

# SENATE BILL 52

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(PRE-FILED)

51r0925  
CF 51r1560

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By: **Senator Augustine**

Requested: September 24, 2024

Introduced and read first time: January 8, 2025

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – State Board of Chiropractic Examiners – Revisions**

3 FOR the purpose of altering certain provisions of law governing the State Board of  
4 Chiropractic Examiners and the practice of chiropractic in the State related to Board  
5 membership, licensure of chiropractors, the discipline of chiropractors, and the  
6 denial of licenses to applicants; authorizing the Board to inspect chiropractor offices  
7 under certain circumstances; requiring the Board to require a licensee or applicant  
8 to submit to an examination by a health care provider under certain circumstances;  
9 and generally relating to the Maryland Chiropractic Act.

10 BY repealing and reenacting, with amendments,

11 Article – Health Occupations

12 Section 3–101, 3–202(a) and (b), 3–205, 3–301(d), 3–302(c) and (d), 3–303(a),  
13 3–304(c), 3–305.1, 3–311, 3–313(29) and (30), and 3–314(a)

14 Annotated Code of Maryland

15 (2021 Replacement Volume and 2024 Supplement)

16 BY repealing

17 Article – Health Occupations

18 Section 3–302(e), 3–304(d) and (e), and 3–402

19 Annotated Code of Maryland

20 (2021 Replacement Volume and 2024 Supplement)

21 BY adding to

22 Article – Health Occupations

23 Section 3–304(d) through (g), 3–313(31) through (33), and 3–318

24 Annotated Code of Maryland

25 (2021 Replacement Volume and 2024 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
2 That the Laws of Maryland read as follows:

3 **Article – Health Occupations**

4 3–101.

5 (a) In this title the following words have the meanings indicated.

6 (b) “Board” means the State Board of Chiropractic Examiners.

7 (c) “Chiropractor” means an individual who practices chiropractic.

8 (d) “Direct supervision” means supervision provided by a supervising  
9 chiropractor who is personally present or immediately available where the procedures are  
10 performed to give aid, direction, and instruction when certain procedures or activities are  
11 performed.

12 [(e) “Extern license” means a license to practice chiropractic under the direct  
13 supervision of a Board–approved licensed chiropractor.]

14 [(f) (E) “License” means, unless the context requires otherwise, a license  
15 granted by the Board:

16 (1) To practice chiropractic; or

17 (2) To practice chiropractic with the right to practice physical therapy.

18 [(g) (F) “Licensed chiropractor” means, unless the context requires otherwise,  
19 a chiropractor who is licensed by the Board to practice chiropractic or to practice  
20 chiropractic with the right to practice physical therapy.

21 [(h) (G) (1) “Practice chiropractic” means to use a drugless system of health  
22 care based on the principle that interference with the transmission of nerve impulses may  
23 cause disease.

24 (2) “Practice chiropractic” includes the diagnosing and locating of  
25 misaligned or displaced vertebrae and, through the manual manipulation and adjustment  
26 of the spine and other skeletal structures, treating disorders of the human body.

27 (3) Except as otherwise provided in this title, “practice chiropractic” does  
28 not include the use of drugs or surgery, or the practice of osteopathy, obstetrics, or any  
29 other branch of medicine.

30 (4) The definition of “practice chiropractic” does not prohibit a chiropractor  
31 from selecting diet and hygiene measures for an individual.

1            [(i)] (H)        “Practice physical therapy” has the meaning stated in § 13–101 of this  
2 article.

3            (I)        **“PRECEPTORSHIP” MEANS AN ORGANIZED SYSTEM OF CLINICAL**  
4 **EXPERIENCE THAT ALLOWS A STUDENT ENROLLED IN A CHIROPRACTIC PROGRAM**  
5 **OF STUDY TO BE PAIRED WITH A CLINICAL PRECEPTOR FOR THE PURPOSE OF**  
6 **ATTAINING SPECIFIC LEARNING OBJECTIVES.**

7 3–202.

8            (a)        (1)        The Board consists of 7 members.

9                        (2)        Of the 7 members:

10                                (i)        5 shall be licensed chiropractors; and

11                                (ii)       2 shall be consumer members.

