

FEB 26 1973

HOUSE FILE **299**

STATE GOVERNMENT *Pass 3/28*

House File 299
Junker, Chairman
Miller, K. D.
Doyle

Sen. State Govt. 6/8, Passed 2343

By DUNTON, DEN HERDER, AVENSON, BORTELL, CAFFREY, BROCKETT, CARR, BUTLER, CLARK of Dubuque, CRABB, GRIFFEE, DAGGETT, HENNESSEY, DANKER, HORN, De JONG, #2 HUSAK, ~~EDELEN~~, HUTCHINS, EGENES, JESSE, EWING, JORDAN, FISCHER of Grundy, KRAUSE, FISHER of Greene, MENNENGA, FULLERTON, MIDDLESWART, GRASSLEY, MILLER of Cerro Gordo, HARVEY, NEWHARD, LIPPOLD, NIELSEN, LOGUE, NORLAND, McELROY, NORPEL, MENDENHALL, O'HALLORAN PETERSON, RAPP, STEPHENS, RINAS, STROME WELLS, STROTHMAN, WOODS, TOFTE, WYCKOFF and WULFF
(Hansen, Palmer, Griffin, Kennedy, Potter, Scott, Miller of Marshall, Van Gilst, Tieden, Nolin, Lamborn, Blouin, Nystrom, Rodgers, Schwengels, Kinley, Priebe, Bergman and Robinson)

Passed House, Date 6-6-73 (1741) Passed Senate, Date 3-26-74 (1023)

Vote: Ayes 66 Nays 30 Vote: Ayes 37 Nays 11

Approved 5-29-74

Motion to reconsider 3/26 (1023) Passed 4/3

A BILL FOR *Passed Senate 4-3-74 (1161)*
36-11

1 **Bill** relating to the definition of the practice of chiropractic.

2 **BE IT ENACTED** BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

3 Section 1. Section one hundred fifty-one point one (151.1),
4 subsection two (2), Code 1973, is amended by striking the sub-
5 section and inserting in lieu thereof the following:

6 2. Persons who treat human ailments by the adjustment of
7 the musculoskeletal structures, primarily spinal adjustments
8 by hand, or by other procedures incidental to said adjustments
9 but not as independent therapeutic means.

10 **EXPLANATION**

11 The present law has been interpreted to mean that chiro-
12 practors shall be limited to the adjustment of the spine by
13 hand. This interpretation does not coincide with the modern
14 day practice and training in the profession.

15 Chiropractors are precluded by law from engaging in operative

1 surgery and the administering or prescribing of drugs and no
2 changes in this area of the law are provided in this bill. The
3 bill will, however, allow chiropractors to adjust other parts of
4 the body and apply procedures commensurate to chiropractic
5 training without limiting such procedures or area of adjustment
6 to the literal meaning of the words "hand" and "spine".

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H-2912

- 1 Amend the Senate amendment to House File 299 as
- 2 follows:
- 3 1. By inserting after line 52 the following:
- 4 "The effective date of this Act shall be January 1,
- 5 1975".
- 6 2. By renumbering the subsequent amendment.

H-2912 Filed
April 17, 1974

By SCHROEDER of Pottawattamie

H-2990

- 1 Amend the Senate Amendment to House File
- 2 299 by striking line three (3) and inserting in lieu
- 3 thereof the following:
- 4 1. Page one (1), line nine (9), by inserting
- 5 after the word "nutrition" the following "limited
- 6 to recommendation of reasonable changes of diet for
- 7 the maintenance of health but not for the treatment
- 8 of human ailments,".

H-2990 Filed and lost
April 24, 1974

By MONROE of Des Moines

H-2787

1 Amend the Senate amendment to House File 299,
2 line 15, by inserting after the word "examiners" the
3 words "and by the department of health".

H-2787 Filed - *Withdrawn 4/17*
April 5, 1974

By SCHROEDER of Pottawattamie

H-2797

1 Amend the Senate amendment to House File 299 by
2 striking lines 24 through 54.

H-2797 Filed - *Lost 4/17 Motion to*
April 8, 1974 *reconsider filed 4/17* By HOLDEN of Scott

H-2800

1 Amend the Senate amendment to House File 299 by
2 striking all of lines 24 through 52.

H-2800 Filed
April 8, 1974

By WEST of Marshall

H-2870

1 Amend the Senate amendment to House File 299 by
2 striking from line 13 the word "by" and inserting
3 in lieu thereof the word "in".

H-2870 Filed - *Withdrawn 4/17*
April 15, 1974

By SCHROEDER of Pottawattamie

H-2894

1 Amend the Senate amendment to House File 299 by
2 inserting in line 23 after the period the following:
3 "In no way shall the provisions of this section
4 entitle a chiropractor to practice medicine and
5 surgery, osteopathic medicine and surgery, or
6 osteopathy."

H-2894 Filed - *W.S. 4/17*
April 16, 1974

By WEST of Marshall

H-2896

1 Amend the Senate amendment to House File 299 by adding in
2 line 15 after the word "examiners" the following:
3 "and accredited by the North Central Association of
4 Colleges and Secondary Schools."

H-2896 Filed - *Lost 4/17*
April 16, 1974

By SMALL of Johnson

S-2343

1 Amend House File 299 as amended and passed by
2 the House, page 1, by striking in lines 11 and 12
3 the words "sections one hundred forty-six point
4 sixteen (146.16) and" and inserting in lieu thereof
5 the word "section".

S-2343 Filed - *Adopted 3/26*
March 6, 1974

By COMMITTEE ON STATE GOVERNMENT

S-2406

1 Amend House File 299 as amended and passed by the
2 House as follows:
3 1. Page 1, after line 14, insert the following:
4 As used in this subsection:
5 a. "Heat" means the use of water bottles, baths,
6 towels, lamps, electric pads, diathermy or controlled
7 local heat application, and ultra sound for the purpose
8 of increasing blood circulation to an area of applica-
9 tion.
10 b. "Cold" means the use of water bottles, ice
11 packs, and towels.
12 c. "Exercise" means the active physical activity
13 carried out by the patient himself or passive ex-
14 ercise resulting from muscle work or the use of a
15 vibrator.
16 d. "Nutrition" means suggested use of the seven
17 basic foods, the oral application of nonprescription
18 food supplements in diet including but not limited to
19 the use of vitamins and minerals in the diet.
20 e. "Supports" means the use of tape, cervical
21 collars, for neck support, and the use of belts
22 primarily for the low back but including the mid
23 back.
24 2. By adding after line 14 the following subsec-
25 tion:

Page 2

1 3. A chiropractor shall not use in his practice
2 the procedures, modalities, or treatments described
3 in subsection two (2) of this section unless he has
4 received training in their use in a college of
5 chiropractic offering courses of instruction
6 approved by the board of chiropractic examiners and
7 by the department of health.

S-2406 Filed - *Last 3/26*
March 12, 1974

By HILL

S-2496

1 Amend the Hill amendment S-2406 to House File
2 299 as follows:
3 Page 2, line 4, by striking the second word "in"
4 and inserting the word "by".
5 Page 2, line 5, by inserting after the word
6 "chiropractic" the words ", or state university,".

S-2496 Filed - *Adopted 3/26*
March 18, 1974

By HILL

S-2512

1 Amend the Hill Amendment S-2406 filed March 12
2 to House File 299, page 1, by striking lines 16
3 through 19 and relettering the remaining paragraph.

S-2512 Filed - *Last 3/26*
March 19, 1974

By DODERER

S-2513

1 Amend House File 299, as amended and passed by
2 the House, line 9, by striking the word
3 "nutrition,".

S-2513 Filed - *Adopted 3/26*
March 19, 1974

By DODERER, BRILES,
GALLAGHER and TIEDEN

S-2553

1 Amend the Hill amendment S-2406 filed March 12
2 to House File 299, page 2, line 7, by striking the
3 word "department" and inserting in lieu thereof
4 the words "state board".

S-2553 Filed - *Last 3/26*
March 20, 1974

By TAYLOR

S-2574

1 Amend House File 299, as amended and passed
2 by the House, page 1, by striking lines 6
3 through 8 and inserting in lieu thereof the
4 following:
5 "2. Persons who treat human ailments by
6 the adjustment by hand of the articulations
7 of the spine or by other procedures incidental
8 to said adjustments".

S-2574 Filed - *Last 3/26*
March 25, 1974

By RABEDEAUX

S-2576

1 Amend page 1 of the Hill amendment S-2406, to House
2 File 299 as amended and passed by the House, by striking all
3 of lines 5 through 23 and inserting in lieu thereof the fol-
4 lowing:
5 a. "Heat" means the use of water bottles, baths, tow-
6 els, infra-red lamps, and electric pads for the purpose of
7 increasing blood circulation to an area of application.
8 b. "Cold" means the use of water bottles, ice packs,
9 and towels.
10 c. "Exercise" means the active physical activity car-
11 ried out by the patient himself or passive exercise result-
12 ing from muscle massage by hand or the use of a hand vibra-
13 tor incidental to the adjustment.
14 d. "Supports" means the use of tape, cervical collars,
15 for neck support, and the use of belts primarily for the low
16 back but including the mid back.

S-2576 Filed - *Last 3/26*
March 25, 1974

By KELLY

S-2582

1 Amend House File 299 as amended and passed by the
2 House as follows:

3 1. Page 1, by adding the following section after
4 line 14:

5 Sec. _____. Section one hundred fifty-one point
6 seven (151.7), Code 1973, is amended to read as
7 follows:

8 151.7 PROBATION--ADVERTISING RESTRICTIONS.

9 The license of a chiropractor shall be placed on
10 probation upon a showing at a hearing conducted
11 by the board of chiropractic examiners that such
12 licensee is guilty of ~~false, fraudulent or mislead-~~
13 ~~ing advertising or that such licensee advertised~~
14 ~~in any publication or through any communication~~
15 ~~media the prices for which his services are avail-~~
16 ~~able.~~ For purposes of this section "advertising"
17 is defined as a chiropractor publicizing himself,
18 his partner, or associate as a chiropractor through
19 newspaper or magazine advertisements, radio or tele-
20 vision announcements, display advertisements in
21 city or telephone directories, or other means of
22 commercial publicity, or authorizing or permitting
23 others to do so on his behalf. "Advertising" does not
24 include a simple boldface listing in a phone direct-
25 ory, professional cards, letterheads, or professionally

Page 2

1 discreet lettering identifying premises where chiro-
2 practic is practiced. Any proceeding for the pro-
3 bation of a chiropractic license shall be con-
4 ducted by the board of chiropractic examiners in a
5 manner substantially in accord with the provisions
6 of section 148.7.

7 2. Page 1, line 1, by striking the words "the defini-
8 tion of".

S-2582 Filed and adopted
March 26, 1974

By WILLITS

S—2648

1 Amend House File 299 as amended and passed by the House,
2 page 1, by adding after line 14 the following new
3 section:

4 Sec. _____. NEW SECTION. A chiropractor
5 shall not use in his practice the procedures other-
6 wise authorized by law unless he has received
7 training in their use in a college of chiropractic
8 offering courses of instructions approved by the
9 board of chiropractic examiners and the department
10 of health.

11 Any chiropractor licensed as of the effective
12 date of this Act may use the procedures authorized
13 by law if he files with the board of chiropractic
14 examiners an affidavit within two months of the
15 effective date of this Act, that he has completed
16 the necessary training and is fully qualified in
17 these procedures and possesses that degree of pro-
18 ficiency and will exercise that care which is
19 common to physicians in this state.

S—2648 Filed, amended *by 2657 and 2658* By RABEDEAUX
and adopted
April 3, 1974

S—2657

Division S—2657A

1 Amend the Rabedeaux amendment S-2648 to House File
2 299, as follows:

3 1. Lines 9 and 10 by striking the words "and the
4 department of health".

Division S—2657B

5 2. Lines 14 and 15, by striking the words "within
6 two months of the effective date of this Act,"

S—2657 Filed

By GRIFFIN

Division S—2657A adopted

Division S—2657B adopted

April 3, 1974

S—2658

1 Amend the Rabedeaux amendment S-2648 filed
2 April 3, 1974 to House File 299, line 7, by striking
3 the second word "in" and inserting in lieu thereof
4 the word "by".

