

SENATE
STATE OF MINNESOTA
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S.F. No. 266

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DATE	D-PG	OFFICIAL STATUS
01/25/2021	150	Introduction and first reading Referred to Health and Human Services Finance and Policy
02/04/2021	257	Author added Klein
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- 1.1 A bill for an act
- 1.2 relating to occupational licensing; clarifying that the practice of chiropractic
- 1.3 includes providing telemedicine services; clarifying that the state Board of
- 1.4 Chiropractic Examiners has the authority to discipline a chiropractor who is not
- 1.5 following an executive order; reorganizing animal chiropractic sections; amending
- 1.6 Minnesota Statutes 2020, sections 148.01, subdivisions 1, 4; 148.04; 148.07,
- 1.7 subdivision 2; 148.08, subdivision 3; 148.10, subdivisions 1, 2; 148.103, subdivision
- 1.8 2; 148.105, subdivision 1; 319B.02, subdivision 19; proposing coding for new law
- 1.9 in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 2020, sections
- 1.10 148.01, subdivisions 1a, 1b, 1c, 1d; 148.032; 148.033; 148.035.
- 1.11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.12 Section 1. Minnesota Statutes 2020, section 148.01, subdivision 1, is amended to read:
- 1.13 Subdivision 1. **Definitions.** For the purposes of sections 148.01 to ~~148.10~~ 148.109:
- 1.14 (1) "chiropractic" means the health care discipline that recognizes the innate recuperative
- 1.15 power of the body to heal itself without the use of drugs or surgery by identifying and caring
- 1.16 for vertebral subluxations and other abnormal articulations by emphasizing the relationship
- 1.17 between structure and function as coordinated by the nervous system and how that
- 1.18 relationship affects the preservation and restoration of health;
- 1.19 (2) "chiropractic services" means the evaluation and facilitation of structural,
- 1.20 biomechanical, and neurological function and integrity through the use of adjustment,
- 1.21 manipulation, mobilization, or other procedures accomplished by manual or mechanical
- 1.22 forces applied to bones or joints and their related soft tissues for correction of vertebral
- 1.23 subluxation, other abnormal articulations, neurological disturbances, structural alterations,
- 1.24 or biomechanical alterations, and includes; but is not limited to; manual therapy and
- 1.25 mechanical therapy as defined in section 146.23;

2.1 (3) "abnormal articulation" means the condition of opposing bony joint surfaces and
2.2 their related soft tissues that do not function normally, including subluxation, fixation,
2.3 adhesion, degeneration, deformity, dislocation, or other pathology that results in pain or
2.4 disturbances within the nervous system, results in postural alteration, inhibits motion, allows
2.5 excessive motion, alters direction of motion, or results in loss of axial loading efficiency,
2.6 or a combination of these;

2.7 (4) "diagnosis" means the physical, clinical, and laboratory examination of the patient,
2.8 and the use of diagnostic services for diagnostic purposes within the scope of the practice
2.9 of chiropractic described in sections 148.01 to ~~148.10~~ 148.109;

2.10 (5) "diagnostic services" means clinical, physical, laboratory, and other diagnostic
2.11 measures, including diagnostic imaging that may be necessary to determine the presence
2.12 or absence of a condition, deficiency, deformity, abnormality, or disease as a basis for
2.13 evaluation of a health concern, diagnosis, differential diagnosis, treatment, further
2.14 examination, or referral;

2.15 (6) "therapeutic services" means rehabilitative therapy as defined in Minnesota Rules,
2.16 part 2500.0100, subpart 11, and all of the therapeutic, rehabilitative, and preventive sciences
2.17 and procedures for which the licensee was subject to examination under section 148.06.
2.18 When provided, therapeutic services must be performed within a practice where the primary
2.19 focus is the provision of chiropractic services, to prepare the patient for chiropractic services,
2.20 or to complement the provision of chiropractic services. The administration of therapeutic
2.21 services is the responsibility of the treating chiropractor and must be rendered under the
2.22 direct supervision of qualified staff;

