

IN THE SENATE

SENATE BILL NO. 1231

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO CHIROPRACTIC PRACTICE; AMENDING SECTION 54-704, IDAHO CODE,
2 TO REVISE RESTRICTIONS RELATING TO PRESCRIBING, DISPENSING, INDE-
3 PENDENTLY ADMINISTERING, DISTRIBUTING, DIRECTING OR SUGGESTING TO
4 PATIENTS CERTAIN DRUGS, SUBSTANCES OR PRODUCTS AND TO MAKE TECHNICAL
5 CORRECTIONS.
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 54-704, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 54-704. CHIROPRACTIC PRACTICE. Chiropractic practice and procedures
11 which may be employed by physicians are as follows:

12 (1) The system of specific adjustment or manipulation of the articu-
13 lations and tissues of the body; the investigation, examination and clini-
14 cal diagnosis of conditions of the human body and the treatment of the human
15 body by the application of manipulative, manual, mechanical, physiothera-
16 peutic or clinical nutritional methods and may include the use of diagnostic
17 X-rays.

18 (a) "Adjustment" means the application of a precisely controlled
19 force applied by hand or by mechanical device to a specific focal point
20 on the anatomy for the express purpose of creating a desired angular
21 movement in skeletal joint structures in order to eliminate or de-
22 crease interference with neural transmission and correct or attempt to
23 correct subluxation complex; "chiropractic adjustment" utilizes, as
24 appropriate, short lever force, high velocity force, short amplitude
25 force, or specific line-of-correction force to achieve the desired
26 angular movement, as well as low force neuromuscular, neurovascular,
27 neuro-cranial, or neuro-lymphatic reflex technique procedures.

28 (b) "Manipulation" means an application of a resistive movement by ap-
29 plying a nonspecific force without the use of a thrust, that is directed
30 into a region and not into a focal point of the anatomy for the general
31 purpose of restoring movement and reducing fixation.

32 (c) "Massage therapy," also called massology, means the systematic
33 manual or mechanical mobilization of the soft tissue of the body by such
34 movements as rubbing, kneading, pressing, rolling, slapping and tap-
35 ping, for the purpose of promoting circulation of the blood and lymph,
36 relaxation of muscles, release from pain, restoration of metabolic bal-
37 ance, and the other benefits both physical and mental.

38 (2) Nothing herein contained shall allow any physician to:

39 (a) Perform surgical operations or practice obstetrics;

40 (b) Prescribe, dispense, independently administer, distribute,
41 direct or suggest to the a patient that such patient shall use a drug,
42 substance which or product that, under federal law is required, prior

1 to being dispensed or delivered, to be labeled with ~~either~~ any of the
2 following statements: (i) "Caution: Federal Law Prohibits Dispensing
3 Without Prescription"; ~~or~~ (ii) "Rx only"; (iii) "Caution: Federal Law
4 Restricts This Drug To Use By or On The Order Of A Licensed Veterinar-
5 ian"; or ~~(iiii)~~ is a drug, substance or product which is required by any
6 applicable federal or state law or regulation to be dispensed on pre-
7 scription drug order only or is restricted to use by practitioners only.

8 (3) Chiropractic practice, as herein defined, is hereby declared not
9 to be the practice of medicine within the meaning of the laws of the state
10 of Idaho defining the same, and physicians licensed pursuant to this chapter
11 shall not be subject to the provisions of chapter 18, title 54, Idaho Code,
12 nor liable to any prosecution thereunder, when acting within the scope of
13 practice as defined in this chapter.