12                        (3)        (i)        The Governor shall appoint the chiropractor members, with the  
13 advice of the Secretary, and with the advice and consent of the Senate, from [a]:

14                                        1.        A list of qualified individuals submitted to the Governor  
15 by the Maryland Chiropractic Association; OR

16                                        2.        **THE INDIVIDUALS WHO PROVIDE A STATEMENT OF**  
17 **NOMINATION SIGNED BY AT LEAST 15 CHIROPRACTORS LICENSED IN THE STATE.**

18                                (ii)        The number of names on the list **SUBMITTED UNDER**  
19 **SUBPARAGRAPH (I)1 OF THIS PARAGRAPH** shall be [five] **THREE** times the number of  
20 vacancies.

21                                (iii)       The list **SUBMITTED UNDER SUBPARAGRAPH (I)1 OF THIS**  
22 **PARAGRAPH** shall include the name of the incumbent member unless the incumbent  
23 declines renomination.

24                        (4)        The Governor shall appoint the consumer members with the advice of  
25 the Secretary, and with the advice and consent of the Senate.

26            (b)        Each chiropractor member of the Board shall be:

27                        (1)        A resident of this State;

28                        (2)        A licensed chiropractor of integrity and ability who is in active practice;

29 **AND**

30                        (3)        [A graduate of a resident course in chiropractic; and

1           (4)] An individual who has practiced chiropractic in this State for at least 5  
2 consecutive years.

3 3–205.

4           (a) In addition to the powers set forth elsewhere in this title, the Board may:

5               (1) Adopt rules and regulations to carry out the provisions of this title;

6               (2) Summon witnesses, administer oaths, take affidavits, and take  
7 testimony about matters that relate to the duties of the Board; [and]

8               (3) In accordance with the State budget, authorize payment of fees and  
9 travel expenses of witnesses who testify in any proceeding before the Board; AND

10           **(4) EXCEPT FOR AN OFFICE OF A CHIROPRACTOR IN A HOSPITAL,**  
11 **RELATED INSTITUTION, FREESTANDING MEDICAL FACILITY, OR FREESTANDING**  
12 **BIRTHING CENTER, CONDUCT AN UNANNOUNCED INSPECTION OF THE OFFICE OF A**  
13 **CHIROPRACTOR AGAINST WHOM A COMPLAINT HAS BEEN FILED WITH THE BOARD**  
14 **REGARDING A VIOLATION OF THE CENTERS FOR DISEASE CONTROL AND**  
15 **PREVENTION’S GUIDELINES ON STANDARD PRECAUTIONS TO DETERMINE**  
16 **COMPLIANCE WITH THE GUIDELINES AT THAT OFFICE.**

17           (b) In addition to the duties set forth elsewhere in this title, the Board shall:

18               (1) Adopt an official seal;

19               (2) File reports of its activities as required by the Secretary;

20               (3) Assist in prosecutions under this title; [and]

21               (4) Investigate an alleged violation of this title; AND

22               **(5) ADOPT REGULATIONS GOVERNING PRECEPTORSHIPS.**

23 3–301.

24           (d) This section does not apply to:

25               (1) A student of chiropractic **ENGAGED IN A PRECEPTORSHIP** while  
26 under the direct supervision of a **BOARD-APPROVED** licensed chiropractor engaged in an  
27 educational program[:

1 (i) Sponsored] **SPONSORED** by a [college] **PROGRAM** accredited by  
 2 the Council on Chiropractic Education, **AN EQUIVALENT ENTITY RECOGNIZED BY THE**  
 3 **U.S. DEPARTMENT OF EDUCATION THAT ACCREDITS PROGRAMS OFFERING**  
 4 **INSTRUCTION IN CHIROPRACTIC, OR AN EQUIVALENT FOREIGN AGENCY THAT**  
 5 **ACCREDITS PROGRAMS OFFERING INSTRUCTION IN CHIROPRACTIC;** [and

6 (ii) Approved by the Board;] or

7 (2) An individual licensed to practice chiropractic in any other state or a  
 8 foreign country while that individual makes a clinical demonstration before:

9 (i) A chiropractic association;

10 (ii) A chiropractic convention; or

11 (iii) A chiropractic [college] **PROGRAM**.

12 3–302.

