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SENATE BILL 18-239

BY SENATOR(S) Marble, Coram, Kerr, Martinez Humenik, Tate, Todd;
also REPRESENTATIVE(S) Arndt and Becker J., Reyher.

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

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

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

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

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

(3.1) "EQUID" MEANS A HOOFED MAMMAL OF THE FAMILY EQUIDAE

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

AND INCLUDES DONKEYS, HORSES, MULES, AND ZEBRAS.

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

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

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

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

(4) **Educational qualifications.** A licensed chiropractor who seeks registration in animal chiropractic ~~shall~~ MUST obtain education in the field of animal chiropractic from an accredited college of veterinary medicine, an accredited college of chiropractic, or an educational program deemed equivalent by mutual agreement of the state board of chiropractic examiners and the state board of veterinary medicine. The educational program ~~shall~~ MUST consist of no fewer than two hundred ten hours, ~~shall~~ include both classroom instruction and clinical experience, and ~~shall~~ culminate with a proficiency evaluation. The educational program ~~shall~~ MUST include the following subjects:

(a) Chiropractic topics, including:

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

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

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

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

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

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

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

(B) IN EQUID PATIENTS: RABIES VIRUS; WEST NILE VIRUS; AND EQUINE HERPESVIRUS MYELOENCEPHALOPATHY.

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

(I) PATHOLOGY;

(II) CLINICAL PRESENTATION;

(III) BIOSECURITY ISSUES;

(IV) PUBLIC HEALTH CONCERNS IN COLORADO; AND

(V) HERD HEALTH CONCERNS IN COLORADO.

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

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

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

(b) ON AND AFTER NOVEMBER 1, 2019, THE TWENTY HOURS OF CONTINUING EDUCATION REQUIRED UNDER THIS SUBSECTION (5) MUST INCLUDE A TWO-HOUR COURSE ON CONTAGIOUS, INFECTIOUS, AND ZONOTIC DISEASES, INCLUDING CURRENT INFORMATION ABOUT THE INCIDENCE RATES OF RABIES VIRUS, WEST NILE VIRUS, EQUINE HERPESVIRUS MYELOENCEPHALOPATHY, CANINE BRUCELLOSIS, PLAGUE, AND TULAREMIA IN COLORADO AND IN OTHER LOCATIONS THAT MIGHT AFFECT A LICENSED CHIROPRACTOR'S ANIMAL PATIENTS.

(5.5) **Initiation of treatment notification and reporting requirements.** (a) WITHIN SEVEN BUSINESS DAYS AFTER INITIATING TREATMENT OF AN ANIMAL PATIENT, A LICENSED CHIROPRACTOR REGISTERED TO PERFORM ANIMAL CHIROPRACTIC MUST NOTIFY THE ANIMAL PATIENT'S VETERINARIAN OF THE INITIATION OF TREATMENT IF A LICENSED VETERINARIAN IS TREATING THE ANIMAL PATIENT. IF THE ANIMAL PATIENT IS NOT BEING TREATED BY A LICENSED VETERINARIAN, THE LICENSED CHIROPRACTOR MAY SATISFY THIS SUBSECTION (5.5)(a) BY PROVIDING THE INDIVIDUAL WHO BROUGHT IN THE ANIMAL PATIENT WITH A WRITTEN

SUMMARY OF THE TREATMENT PERFORMED OR ANTICIPATED TO BE PERFORMED, WHICH WRITTEN SUMMARY MAY BE KEPT WITH ANY HEALTH DOCUMENTS MAINTAINED FOR THE ANIMAL PATIENT.

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

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

(II) HAS POTENTIALLY HAD CONTACT WITH A RABIES RESERVOIR SPECIES; HAS INDICATORS OF CANINE BRUCELLOSIS, PLAGUE, TULAREMIA, OR OTHER INDICATORS OF A CONTAGIOUS, INFECTIOUS, OR ZOO NOTIC DISEASE; OR EXHIBITS ATAXIA, PARALYSIS, PROPRIOCEPTIVE DEFICIT, OR INCONTINENCE THAT MIGHT BE A RESULT OF A CONTAGIOUS, INFECTIOUS, OR ZOO NOTIC DISEASE, THE LICENSED CHIROPRACTOR SHALL:

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

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

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

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

LICENSED CHIROPRACTOR FOR REPORTING.

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

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

(2) This act applies to conduct occurring on or after the applicable effective date of this act.

Kevin J. Grantham
PRESIDENT OF
THE SENATE

Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO