

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 18-1072.01 Jennifer Berman x3286

SENATE BILL 18-239

SENATE SPONSORSHIP

Marble,

HOUSE SPONSORSHIP

Arndt and Becker J.,

Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING A LICENSED CHIROPRACTOR'S ABILITY TO PERFORM**
102 **ANIMAL CHIROPRACTIC ON AN ANIMAL PATIENT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, a licensed chiropractor must obtain a veterinary medical clearance from a licensed veterinarian before performing an animal chiropractic act that falls within the chiropractor's scope of practice on an animal patient.

Section 2 of the bill removes the veterinary medical clearance requirement for licensed chiropractors who have successfully completed

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
April 23, 2018

9 hours of course work related to contagious, infectious, and zoonotic diseases. Section 2 also requires that continuing education requirements for renewed registration in animal chiropractic include a 2-hour course on Colorado incidence rates for contagious, infectious, and zoonotic diseases. Finally, section 2 requires a licensed chiropractor performing animal chiropractic to notify the state veterinarian and an animal patient's licensed veterinarian if the licensed chiropractor suspects that the animal patient has a disease, including if he or she suspects the animal patient has one of a list of diseases that the state veterinarian has determined to require reporting.

Section 1 adds a definition of "licensed veterinarian" to mean a veterinarian licensed under the "Colorado Veterinary Practice Act", adds a definition of "equid", and amends the definition of "animal chiropractic" to refer to performing chiropractic adjustment of dogs and equids, where current law defines it as performing chiropractic adjustment of dogs and horses.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-33-102, **amend**
3 the introductory portion and (1.3)(a); and **add** (3.1) and (3.5) as follows:

4 **12-33-102. Definitions.** As used in this article **33**, unless the
5 context otherwise requires:

6 (1.3) (a) "Animal chiropractic" means diagnosing and treating
7 animal vertebral subluxation through chiropractic adjustment of the spine
8 or extremity articulations of fully awake dogs and ~~horses~~ EQUIDS. The
9 chiropractic adjustment may be performed only with the hands or with the
10 use of a hand-held low-force mechanical adjusting device functionally
11 equivalent to the device known as an activator; all other equipment is
12 prohibited.

13 (3.1) "EQUID" MEANS A HOOFED MAMMAL OF THE FAMILY EQUIDAE
14 AND INCLUDES DONKEYS, HORSES, MULES, AND ZEBRAS.

15 (3.5) "LICENSED VETERINARIAN" HAS THE SAME MEANING AS SET
16 FORTH IN SECTION 12-64-103 (9).

1 **SECTION 2.** In Colorado Revised Statutes, 12-33-127, **amend**
2 (1)(a), (1)(c), (4) introductory portion, (4)(a)(III), (4)(b) introductory
3 portion, (4)(c), (5), and (6)(c); and **add** (4.5) and (5.5) as follows:

4 **12-33-127. Animal chiropractic - registration - qualifications**
5 **- continuing education - collaboration with veterinarian - discipline**
6 **- title restriction - rules.** (1) (a) A licensed chiropractor who is
7 registered under this section is authorized to perform animal chiropractic
8 when ~~such~~ THE chiropractic diagnosis and treatment is consistent with the
9 scope of practice for chiropractors ~~and the animal has been provided a~~
10 ~~veterinary medical clearance by a licensed veterinarian~~ AND THE LICENSED
11 CHIROPRACTOR PERFORMS ANIMAL CHIROPRACTIC IN ACCORDANCE WITH
12 ALL STATE AND LOCAL REQUIREMENTS REGARDING ANIMAL LICENSING
13 AND VACCINATIONS, INCLUDING COMPLIANCE WITH PART 6 OF ARTICLE 4
14 OF TITLE 25 AND SECTION 30-15-101. A chiropractor ~~shall~~ MUST have the
15 knowledge, skill, ability, and documented competency to perform an act
16 that is within the scope of practice for chiropractors.

17 (c) A licensed chiropractor who is not registered under this section
18 may perform animal chiropractic if ~~the animal has been provided a~~
19 ~~veterinary medical clearance by a licensed veterinarian and the animal~~
20 ~~chiropractic is performed under the direct, on-premises supervision of the~~
21 A LICENSED veterinarian. ~~who has provided the veterinary medical~~
22 ~~clearance.~~

23 (4) **Educational qualifications.** A licensed chiropractor who
24 seeks registration in animal chiropractic ~~shall~~ MUST obtain education in
25 the field of animal chiropractic from an accredited college of veterinary
26 medicine, an accredited college of chiropractic, or an educational
27 program deemed equivalent by mutual agreement of the state board of

1 chiropractic examiners and the state board of veterinary medicine. The
2 educational program ~~shall~~ MUST consist of no fewer than two hundred ten
3 hours, ~~shall~~ include both classroom instruction and clinical experience,
4 and ~~shall~~ culminate with a proficiency evaluation. The educational
5 program ~~shall~~ MUST include the following subjects:

6 (a) Chiropractic topics, including:

7 (III) Adjustment techniques for dogs and ~~horses~~ EQUIDS;

8 (b) Veterinary topics specific to ~~canine~~ DOGS and ~~equine species~~
9 EQUIDS, including:

10 (c) Recognition of ~~canine and equine~~ DOG AND EQUID zoonotic
11 and contagious diseases;

12 (4.5) **One-time education requirements.** (a) A LICENSED
13 CHIROPRACTOR WHO IS REGISTERED TO PERFORM ANIMAL CHIROPRACTIC
14 OR WHO APPLIES TO BE REGISTERED TO PERFORM ANIMAL CHIROPRACTIC
15 SHALL SUCCESSFULLY COMPLETE THE FOLLOWING ONE-TIME COURSES:

16 (I) A ONE-HOUR JURISPRUDENCE COURSE THAT INCLUDES
17 INFORMATION ABOUT STATUTES, RULES, AND PROCEDURES CONCERNING
18 NOTIFICATION REQUIREMENTS GOVERNING THE IDENTIFICATION OF
19 CONTAGIOUS, INFECTIOUS, AND ZONOTIC DISEASES; AND

20 (II) AN EIGHT-HOUR COURSE ON CONTAGIOUS, INFECTIOUS, AND
21 ZONOTIC DISEASES THAT COVERS RECOGNITION OF EARLY INDICATORS
22 AND CLINICAL SIGNS OF THE FOLLOWING DISEASES:

23 (A) IN DOG PATIENTS: RABIES VIRUS; WEST NILE VIRUS; CANINE
24 BRUCELLOSIS, ALSO KNOWN AS BRUCELLA CANIS; PLAGUE, ALSO KNOWN
25 AS YERSINIA PESTIS; AND TULAREMIA, ALSO KNOWN AS FRANCISELLA
26 TULARENSIS; AND

27 (B) IN EQUID PATIENTS: RABIES VIRUS; WEST NILE VIRUS; AND

1 EQUINE HERPESVIRUS MYELOENCEPHALOPATHY.

2 (b) FOR EACH OF THE DISEASES LISTED IN SUBSECTION (4.5)(a)(II)
3 OF THIS SECTION, THE COURSE MUST ADDRESS:

4 (I) PATHOLOGY;

5 (II) CLINICAL PRESENTATION;

6 (III) BIOSECURITY ISSUES;

7 (IV) PUBLIC HEALTH CONCERNS IN COLORADO; AND

8 (V) HERD HEALTH CONCERNS IN COLORADO.

9 (c) AFTER A LICENSED CHIROPRACTOR HAS SUCCESSFULLY
10 COMPLETED THE JURISPRUDENCE AND CONTAGIOUS, INFECTIOUS, AND
11 ZONOTIC DISEASES COURSES REQUIRED UNDER THIS SUBSECTION (4.5), HE
12 OR SHE NEED NOT TAKE THE COURSES AGAIN AS A CONDITION OF
13 REGISTRATION RENEWAL OR REINSTATEMENT.

14 (d) UNTIL A LICENSED CHIROPRACTOR SUCCESSFULLY COMPLETES
15 THE COURSES REQUIRED UNDER THIS SUBSECTION (4.5), THE LICENSED
16 CHIROPRACTOR MUST OBTAIN VETERINARY MEDICAL CLEARANCE FROM A
17 LICENSED VETERINARIAN TO PERFORM ANIMAL CHIROPRACTIC.

18 (5) **Continuing education.** (a) A licensed chiropractor who is
19 registered to perform animal chiropractic shall complete twenty hours of
20 continuing education per licensing period that is specific to the diagnosis
21 and treatment of animals. All continuing education courses ~~shall~~ MUST be
22 in the fields of study listed in ~~subsection~~ SUBSECTIONS (4) AND (4.5) of
23 this section.

24 (b) ON AND AFTER NOVEMBER 1, 2019, THE TWENTY HOURS OF
25 CONTINUING EDUCATION REQUIRED UNDER THIS SUBSECTION (5) MUST
26 INCLUDE A TWO-HOUR COURSE ON CONTAGIOUS, INFECTIOUS, AND
27 ZONOTIC DISEASES, INCLUDING CURRENT INFORMATION ABOUT THE

1 INCIDENCE RATES OF RABIES VIRUS, WEST NILE VIRUS, EQUINE
2 HERPESVIRUS MYELOENCEPHALOPATHY, CANINE BRUCELLOSIS, PLAGUE,
3 AND TULAREMIA IN COLORADO AND IN OTHER LOCATIONS THAT MIGHT
4 AFFECT A LICENSED CHIROPRACTOR'S ANIMAL PATIENTS.