2.23 (7) "acupuncture" means a modality of treating abnormal physical conditions by
2.24 stimulating various points of the body or interruption of the cutaneous integrity by needle
2.25 insertion to secure a reflex relief of the symptoms by nerve stimulation as utilized as an
2.26 adjunct to chiropractic adjustment. Acupuncture may not be used as an independent therapy
2.27 or separately from chiropractic services. Acupuncture is permitted under section 148.01
2.28 only after registration with the board which requires completion of a board-approved course
2.29 of study and successful completion of a board-approved national examination on acupuncture.
2.30 Renewal of registration shall require completion of board-approved continuing education
2.31 requirements in acupuncture. The restrictions of section 147B.02, subdivision 2, apply to
2.32 individuals registered to perform acupuncture under this section; and

2.33 (8) "animal chiropractic diagnosis and treatment" or "animal chiropractic" means
2.34 treatment that includes identifying and resolving vertebral subluxation complexes, spinal

3.1 manipulation, and manipulation of the extremity articulations of nonhuman vertebrates.

3.2 Animal chiropractic diagnosis and treatment does not include:

3.3 (i) performing surgery;

3.4 (ii) dispensing or administering of medications; or

3.5 (iii) performing traditional veterinary care and diagnosis.

3.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.7 Sec. 2. Minnesota Statutes 2020, section 148.01, subdivision 4, is amended to read:

3.8 Subd. 4. **Practice of chiropractic.** An individual licensed to practice under section
3.9 148.06 is authorized to perform chiropractic services, acupuncture, and therapeutic services,
3.10 and to provide diagnosis and to render opinions pertaining to those services for the purpose
3.11 of determining a course of action in the best interests of the patient, such as a treatment
3.12 plan, appropriate referral, or both. When appropriate, a service may be delivered via
3.13 telemedicine as defined in section 62A.671.

3.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.15 Sec. 3. Minnesota Statutes 2020, section 148.04, is amended to read:

3.16 **148.04 PROCEDURE.**

3.17 The officers of the Board of Chiropractic Examiners shall have power to administer
3.18 oaths, summon witnesses, and take testimony as to matters pertaining to its duties. It shall
3.19 adopt a minimum of educational requirements not inconsistent with the provisions of sections
3.20 148.01 to ~~148.10~~ 148.109, which shall be without prejudice, partiality, or discrimination as
3.21 to the different schools or colleges of chiropractic. The board shall meet at such times as
3.22 the majority of the board may deem proper. A majority of the board shall constitute a quorum
3.23 for the transaction of business. The secretary shall keep a record of its proceedings. This
3.24 report shall be prima facie evidence of all matters therein recorded.

3.25 Sec. 4. Minnesota Statutes 2020, section 148.07, subdivision 2, is amended to read:

3.26 Subd. 2. **Expenses.** The expenses of administering sections 148.01 to ~~148.105~~ 148.109
3.27 shall be paid from the appropriation made to the state Board of Chiropractic Examiners.
3.28 Expenditures and revenues must be managed in accordance with the statewide accounting
3.29 principles and requirements of the commissioner of management and budget.

4.1 Sec. 5. Minnesota Statutes 2020, section 148.08, subdivision 3, is amended to read:

4.2 Subd. 3. **Rules.** The Board of Chiropractic Examiners shall promulgate rules necessary
4.3 to administer sections 148.01 to ~~148.105~~ 148.109 to protect the health, safety, and welfare
4.4 of the public, including rules governing the practice of chiropractic and defining any terms,
4.5 whether or not used in sections 148.01 to ~~148.105~~ 148.109, if the definitions are not
4.6 inconsistent with the provisions of sections 148.01 to ~~148.105~~ 148.109. The board shall
4.7 consult with the state Board of Veterinary Medicine before adopting rules on animal
4.8 chiropractic.