13 (c) Except as otherwise provided in this title, the applicant [shall] **MUST**:

14 (1) [(i) Hold a bachelor's degree from a college or university approved by  
 15 an accrediting agency of the United States Department of Education; and

16 (ii) Have completed satisfactorily college courses required by the  
 17 Board; and

18 (2) (i)] Be a graduate of a [school of] chiropractic **PROGRAM OF STUDY**  
 19 that [has been approved by the Board under § 3–402 of this title] **WAS, AT THE TIME OF**  
 20 **THE APPLICANT'S GRADUATION, ACCREDITED BY THE COUNCIL ON CHIROPRACTIC**  
 21 **EDUCATION, AN EQUIVALENT ENTITY RECOGNIZED BY THE U.S. DEPARTMENT OF**  
 22 **EDUCATION THAT ACCREDITS PROGRAMS OFFERING INSTRUCTION IN**  
 23 **CHIROPRACTIC, OR AN EQUIVALENT FOREIGN AGENCY THAT ACCREDITS PROGRAMS**  
 24 **OFFERING INSTRUCTION IN CHIROPRACTIC;** or

25 [(ii) 1.] **(2) (I)** Be licensed in another state for at least 2  
 26 years; and

27 [2.] **(II)** Be a graduate of a [school of] chiropractic  
 28 **PROGRAM OF STUDY:**

29 [A.] 1. That has been [approved] **ACCREDITED** by the  
 30 Council on Chiropractic Education, **AN EQUIVALENT ENTITY RECOGNIZED BY THE U.S.**  
 31 **DEPARTMENT OF EDUCATION THAT ACCREDITS PROGRAMS OFFERING**  
 32 **INSTRUCTION IN CHIROPRACTIC, OR AN EQUIVALENT FOREIGN AGENCY THAT**

1 **ACCREDITS PROGRAMS OFFERING INSTRUCTION IN CHIROPRACTIC** within 4 years  
2 after the applicant graduated from that [school] **CHIROPRACTIC PROGRAM OF STUDY**;  
3 and

4 **[B.] 2.** That the Board determines had standards  
5 comparable to an [approved school] **ACCREDITED CHIROPRACTIC PROGRAM OF STUDY**  
6 at the time the applicant graduated.

7 (d) An applicant shall be entitled to a license to practice chiropractic with the  
8 right to practice physical therapy if the applicant[:

9 (1) Satisfies] **SATISFIES** the requirements [of this section and §§ 3–303  
10 and 3–304(e)(2) of this subtitle;

11 (2) Was licensed as a chiropractor on or before June 1, 1949; or

12 (3) Was enrolled at an approved college of chiropractic on June 1, 1949, and  
13 later was graduated by that college and licensed] **TO PRACTICE CHIROPRACTIC AND ANY**  
14 **ADDITIONAL REQUIREMENTS ESTABLISHED BY THE BOARD IN REGULATIONS.**

15 [(e) An applicant may not be required under subsection (c)(1)(i) of this section to  
16 hold a bachelor's degree if the applicant:

17 (1) Graduated from a school of chiropractic before July 1, 1999; and

18 (2) Meets the educational requirements in place at the time of the  
19 applicant's graduation from a school of chiropractic.]

20 3–303.

21 (a) To apply for a license, an applicant shall submit to the Board at least 45 days  
22 before an examination:

23 (1) An application on the form the Board requires that includes  
24 information of the applicant's:

25 (i) Educational history;

26 (ii) Experience in health care;

27 (iii) [Hours and courses] **COURSES** taken during chiropractic  
28 studies;

29 (iv) Training or studies in related fields; and

30 (v) **[Clinical] PRECEPTORSHIP** experience;

1 (2) Certified transcripts that demonstrate compliance with the [college  
2 credit] requirements of § 3–302 of this subtitle;

3 (3) Proof of any degrees or certification alleged;

4 (4) Satisfactory evidence of good moral character;

5 (5) An application fee set by the Board; and

6 (6) Satisfactory evidence of having completed a State and national criminal  
7 history records check in accordance with § 3–302.1 of this subtitle.

8 3–304.

9 (c) The Board shall[:

10 (1) Notify] **NOTIFY** each qualified applicant of the time and place of  
11 examination]; and

12 (2) Publish in a newspaper of general circulation the time and place of each  
13 examination, at least 30 days before the examination].

14 [(d) (1) The Board shall develop written evaluation criteria to be used to  
15 identify minimum competency on the oral or clinical portions of the examination.

16 (2) Except as otherwise provided in this section, the Board shall determine  
17 the subjects, scope, method, and form for examinations given under this title.

18 (3) Until the grading of all examinations is completed:

19 (i) The examination papers of each applicant shall be identified only  
20 by a number; and

21 (ii) The name of the applicant to whom an examination paper  
22 belongs may not be disclosed to any member of the Board.

23 (4) The examination shall include a written practical or oral section on  
24 clinical subjects, including:

25 (i) Chiropractic principles;

26 (ii) Chiropractic technique and practice;

27 (iii) Hygiene;

- 1 (iv) Neurology;
- 2 (v) Orthopedics;
- 3 (vi) Physical diagnosis;
- 4 (vii) Roentgenology;
- 5 (viii) Symptomatology; and
- 6 (ix) Physical therapy, as defined in § 13–101 of this article.

7 (e) (1) Except as otherwise provided in this title, an applicant qualifies for a  
8 license to practice chiropractic only if the applicant answers correctly at least:

9 (i) 60 percent of the questions in each subsection of the examination  
10 other than the subsection on physical therapy; and

11 (ii) 75 percent of all of the questions on the examination other than  
12 those on physical therapy.

13 (2) Except as otherwise provided in this title, an applicant qualifies for a  
14 license to practice chiropractic with the right to practice physical therapy only if the  
15 applicant answers correctly at least:

16 (i) 60 percent of the questions in each subsection of the examination;  
17 and

18 (ii) 75 percent of all of the questions on the examination.]

19 **(D) (1) THE BOARD–ADMINISTERED EXAMINATION SHALL INCLUDE:**

20 **(I) THE GENERAL LAWS AND REGULATIONS OF THE STATE ON**  
21 **THE PRACTICE OF CHIROPRACTIC; AND**

22 **(II) THE LAWS AND REGULATIONS ON INFECTION CONTROL.**

23 **(2) AN APPLICANT QUALIFIES FOR A LICENSE TO PRACTICE**  
24 **CHIROPRACTIC ONLY IF THE APPLICANT ANSWERS CORRECTLY AT LEAST 75% OF**  
25 **ALL THE QUESTIONS ON THE BOARD–ADMINISTERED EXAMINATION.**

26 **(E) (1) AN APPLICANT SHALL PAY TO THE BOARD AN EXAMINATION FEE**  
27 **SET BY THE BOARD.**

28 **(2) THE PAYMENT OF ONE EXAMINATION FEE ENTITLES AN**  
29 **APPLICANT TO TAKE THE BOARD–ADMINISTERED EXAMINATION TWICE.**



1           **(F) IF AN APPLICANT FAILS THE BOARD-ADMINISTERED EXAMINATION**  
2 **TWICE, THE APPLICANT MAY RETAKE THE EXAMINATION IF THE APPLICANT PAYS**  
3 **THE APPROPRIATE FEE.**

4           **(G) IN ADDITION TO THE WRITTEN EXAMINATION ADMINISTERED BY THE**  
5 **BOARD, AN APPLICANT SHALL TAKE AND PASS ALL APPLICABLE SECTIONS OF THE**  
6 **NATIONAL EXAMINATION ADMINISTERED BY:**

7                 **(1) THE NATIONAL BOARD OF CHIROPRACTIC EXAMINERS OR ITS**  
8 **SUCCESSOR ENTITY; OR**

9                 **(2) AN EQUIVALENT FOREIGN CHIROPRACTIC TESTING ENTITY**  
10 **APPROVED BY THE BOARD.**

11 3-305.1.

12           (a) The Board may grant[, as appropriate, an extern] **A TEMPORARY** license to  
13 an individual who meets the requirements of this section.

14           (b) To qualify for [an extern] **A TEMPORARY** license, an applicant [shall be an  
15 individual seeking to participate in a chiropractic externship who] **SHALL:**

16                 (1) [Submits] **SUBMIT** an application provided by the Board;

17                 (2) [Has] **HAVE** graduated from an accredited chiropractic [college]  
18 **PROGRAM OF STUDY;**

19                 (3) [Has] **HAVE** begun the process of applying to the Board for a license to  
20 practice chiropractic, but [who has] not met [certain] requirements[, specified in  
21 regulation,] to qualify for a license;

22                 (4) **(I) [Has taken and passed the examination of the National Board of**  
23 **Chiropractic Examiners;] HAVE BEEN LICENSED IN ANOTHER STATE FOR AT LEAST 2**  
24 **YEARS PRECEDING THE APPLICATION IN THE STATE; OR**

25                 **(II) HAVE GRADUATED FROM AN ACCREDITED CHIROPRACTIC**  
26 **PROGRAM OF STUDY WITHIN 6 MONTHS PRECEDING THE APPLICATION IN THE**  
27 **STATE;**

28                 (5) **HAVE SUBMITTED WRITTEN, VERIFIED EVIDENCE THAT THE**  
29 **APPLICANT HAS SUBMITTED A CRIMINAL HISTORY RECORDS CHECK IN**  
30 **ACCORDANCE WITH § 3-302.1 OF THIS SUBTITLE;**

1           **(6)** [Agrees] **AGREE** to practice under the direct supervision of a  
2 Board–approved supervisor who is a licensed chiropractor while the [extern] **TEMPORARY**  
3 license is in effect; and

4           **[(6)] (7)** [Pays] **PAY** the **TEMPORARY** license fee set by the Board.