S—2658 Filed and adopted
April 3, 1974

By JUNKINS

SENATE AMENDMENT TO HOUSE FILE 299

- 1 Amend House File 299, as amended and passed by the
2 House as follows:
- 3 1. Page 1, line 9, by striking the word "nutrition,".
 - 4 2. Page 1, by striking in lines 11 and 12 the words
5 "sections one hundred forty-six point sixteen
6 (146.16) and" and inserting in lieu thereof the
7 word "section".
 - 8 3. Page 1, by adding after line 14 the following
9 new section:
10 Sec. _____. NEW SECTION. A chiropractor shall
11 not use in his practice the procedures otherwise
12 authorized by law unless he has received training
13 in their use by a college of chiropractic offering
14 courses of instructions approved by the board of
15 chiropractic examiners.
16 Any chiropractor licensed as of the effective
17 date of this Act may use the procedures authorized
18 by law if he files with the board of chiropractic
19 examiners an affidavit that he has completed
20 the necessary training and is fully qualified in
21 these procedures and possesses that degree of pro-
22 ficiency and will exercise that care which is
23 common to physicians in this state.
 - 24 4. Page 1, by adding after line 14 the following
25 new section:
26 Sec. _____. Section one hundred fifty-one point
27 seven (151.7), Code 1973, is amended to read as
28 follows:
29 151.7 PROBATION--ADVERTISING RESTRICTIONS.
30 The license of a chiropractor shall be placed on
31 probation upon a showing at a hearing conducted by
32 the board of chiropractic examiners that such
33 licensee is guilty of ~~false, fraudulent or mislead-~~
34 ~~ing advertising or that such licensee advertised in~~
35 ~~any publication or through any communication media~~
36 ~~the prices for which his services are available.~~
37 For purposes of this section "advertising" is defined
38 as a chiropractor publicizing himself, his partner,
39 or associate as a chiropractor through newspaper
40 or magazine advertisements, radio or television
41 announcements, display advertisements in city or
42 telephone directories, or other means of commercial
43 publicity, or authorizing or permitting others to do
44 so on his behalf. "Advertising" does not include
45 a simple boldface listing in a phone directory,
46 professional cards, letterheads, or professionally
47 discreet lettering identifying premises where
48 chiropractic is practiced. Any proceeding for the
49 probation of a chiropractic license shall be con-
50 ducted by the board of chiropractic examiners in a
51 manner substantially in accord with the provisions
52 of section 148.7.
 - 53 5. Page 1, line 1, by striking the words "the
54 definition of".

H-483

1 Amend House File 299, page 1, line 8, by
2 inserting after the word "adjustments" the following:
3 "limited to heat, cold, nutrition, exercise and
4 supports, the principles of which chiropractors are
5 subject to examination under the provisions of
6 sections one hundred forty-six point sixteen (146.16)
7 and one hundred fifty-one point three (151.3) of the
8 Code".

H-483 Filed - *Adopted 6/6*
May 10, 1973

By BORTELL of Madison
HARVEY of Scott
MIDDLESWART of Warren

H-695

1 Amend House File 299, page 1, by striking lines 6
2 through 9 and inserting in lieu thereof the following:
3 "2. Persons who treat human ailments by the
4 adjustment by hand of the articulations of the spine
5 or by other incidental adjustment or by any of the
6 following procedures incidental to such adjustments
7 but not as independent therapeutic means: non-
8 mechanical or nonelectrical heat or cold, supports
9 other than casts, the recommendation of reasonable
10 exercises, or the recommendation of reasonable changes
11 of diet for the maintenance of health but not for the
12 treatment of human ailments."

H-695 Filed - *w. d. 6/6*
June 5, 1973

By CLARK of Lee
OAKLEY of Clinton
HARPER of Davis
SMALL of Johnson
FERGUSON of Carroll

H-701

1 Amend the Bortell, Harvey and Middleswart amend-
2 ment H-483 to House File 299 by striking all of lines
3 1 through 8 and inserting in lieu thereof the follow-
4 ing:
5 "Amend House File 299, page 1, by striking lines 6
6 through 9 and inserting in lieu thereof the following:
7 2. Persons who treat human ailments by the adjust-
8 ment by hand of the articulations of the spine or by
9 other incidental adjustment or by any of the following
10 procedures incidental to such adjustments but not as
11 independent therapeutic means: non-mechanical or non-
12 electrical heat or cold, supports other than casts,
13 the recommendation of reasonable exercises, or the
14 recommendation of reasonable changes of diet for the
15 maintenance of health but not for the treatment of
16 human ailments."

H-701 Filed - *Lost 6/6*
June 6, 1973

By CLARK of Lee
OAKLEY of Clinton
SMALL of Johnson
FERGUSON of Carroll