4.9 Sec. 6. Minnesota Statutes 2020, section 148.10, subdivision 1, is amended to read:

4.10 Subdivision 1. **Grounds.** (a) The state Board of Chiropractic Examiners may refuse to
4.11 grant, or may revoke, suspend, condition, limit, restrict or qualify a license to practice
4.12 chiropractic, or may cause the name of a person licensed to be removed from the records
4.13 in the office of the court administrator of the district court for:

4.14 (1) advertising that is false or misleading; that violates a rule of the board; or that claims
4.15 the cure of any condition or disease;

4.16 (2) the employment of fraud or deception in applying for a license or in passing the
4.17 examination provided for in section 148.06 or conduct which subverts or attempts to subvert
4.18 the licensing examination process;

4.19 (3) the practice of chiropractic under a false or assumed name or the impersonation of
4.20 another practitioner of like or different name;

4.21 (4) the conviction of a crime involving moral turpitude;

4.22 (5) the conviction, during the previous five years, of a felony reasonably related to the
4.23 practice of chiropractic;

4.24 (6) habitual intemperance in the use of alcohol or drugs;

4.25 (7) practicing under a license which has not been renewed;

4.26 (8) advanced physical or mental disability;

4.27 (9) the revocation or suspension of a license to practice chiropractic; or other disciplinary
4.28 action against the licensee; or the denial of an application for a license by the proper licensing
4.29 authority of another state, territory or country; or failure to report to the board that charges
4.30 regarding the person's license have been brought in another state or jurisdiction;

5.1 (10) the violation of, or failure to comply with, the provisions of sections 148.01 to
5.2 ~~148.105~~ 148.109, the rules of the state Board of Chiropractic Examiners, or a lawful order
5.3 of the board;

5.4 (11) unprofessional conduct;

5.5 (12) being unable to practice chiropractic with reasonable skill and safety to patients by
5.6 reason of illness, professional incompetence, senility, drunkenness, use of drugs, narcotics,
5.7 chemicals or any other type of material, or as a result of any mental or physical condition,
5.8 including deterioration through the aging process or loss of motor skills. If the board has
5.9 probable cause to believe that a person comes within this clause, it shall direct the person
5.10 to submit to a mental or physical examination. For the purpose of this clause, every person
5.11 licensed under this chapter shall be deemed to have given consent to submit to a mental or
5.12 physical examination when directed in writing by the board and further to have waived all
5.13 objections to the admissibility of the examining physicians' testimony or examination reports
5.14 on the ground that the same constitute a privileged communication. Failure of a person to
5.15 submit to such examination when directed shall constitute an admission of the allegations,
5.16 unless the failure was due to circumstances beyond the person's control, in which case a
5.17 default and final order may be entered without the taking of testimony or presentation of
5.18 evidence. A person affected under this clause shall at reasonable intervals be afforded an
5.19 opportunity to demonstrate that the person can resume the competent practice of chiropractic
5.20 with reasonable skill and safety to patients.

5.21 In addition to ordering a physical or mental examination, the board may, notwithstanding
5.22 section 13.384, 144.651, or any other law limiting access to health data, obtain health data
5.23 and health records relating to a licensee or applicant without the licensee's or applicant's
5.24 consent if the board has probable cause to believe that a doctor of chiropractic comes under
5.25 this clause. The health data may be requested from a provider, as defined in section 144.291,
5.26 subdivision 2, paragraph (i), an insurance company, or a government agency, including the
5.27 Department of Human Services. A provider, insurance company, or government agency
5.28 shall comply with any written request of the board under this subdivision and is not liable
5.29 in any action for damages for releasing the data requested by the board if the data are released
5.30 pursuant to a written request under this subdivision, unless the information is false and the
5.31 provider or entity giving the information knew, or had reason to believe, the information
5.32 was false. Information obtained under this subdivision is classified as private under sections
5.33 13.01 to 13.87.

