

CHAPTER 845
DISCIPLINE FOR CHIROPRACTIC PHYSICIANS

[Prior to 7/24/02, see 645—Ch 44]

[Prior to 9/18/24, see Professional Licensure Division[645] Ch 45]

Chapter rescission date pursuant to Iowa Code section 17A.7: 6/19/29

481—845.1(151,272C) Grounds for discipline. The board may impose any of the disciplinary sanctions provided in rule 481—504.3(272C) when the board determines that the licensee is guilty of any of the following acts or offenses or those listed in 481—Chapter 504:

845.1(1) Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of the profession or engaging in unethical conduct or practice harmful or detrimental to the public. This includes representations utilizing the term “physical therapy” when informing the public of the services offered by the chiropractic physician unless a licensed physical therapist is performing such services. Nothing herein will be construed as prohibiting a chiropractic physician from making representations regarding physiotherapy that may be the same as, or similar to, physical therapy or physical medicine as long as treatment is appropriate as authorized in Iowa Code chapter 151. Proof of actual injury need not be established.

845.1(2) Use of untruthful or improbable statements in advertisements and marketing. Use of untruthful or improbable statements in advertisements includes but is not limited to an action by a licensee in making information or intention known to the public that is false, deceptive, misleading or promoted through fraud or misrepresentation, or representations that are likely to cause the average person to misunderstand. The term “advertisements” includes oral, written, electronic, and other types of communication disseminated by or at the direction of a licensee for the purpose of encouraging or soliciting the use of the licensee’s services.

845.1(3) Violate the provisions of direct health care agreements pursuant to Iowa Code section 135N.1.

845.1(4) Failure to maintain a patient’s record(s) for a minimum of six years after the date of last examination or treatment. Records for minors shall be maintained for one year after the patient reaches the age of majority (18) or six years after the date of last examination or treatment, whichever is longer. Proper safeguards shall be maintained to ensure the safety of records from destructive elements. This provision includes both clinical and fiscal records.

This rule is intended to implement Iowa Code chapters 147, 151, and 272C.

[ARC 7970C, IAB 5/15/24, effective 6/19/24; Editorial change: IAC Supplement 9/18/24]

[Filed 12/8/00, Notice 10/18/00—published 12/27/00, effective 1/31/01¹]

[Filed 9/27/01, Notice 6/13/01—published 10/17/01, effective 11/21/01]

[Filed 7/3/02, Notice 5/1/02—published 7/24/02, effective 8/28/02]

[Filed 3/24/04, Notice 2/4/04—published 4/14/04, effective 5/19/04]

[Filed 7/14/05, Notice 5/25/05—published 8/3/05, effective 9/7/05]

[Filed 1/27/06, Notice 11/9/05—published 2/15/06, effective 3/22/06]

[Filed 4/13/06, Notice 2/15/06—published 5/10/06, effective 6/14/06]

[Filed 1/28/08, Notice 11/7/07—published 2/27/08, effective 4/2/08]

[Filed 7/17/08, Notice 5/7/08—published 8/13/08, effective 9/17/08]^o

[Filed ARC 8625B (Notice ARC 8278B, IAB 11/18/09), IAB 3/24/10, effective 4/28/10]

[Filed ARC 9109B (Notice ARC 8782B, IAB 6/2/10), IAB 10/6/10, effective 11/10/10]

[Filed ARC 9862B (Notice ARC 9551B, IAB 6/1/11), IAB 11/16/11, effective 12/21/11]

[Filed ARC 2202C (Notice ARC 2094C, IAB 8/5/15), IAB 10/14/15, effective 11/18/15]

[Filed ARC 3956C (Notice ARC 3754C, IAB 4/25/18), IAB 8/15/18, effective 9/19/18]

[Filed ARC 5759C (Notice ARC 5448C, IAB 2/24/21), IAB 7/14/21, effective 8/18/21]

[Filed ARC 7970C (Notice ARC 7467C, IAB 1/10/24), IAB 5/15/24, effective 6/19/24]

[Editorial change: IAC Supplement 9/18/24]

◇ Two or more ARCs

¹ Effective date delayed 70 days by the Administrative Rules Review Committee at its meeting held January 29, 2001; delay lifted by the committee at its meeting held February 9, 2001, effective 2/10/01.