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Indicates New Matter

COMMITTEE REPORT

March 24, 2010

**H. 4508**

Introduced by Reps. Herbkersman, Lowe, Hutto, G.A. Brown and Horne

S. Printed 3/24/10--H. [SEC 3/25/10 1:45 PM]

Read the first time February 2, 2010.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 4508) to amend Section 40‑9‑10, Code of Laws of South Carolina, 1976, relating to chiropractors and chiropractic practice, so as to add a definition of, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 40‑9‑10 of the 1976 Code is amended by adding:

“(e) ‘Preceptorship or residency training program’ means a clinical program of an approved college of chiropractic in which a chiropractic intern or resident practices chiropractic under the direct supervision of a licensed chiropractor.

(f) ‘Chiropractic preceptor’ means a person licensed under this chapter who is approved by the board to supervise chiropractic students in the performance of chiropractic at a location other than the premises of a chiropractic college in which the student is enrolled. A chiropractic preceptor must:

(1) have been licensed to practice chiropractic in South Carolina for not less than five years;

(2) not have been publicly or privately sanctioned by a chiropractic licensure board in any state;

(3) sign a sworn statement that he or she has not knowingly violated state or federal rules or regulations including, but not limited to, those pertaining to the repayment of guaranteed federally funded student loans;

(4) receive written approval of the chiropractic college to serve as an adjunct faculty member for the purpose of an individual student’s preceptorship or residency training program;

(5) supervise no more than one chiropractic student at a time at a location other than the premises of the chiropractic college in which the student is enrolled.

(g) ‘Direct supervision’ means the chiropractic preceptor must be within the immediate patient treatment area and available to the student at all times.”

SECTION 2. Section 40‑9‑20 of the 1976 Code is amended to read:

“Section 40‑9‑20. No person may practice chiropractic in this State without a license issued by the South Carolina Board of Chiropractic Examiners as provided in this chapter, except ~~that senior students of any chiropractic college chartered by the State~~ students participating in a preceptorship or residency training program may perform without a license chiropractic procedures under the direct supervision of a ~~chiropractor licensed in South Carolina on the college staff~~ chiropractic preceptor. These procedures and this supervision must be practiced within the confines of the appropriate chiropractic college or office of a licensed chiropractor. However, no charges for professional service may be made to any patient or to his insurance company for any work performed on the patient by the ~~senior~~ students or by the licensed chiropractor on the college staff while supervising the ~~senior~~ students. The chiropractic college may charge the patient for the actual costs and expenses it incurs for the use of its clinical property or facilities by the patient. However, this section does not apply to any chiropractic college which has failed to attain accredited status from the Council on Chiropractic Education or its successors or from the Commission on Accreditation of the Straight Chiropractic Academic Standards Association.”

SECTION 3. Chapter 9, Title 40 of the 1976 Code is amended by adding:

“Section 40‑9‑25. A student enrolled in a preceptorship or residency training program may perform chiropractic procedures only if:

(a) the student has met all academic requirements for graduation from an accredited chiropractic college approved by the board; and

(b) the chiropractic procedures are performed only under the direct supervision of the student’s chiropractic preceptor.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The Department of Labor, Licensing and Regulations estimates this bill will have no fiscal impact on the state general fund or on federal and/or other funds.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND SECTION 40‑9‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CHIROPRACTORS AND CHIROPRACTIC PRACTICE, SO AS TO ADD A DEFINITION OF A “PRECEPTORSHIP OR RESIDENCY TRAINING PROGRAM”; AND TO AMEND SECTION 40‑9‑20, RELATING TO LICENSES REQUIRED FOR PERSONS PRACTICING CHIROPRACTIC PROCEDURES, SO AS TO EXCLUDE STUDENTS PARTICIPATING IN A PRECEPTORSHIP OR RESIDENCY TRAINING PROGRAM UNDER SPECIFIED CONDITIONS, TO PERMIT CHARGES TO BE LEVIED FOR PROFESSIONAL SERVICE FOR WORK PERFORMED UNDER THESE PROGRAMS, AND DELETE THE EXCEPTION FOR SENIOR STUDENTS AT A CHIROPRACTIC COLLEGE CHARTERED BY THE STATE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑9‑10 of the 1976 Code is amended by adding:

“(e) ‘Preceptorship or residency training program’ means a clinical program of an approved college of chiropractic in which a chiropractic intern or resident practices chiropractic under the direct supervision of a licensed chiropractor.”

SECTION 2. Section 40‑9‑20 of the 1976 Code is amended to read:

“Section 40‑9‑20. No person may practice chiropractic in this State without a license issued by the South Carolina Board of Chiropractic Examiners as provided in this chapter, except ~~that senior students of any chiropractic college chartered by the State~~ students participating in a preceptorship or residency training program may perform without a license chiropractic procedures under the supervision of a chiropractor licensed in South Carolina on the college staff. These procedures and this supervision must be practiced within the confines of the appropriate chiropractic college or office of a licensed chiropractor. However, no charges for professional service may be made to any patient or to his insurance company for any work performed on the patient by the ~~senior~~ students or by the licensed chiropractor on the college staff while supervising the ~~senior~~ students unless the student is participating in a preceptorship or residency training program. The chiropractic college may charge the patient for the actual costs and expenses it incurs for the use of its clinical property or facilities by the patient. However, this section does not apply to any chiropractic college which has failed to attain accredited status from the Council on Chiropractic Education or its successors or from the Commission on Accreditation of the Straight Chiropractic Academic Standards Association.”

SECTION 3. This act takes effect upon approval by the Governor.

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