5.34 In any proceeding under this clause, neither the record of proceedings nor the orders
5.35 entered by the board shall be used against a person in any other proceeding;

6.1 (13) aiding or abetting an unlicensed person in the practice of chiropractic, except that
6.2 it is not a violation of this clause for a doctor of chiropractic to employ, supervise, or delegate
6.3 functions to a qualified person who may or may not be required to obtain a license or
6.4 registration to provide health services if that person is practicing within the scope of the
6.5 license or registration or delegated authority;

6.6 (14) improper management of health records, including failure to maintain adequate
6.7 health records as described in clause (18), to comply with a patient's request made under
6.8 sections 144.291 to 144.298 or to furnish a health record or report required by law;

6.9 (15) failure to make reports required by section 148.102, subdivisions 2 and 5, or to
6.10 cooperate with an investigation of the board as required by section 148.104, or the submission
6.11 of a knowingly false report against another doctor of chiropractic under section 148.10,
6.12 subdivision 3;

6.13 (16) splitting fees, or promising to pay a portion of a fee or a commission, or accepting
6.14 a rebate;

6.15 (17) revealing a privileged communication from or relating to a patient, except when
6.16 otherwise required or permitted by law;

6.17 (18) failing to keep written chiropractic records justifying the course of treatment of the
6.18 patient, including, but not limited to, patient histories, examination results, test results, and
6.19 x-rays. Unless otherwise required by law, written records need not be retained for more
6.20 than seven years and x-rays need not be retained for more than four years;

6.21 (19) exercising influence on the patient or client in such a manner as to exploit the patient
6.22 or client for financial gain of the licensee or of a third party which shall include, but not be
6.23 limited to, the promotion or sale of services, goods, or appliances;

6.24 (20) gross or repeated malpractice or the failure to practice chiropractic at a level of
6.25 care, skill, and treatment which is recognized by a reasonably prudent chiropractor as being
6.26 acceptable under similar conditions and circumstances; or

6.27 (21) delegating professional responsibilities to a person when the licensee delegating
6.28 such responsibilities knows or has reason to know that the person is not qualified by training,
6.29 experience, or licensure to perform them.

6.30 (b) For the purposes of paragraph (a), clause (2), conduct that subverts or attempts to
6.31 subvert the licensing examination process includes, but is not limited to: (1) conduct that
6.32 violates the security of the examination materials, such as removing examination materials
6.33 from the examination room or having unauthorized possession of any portion of a future,

7.1 current, or previously administered licensing examination; (2) conduct that violates the
7.2 standard of test administration, such as communicating with another examinee during
7.3 administration of the examination, copying another examinee's answers, permitting another
7.4 examinee to copy one's answers, or possessing unauthorized materials; or (3) impersonating
7.5 an examinee or permitting an impersonator to take the examination on one's own behalf.

7.6 (c) For the purposes of paragraph (a), clauses (4) and (5), conviction as used in these
7.7 subdivisions includes a conviction of an offense that if committed in this state would be
7.8 deemed a felony without regard to its designation elsewhere, or a criminal proceeding where
7.9 a finding or verdict of guilt is made or returned but the adjudication of guilt is either withheld
7.10 or not entered.

7.11 (d) For the purposes of paragraph (a), clauses (4), (5), and (6), a copy of the judgment
7.12 or proceeding under seal of the administrator of the court or of the administrative agency
7.13 which entered the same shall be admissible into evidence without further authentication
7.14 and shall constitute prima facie evidence of its contents.

7.15 (e) For the purposes of paragraph (a), clause (11), unprofessional conduct means any
7.16 unethical, deceptive or deleterious conduct or practice harmful to the public, any departure
7.17 from or the failure to conform to the minimal standards of acceptable chiropractic practice,
7.18 or a willful or careless disregard for the health, welfare or safety of patients, in any of which
7.19 cases proof of actual injury need not be established. Unprofessional conduct shall include,
7.20 but not be limited to; the following acts of a chiropractor:

7.21 (1) gross ignorance of, or incompetence in, the practice of chiropractic;

7.22 (2) engaging in conduct with a patient that is sexual or may reasonably be interpreted
7.23 by the patient as sexual, or in any verbal behavior that is seductive or sexually demeaning
7.24 to a patient;

7.25 (3) performing unnecessary services;

7.26 (4) charging a patient an unconscionable fee or charging for services not rendered;

7.27 (5) directly or indirectly engaging in threatening, dishonest, or misleading fee collection
7.28 techniques;

7.29 (6) perpetrating fraud upon patients, third-party payors, or others, relating to the practice
7.30 of chiropractic, including violations of the Medicare or Medicaid laws or state medical
7.31 assistance laws;

7.32 (7) advertising that the licensee will accept for services rendered assigned payments
7.33 from any third-party payer as payment in full, if the effect is to give the impression of

8.1 eliminating the need of payment by the patient of any required deductible or co-payment
 8.2 applicable in the patient's health benefit plan. As used in this clause, "advertise" means
 8.3 solicitation by the licensee by means of handbills, posters, circulars, motion pictures, radio,
 8.4 newspapers, television, or in any other manner. In addition to the board's power to punish
 8.5 for violations of this clause, violation of this clause is also a misdemeanor;

8.6 (8) accepting for services rendered assigned payments from any third-party payer as
 8.7 payment in full, if the effect is to eliminate the need of payment by the patient of any required
 8.8 deductible or co-payment applicable in the patient's health benefit plan, except as hereinafter
 8.9 provided;

8.10 (9) violating orders and rules adopted by the governor under the authority of section
 8.11 12.21, subdivision 3, clause (1), when approved by the Executive Council and filed in the
 8.12 Office of the Secretary of State during a national emergency, peacetime emergency, or
 8.13 energy supply emergency; and

8.14 ~~(9)~~ (10) any other act that the board by rule may define.

8.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

8.16 Sec. 7. Minnesota Statutes 2020, section 148.10, subdivision 2, is amended to read:

8.17 Subd. 2. **Issuance following refusal, revocation or cancellation.** The State Board of
 8.18 Chiropractic Examiners may, at any time within two years of the refusal or revocation or
 8.19 cancellation of a license under this section, by a majority vote, issue a new license or grant
 8.20 a license to the person affected, restoring to, or conferring upon the person, all the rights
 8.21 and privileges of, and pertaining to, the practice of chiropractic, as defined and regulated
 8.22 by sections 148.01 to ~~148.10~~ 148.109. Any person to whom such have been restored shall
 8.23 pay a fee set by the board upon issuance of a new license.

8.24 Sec. 8. Minnesota Statutes 2020, section 148.103, subdivision 2, is amended to read:

8.25 Subd. 2. **Investigation.** Members of the board and persons employed by the board or
 8.26 engaged in the investigation or prosecution of violations and in the preparation and
 8.27 management of charges of violations of sections 148.01 to ~~148.105~~ 148.109 on behalf of
 8.28 the board are immune from civil liability and criminal prosecution for any actions,
 8.29 transactions, or publications in the execution of, or relating to, their duties under sections
 8.30 148.01 to ~~148.105~~ 148.109.

9.1 Sec. 9. Minnesota Statutes 2020, section 148.105, subdivision 1, is amended to read:

9.2 Subdivision 1. **Generally.** Any person who practices, or attempts to practice, chiropractic
 9.3 or who uses any of the terms or letters "Doctors of Chiropractic," "Chiropractor," "DC," or
 9.4 any other title or letters under any circumstances as to lead the public to believe that the
 9.5 person who so uses the terms is engaged in the practice of chiropractic, without having
 9.6 complied with the provisions of sections 148.01 to ~~148.104~~ 148.109, is guilty of a gross
 9.7 misdemeanor; and, upon conviction, fined not less than \$1,000 nor more than \$10,000 or
 9.8 be imprisoned in the county jail for not less than 30 days nor more than six months or
 9.9 punished by both fine and imprisonment, in the discretion of the court. It is the duty of the
 9.10 county attorney of the county in which the person practices to prosecute. Nothing in sections
 9.11 148.01 to ~~148.105~~ 148.109 shall be considered as interfering with any person:

9.12 (1) licensed by a health-related licensing board, as defined in section 214.01, subdivision
 9.13 2, including psychological practitioners with respect to the use of hypnosis;

9.14 (2) registered or licensed by the commissioner of health under section 214.13; or

9.15 (3) engaged in other methods of healing regulated by law in the state of Minnesota;

9.16 provided that the person confines activities within the scope of the license or other regulation
 9.17 and does not practice or attempt to practice chiropractic.

9.18 Sec. 10. **[148.109] ANIMAL CHIROPRACTIC PRACTICE.**

9.19 Subdivision 1. **Registration.** (a) A chiropractor licensed under section 148.06 may
 9.20 engage in the practice of animal chiropractic diagnosis and treatment if registered by the
 9.21 Board of Chiropractic Examiners in accordance with this section.

9.22 (b) An applicant for initial registration to practice animal chiropractic diagnosis and
 9.23 treatment must submit to the board:

9.24 (1) a completed application on a form provided by the board;

9.25 (2) an active chiropractic license;

9.26 (3) proof, as required by the board, that the applicant has successfully completed
 9.27 education and training in the field of animal chiropractic from an American Veterinary
 9.28 Chiropractic Association, International Veterinary Chiropractic Association, or a higher
 9.29 institution-approved course consisting of no less than 210 hours in the subjects described
 9.30 in subdivision 3;

9.31 (4) any applicable fee as specified in section 148.108; and

10.1 (5) any additional information requested by the board.

10.2 Subd. 2. Education and training requirements. The education and training criteria for
10.3 registration in animal chiropractic are as follows:

10.4 (1) anatomy;

10.5 (2) anatomy laboratory;

10.6 (3) biomechanics and gait;

10.7 (4) chiropractic educational basics;

10.8 (5) animal chiropractic diversified adjusting technique, including:

10.9 (i) lecture cervical;

10.10 (ii) thoracic;

10.11 (iii) lumbosacral;

10.12 (iv) pelvic; and

10.13 (v) extremity;

10.14 (6) animal chiropractic diversified adjusting technique, including:

10.15 (i) laboratory cervical;

10.16 (ii) thoracic;

10.17 (iii) lumbosacral;

10.18 (iv) pelvic; and

10.19 (v) extremity;

10.20 (7) case management and case studies;

10.21 (8) chiropractic philosophy;

10.22 (9) ethics and legalities;

10.23 (10) neurology, neuroanatomy, and neurological conditions;

10.24 (11) pathology;

10.25 (12) radiology;

10.26 (13) research in current chiropractic and veterinary topics;

10.27 (14) rehabilitation, current topics, evaluation, and assessment;

11.1 (15) normal foot anatomy and normal foot care;

11.2 (16) saddle fit and evaluation, lecture, and laboratory;

11.3 (17) veterinary educational basics;

11.4 (18) vertebral subluxation complex; and

11.5 (19) zoonotic diseases.

11.6 Subd. 3. **Registration renewal.** To be eligible for registration renewal, an applicant
 11.7 must submit to the board:

11.8 (1) a completed renewal application on a form provided by the board;

11.9 (2) an active chiropractic license issued by the board;

11.10 (3) verification of the completion of the continuing education requirements described
 11.11 in subdivision 4; and

11.12 (4) any applicable fees as specified in section 148.108.

