

2018 Regular Session

SENATE BILL NO. 280

BY SENATOR CORTEZ

CHIROPRACTORS. Provides relative to the Louisiana Board of Chiropractic Examiners.
(8/1/18)

1 AN ACT

2 To amend and reenact R.S. 37:2816, relative to the Louisiana Board of Chiropractic
3 Examiners; to provide for the powers of the board relative to suspension or
4 revocation of a license; to provide relative to advertisement; to provide relative to
5 causes, hearing and reinstatement; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:2816 is hereby amended and reenacted to read as follows:

8 §2816. Suspension or revocation of license; causes; hearing; advertisement;
9 reinstatement

10 A. After notice and an opportunity for hearing, the board may suspend or
11 revoke any license or certificate, or impose probationary or any other restrictions on
12 any license or certificate, issued to any chiropractor for any of the following causes:

13 (1) Conviction of a crime; ~~however, if~~ **If** such crime is a misdemeanor,
14 suspension or revocation of licensure shall not extend beyond one year. The board
15 may require successful completion of remedial and rehabilitative measures as a
16 condition of reinstatement. Such measures may include but are not limited to
17 counseling, additional continuing education requirements, and competency

- 1 evaluation.
- 2 (2) Fraud, deceit or perjury in obtaining a diploma or certificate of licensure.
- 3 (3) Habitual drunkenness.
- 4 (4) Habitual use of morphine, opium, cocaine or other drugs having similar
5 effect.
- 6 (5) Deceiving or defrauding, or attempting to deceive or defraud the public.
- 7 (6) Obtaining or attempting to obtain payment for chiropractic services by
8 fraud, deceit or perjury.
- 9 (7) Incompetency, gross negligence, or gross misconduct in professional
10 activities.
- 11 (8) Intentional violation of federal, state or municipal laws or regulations
12 relative to contagious and infectious diseases or other public health matters.
- 13 (9) Violation of provisions of this Chapter relating to the use of x-ray
14 machines and procedures.
- 15 (10) Engaging in practice of the healing art beyond the scope of the practice
16 of chiropractic, as defined in this Chapter.
- 17 (11) Professional association with an unlicensed practitioner which in any
18 way furthers or promotes the unlicensed practice of chiropractic.
- 19 (12) Holding out to the public the ability to cure a manifestly incurable
20 disease or guaranteeing any professional service.
- 21 (13) Prescribing, dispensing or administering any medicines or drugs.
- 22 (14) Solicitation of professional patronage by misleading, deceptive, or
23 self-laudatory advertising including that which is misleading, deceptive, or
24 self-laudatory to the patient, insured, or his insurer.
- 25 (15) Using the title "Doctor," "Dr." or its equivalent, without using the term
26 "chiropractor," or its equivalent, as a suffix or in connection ~~therewith~~ with one's
27 proper name, under such circumstances as to induce the belief that the practitioner
28 is entitled to practice any portion of the healing arts other than chiropractic as
29 defined herein.

1 ~~(16) Repealed by Acts 2001, No. 375, §3.~~

2 B. The board may, as a probationary condition, or as a condition of the
3 reinstatement of any license or certificate suspended or revoked ~~hereunder~~ **pursuant**
4 **to this Section**, require the license or certificate holder to pay all costs of the board
5 proceedings, including investigators', stenographers', and attorneys' fees, and to pay
6 a fine not to exceed ten thousand dollars. Failure to pay such costs, fees, or fines may
7 result in refusal of license renewal by the board as provided in R.S. 37:2810(D).

8 C. Any license or certificate suspended, revoked, or otherwise restricted by
9 the board may be reinstated by the board.

10 D. The board's final decision in an adjudication proceeding under this
11 Section, other than by consent order, agreement, or other informal disposition, shall
12 constitute a public record, but the board shall have authority and discretion to
13 disclose such disposition to any person, firm, or corporation with a legitimate interest
14 ~~therein~~ **in the matter** or to the public ~~generally~~.

15 E. Any chiropractor whose license has been suspended or revoked may not
16 affiliate or associate with or be involved in any manner with the practice of
17 chiropractic or the business of chiropractic for the period of the suspension or
18 revocation.

19 F.(1) Nothing in this Section shall be construed to prevent the advertisement
20 by a licensed chiropractor of the availability of routine chiropractic services and the
21 fees to be charged ~~therefor~~ **for the services**.

22 (2) The Board of Chiropractic Examiners shall ~~make~~ **promulgate and**
23 **publish** rules governing advertising ~~consistent with state and federal laws~~ **in**
24 **accordance with the Administrative Procedure Act**.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Christine Arbo Peck.

SLS 18RS-508

ORIGINAL
SB NO. 280

Effective August 1, 2018.

(Amends R.S. 37:2816)