Examiners, unless otherwise determined and modified by the board. The qualifications for licensure in this State shall be as established in this chapter and chapter 436B and in rules adopted by the board.’

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

SECTION 5. This Act shall take effect upon its approval.

(Approved April 6, 2000.)