11.13 Subd. 4. **Animal chiropractic continuing education.** Any chiropractor engaged in the
 11.14 practice of animal chiropractic diagnosis and treatment applying for renewal of a registration
 11.15 under subdivision 3 must have completed a minimum of six hours annually of continuing
 11.16 education in animal chiropractic diagnosis and treatment, in addition to the required 20
 11.17 hours annually of continuing education in human chiropractic required under section 148.031.
 11.18 The continuing education course attended for purposes of complying with this section must
 11.19 be approved by the board prior to attendance by the chiropractor.

11.20 Subd. 5. **Protected title.** Notwithstanding the limitations established in section 156.12,
 11.21 subdivision 4, a doctor of chiropractic properly registered to provide chiropractic care to
 11.22 animals in accordance with this section and rules of the board may use the title "animal
 11.23 chiropractor."

11.24 Subd. 6. **Practice requirements.** (a) A licensed chiropractor may engage in the practice
 11.25 of animal chiropractic if the chiropractor is registered to practice animal chiropractic by the
 11.26 board under this section and if the animal has been referred to the chiropractor by a
 11.27 veterinarian.

11.28 (b) A licensed chiropractor registered to practice animal chiropractic must:

11.29 (1) maintain complete and accurate records and patient files in the chiropractor's office
 11.30 for a minimum of three years; and

12.1 (2) make treatment notes and records available to the patient's owner upon request and
 12.2 communicate any findings and treatment plan with the referring veterinarian if requested
 12.3 by the patient's owner.

12.4 (b) A licensed chiropractor who provides animal chiropractic diagnosis and treatment
 12.5 in the same facility where human patients are also treated must:

12.6 (1) maintain a separate noncarpeted room for the purpose of adjusting animals;

12.7 (2) maintain separate tables and equipment for human and non-human patients; and

12.8 (3) post a conspicuous sign in the reception area of the facility informing customers that
 12.9 nonhuman patients are treated on the premises.

12.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.11 Sec. 11. Minnesota Statutes 2020, section 319B.02, subdivision 19, is amended to read:

12.12 Subd. 19. **Professional services.** "Professional services" means services of the type
 12.13 required or permitted to be furnished by a professional under a license, registration, or
 12.14 certificate issued by the state of Minnesota to practice medicine and surgery under sections
 12.15 147.01 to 147.22, as a physician assistant pursuant to sections 147A.01 to 147A.27,
 12.16 chiropractic under sections 148.01 to ~~148.105~~ 148.109, registered nursing under sections
 12.17 148.171 to 148.285, optometry under sections 148.52 to 148.62, psychology under sections
 12.18 148.88 to 148.98, social work under chapter 148E, marriage and family therapy under
 12.19 sections 148B.29 to 148B.39, professional counseling under sections 148B.50 to 148B.593,
 12.20 dentistry and dental hygiene under sections 150A.01 to 150A.12, pharmacy under sections
 12.21 151.01 to 151.40, podiatric medicine under sections 153.01 to 153.25, veterinary medicine
 12.22 under sections 156.001 to 156.14, architecture, engineering, surveying, landscape architecture,
 12.23 geoscience, and certified interior design under sections 326.02 to 326.15, accountancy under
 12.24 chapter 326A, or law under sections 481.01 to 481.17, or under a license or certificate issued
 12.25 by another state under similar laws. Professional services includes services of the type
 12.26 required to be furnished by a professional pursuant to a license or other authority to practice
 12.27 law under the laws of a foreign nation.

12.28 Sec. 12. **REPEALER.**

12.29 Minnesota Statutes 2020, sections 148.01, subdivisions 1a, 1b, 1c, and 1d; 148.032;
 12.30 148.033; and 148.035, are repealed.

12.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

148.01 CHIROPRACTIC.

Subd. 1a. **Animal chiropractic practice.** A licensed chiropractor may engage in the practice of animal chiropractic diagnosis and treatment if registered to do so by the board, and if the animal has been referred to the chiropractor by a veterinarian.