5 (5.5) **Initiation of treatment notification and reporting**
6 **requirements.** (a) WITHIN SEVEN BUSINESS DAYS AFTER INITIATING
7 TREATMENT OF AN ANIMAL PATIENT, A LICENSED CHIROPRACTOR
8 REGISTERED TO PERFORM ANIMAL CHIROPRACTIC MUST NOTIFY THE
9 ANIMAL PATIENT'S VETERINARIAN OF THE INITIATION OF TREATMENT IF A
10 LICENSED VETERINARIAN IS TREATING THE ANIMAL PATIENT. IF THE
11 ANIMAL PATIENT IS NOT BEING TREATED BY A LICENSED VETERINARIAN,
12 THE LICENSED CHIROPRACTOR MAY SATISFY THIS SUBSECTION (5.5)(a) BY
13 PROVIDING THE INDIVIDUAL WHO BROUGHT IN THE ANIMAL PATIENT WITH
14 A WRITTEN SUMMARY OF THE TREATMENT PERFORMED OR ANTICIPATED TO
15 BE PERFORMED, WHICH WRITTEN SUMMARY MAY BE KEPT WITH ANY
16 HEALTH DOCUMENTS MAINTAINED FOR THE ANIMAL PATIENT.

17 (b) IF, BEFORE, DURING, OR AFTER PERFORMING ANIMAL
18 CHIROPRACTIC ON AN ANIMAL PATIENT, A LICENSED CHIROPRACTOR
19 SUSPECTS THAT THE ANIMAL PATIENT:

20 (I) HAS A REPORTABLE DISEASE, AS DEFINED IN SECTION
21 35-50-103, THE LICENSED CHIROPRACTOR SHALL IMMEDIATELY REPORT
22 THE DISEASE TO THE STATE VETERINARIAN AND, IF THE ANIMAL PATIENT
23 IS BEING TREATED BY A LICENSED VETERINARIAN, TO THE ANIMAL
24 PATIENT'S LICENSED VETERINARIAN; OR

25 (II) HAS POTENTIALLY HAD CONTACT WITH A RABIES RESERVOIR
26 SPECIES; HAS INDICATORS OF CANINE BRUCELLOSIS, PLAGUE, TULAREMIA,
27 OR OTHER INDICATORS OF A CONTAGIOUS, INFECTIOUS, OR ZONOTIC

1 DISEASE; OR EXHIBITS ATAXIA, PARALYSIS, PROPRIOCEPTIVE DEFICIT, OR
2 INCONTINENCE THAT MIGHT BE A RESULT OF A CONTAGIOUS, INFECTIOUS,
3 OR ZONOTIC DISEASE, THE LICENSED CHIROPRACTOR SHALL:

4 (A) IMMEDIATELY DECLINE OR STOP PERFORMING CHIROPRACTIC
5 ADJUSTMENT ON THE ANIMAL PATIENT;

6 (B) IMMEDIATELY NOTIFY THE STATE VETERINARIAN AND THE
7 ANIMAL PATIENT'S LICENSED VETERINARIAN OR, IF THE ANIMAL PATIENT
8 IS NOT BEING TREATED BY A LICENSED VETERINARIAN, NOTIFY ONLY THE
9 STATE VETERINARIAN, OF THE SUSPECTED CONTACT, INDICATORS, OR
10 EXHIBITED CONDITION; AND

11 (C) DELAY ANY FURTHER CHIROPRACTIC ADJUSTMENT UNTIL
12 DISEASE CAN BE RULED OUT OR THE CHIROPRACTOR, IN COLLABORATION
13 WITH THE ANIMAL PATIENT'S LICENSED VETERINARIAN OR THE STATE
14 VETERINARIAN, DETERMINES APPROPRIATE ACTIONS TO PREVENT THE
15 SPREAD OF THE CONTAGIOUS, INFECTIOUS, OR ZONOTIC DISEASE.

16 (c) ANY LICENSED CHIROPRACTOR WHO, IN GOOD FAITH AND IN
17 THE NORMAL COURSE OF BUSINESS, REPORTS HIS OR HER SUSPICION OF
18 DISEASE PURSUANT TO SUBSECTION (5.5)(b) OF THIS SECTION IS IMMUNE
19 FROM LIABILITY IN ANY CIVIL OR CRIMINAL ACTION BROUGHT AGAINST THE
20 LICENSED CHIROPRACTOR FOR REPORTING.

21 (6) **Records and professional collaboration.** (c) The
22 chiropractor shall maintain an animal patient record that includes the
23 written veterinary medical clearance, IF CLEARANCE WAS REQUIRED,
24 including the name of the LICENSED veterinarian, date, and time the
25 clearance was received. The chiropractor shall furnish a copy of the
26 medical record to the LICENSED veterinarian upon the LICENSED
27 veterinarian's request.

1 **SECTION 3. Act subject to petition - effective date -**
2 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
3 the expiration of the ninety-day period after final adjournment of the
4 general assembly (August 8, 2018, if adjournment sine die is on May 9,
5 2018); except that, if a referendum petition is filed pursuant to section 1
6 (3) of article V of the state constitution against this act or an item, section,
7 or part of this act within such period, then the act, item, section, or part
8 will not take effect unless approved by the people at the general election
9 to be held in November 2018 and, in such case, will take effect on the
10 date of the official declaration of the vote thereon by the governor.
11 (2) This act applies to conduct occurring on or after the applicable
12 effective date of this act.