Subd. 1b. **Scope of practice; animal chiropractic.** Criteria for registration to engage in the practice of animal chiropractic diagnosis and treatment must be set by the board, and must include, but are not limited to: active chiropractic license; education and training in the field of animal chiropractic from an American Veterinary Chiropractic Association, International Veterinary Chiropractic Association, or higher institution-approved course consisting of no less than 210 hours, meeting continuing education requirements; and other conditions and rules set by the board. The board shall consult with the State Board of Veterinary Medicine in preparing proposed rules on animal chiropractic.

Subd. 1c. **Titles.** Notwithstanding the limitations established in section 156.12, subdivision 4, a doctor of chiropractic properly registered to provide chiropractic care to animals in accordance with this chapter and rules of the board may use the title "animal chiropractor."

Subd. 1d. **Provisional interim status.** Upon approval by the board, a licensed chiropractor who has already taken and passed the education and training requirement set forth in subdivision 1b may engage in the practice of animal chiropractic during the time that the rules are being promulgated by the board. Enforcement actions may not be taken against persons who have completed the approved program of study by the American Veterinary Chiropractic Association or the International Veterinary Chiropractic Association until the rules have been adopted by the board.

148.032 REGISTRATION IN ANIMAL CHIROPRACTIC DIAGNOSIS AND TREATMENT.

(a) The following educational criteria must be applied to any licensed chiropractor who requests registration in animal chiropractic diagnosis and treatment. The criteria must include education and training in the following subjects:

- (1) anatomy;
- (2) anatomy laboratory;
- (3) biomechanics and gait;
- (4) chiropractic educational basics;
- (5) animal chiropractic diversified adjusting technique, including:
 - (i) lecture cervical;
 - (ii) thoracic;
 - (iii) lumbosacral;
 - (iv) pelvic; and
 - (v) extremity;
- (6) animal chiropractic diversified adjusting technique, including:
 - (i) laboratory cervical;
 - (ii) thoracic;
 - (iii) lumbosacral;
 - (iv) pelvic; and
 - (v) extremity;
- (7) case management and case studies;
- (8) chiropractic philosophy;
- (9) ethics and legalities;
- (10) neurology, neuroanatomy, and neurological conditions;
- (11) pathology;

- (12) radiology;
- (13) research in current chiropractic and veterinary topics;
- (14) rehabilitation, current topics, evaluation, and assessment;
- (15) normal foot anatomy and normal foot care;
- (16) saddle fit and evaluation, lecture, and laboratory;
- (17) veterinary educational basics;
- (18) vertebral subluxation complex; and
- (19) zoonotic diseases.

(b) A licensed chiropractor requesting registration in animal chiropractic diagnosis and treatment must have completed and passed a course of study from an American Veterinary Chiropractic Association, International Veterinary Chiropractic Association, or higher institution-approved program, consisting of no less than 210 hours of education and training as set forth in paragraph (a).

(c) A licensed chiropractor engaged in the practice of animal chiropractic diagnosis and treatment must maintain complete and accurate records and patient files in the chiropractor's office for at least three years.

(d) A licensed chiropractor engaged in the practice of animal chiropractic diagnosis and treatment must make treatment notes and records available to the patient's owner upon request and must communicate their findings and treatment plan with the referring veterinarian if requested by the patient's owner.

(e) A licensed chiropractor who treats both animal and human patients in the same facility must post a conspicuous sign in the reception area of that facility informing customers that nonhuman patients are treated on the premises.

148.033 ANIMAL CHIROPRACTIC CONTINUING EDUCATION HOURS.

Any chiropractor engaged in the practice of animal chiropractic diagnosis and treatment applying for renewal of a registration related to animal chiropractic diagnosis and treatment must have completed a minimum of six hours annually of continuing education in animal chiropractic diagnosis and treatment, in addition to the required 20 hours annually of continuing education in human chiropractic under this chapter. The continuing education course attended for purposes of complying with this section must be approved by the board prior to attendance by the chiropractor.

148.035 SEPARATE TREATMENT ROOM REQUIRED.

A licensed chiropractor who provides animal chiropractic 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.