5           (c) The applicant shall be of good moral character.

6           **[(d) (1)]** The term of an extern license is the lesser of:

7                   (i) The duration of the individual’s participation in the chiropractic  
8 externship; or

9                   (ii) 6 months from the date of the Board’s approval of the externship  
10 application.

11           **(2)** The term of an extern license shall terminate on the earlier of:

12                   (i) The date the individual’s chiropractic externship terminates; or

13                   (ii) The date the individual is licensed by the Board to practice  
14 chiropractic without the direct supervision of a Board–approved licensed chiropractor.]

15           **(D) (1) UNLESS THE BOARD SUSPENDS OR REVOKES A TEMPORARY**  
16 **LICENSE, EACH TEMPORARY LICENSE EXPIRES 6 MONTHS AFTER THE DATE OF**  
17 **ISSUE.**

18           **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A**  
19 **TEMPORARY LICENSE MAY BE EXTENDED EVERY 90 DAYS.**

20                   **(II) THE TOTAL LENGTH OF RENEWAL MAY NOT EXCEED 12**  
21 **MONTHS FROM THE DATE THE ORIGINAL TEMPORARY LICENSE WAS ISSUED.**

22 3–311.

23           (a) The Board shall place a licensee on inactive status, if the licensee submits to  
24 the Board:

25                   (1) An application for inactive status on the form required by the Board;  
26 and

27                   (2) The inactive status fee set by the Board.

28           (b) A licensee on inactive status may reactivate the license [at any time] if the  
29 licensee:

1 (1) Complies with the continuing education **AND CARDIOPULMONARY**  
2 **RESUSCITATION (CPR)** requirements in effect for the renewal period in which the  
3 licensee seeks to reactivate the license; and

4 (2) Pays the [reinstatement] **REACTIVATION** fee set by the Board.

5 3–313.

6 Subject to the hearing provisions of § 3–315 of this subtitle, the Board may deny a  
7 license to any applicant, reprimand any licensee, place any licensee on probation, with or  
8 without conditions, or suspend or revoke a license, or any combination thereof, if the  
9 applicant or licensee:

10 (29) Fails to submit to a criminal history records check in accordance with §  
11 3–302.1 of this subtitle; [or]

12 (30) Fails to comply with any Board order;

13 **(31) DOES AN ACT THAT IS INCONSISTENT WITH GENERALLY**  
14 **ACCEPTED PROFESSIONAL STANDARDS IN THE PRACTICE OF CHIROPRACTIC;**

15 **(32) FAILS TO COOPERATE WITH A LAWFUL INVESTIGATION**  
16 **CONDUCTED BY THE BOARD; OR**

17 **(33) EXCEPT IN AN EMERGENCY LIFE–THREATENING SITUATION**  
18 **WHERE IT IS NOT FEASIBLE OR PRACTICABLE, FAILS TO COMPLY WITH THE CENTERS**  
19 **FOR DISEASE CONTROL AND PREVENTION’S GUIDELINES ON STANDARD**  
20 **PRECAUTIONS.**

21 3–314.

22 (a) If after a hearing under § 3–315 of this subtitle the Board finds that there are  
23 grounds under § 3–313 of this subtitle to **REPRIMAND ANY LICENSEE, PLACE ANY**  
24 **LICENSEE ON PROBATION, OR** suspend or revoke a license, the Board may impose a  
25 penalty not exceeding \$5,000 for each violation:

26 (1) Instead of **REPRIMANDING THE LICENSEE, PLACING THE LICENSEE**  
27 **ON PROBATION, OR** suspending **OR REVOKING** the license; or

28 (2) In addition to **REPRIMANDING THE LICENSEE, PLACING THE**  
29 **LICENSEE ON PROBATION, OR** suspending or revoking the license.

30 **3–318.**

1           **(A) IF THE BOARD, WHILE REVIEWING AN APPLICATION FOR LICENSURE OR**  
2 **INVESTIGATING AN ALLEGATION BROUGHT AGAINST A LICENSEE UNDER THIS TITLE,**  
3 **HAS REASON TO BELIEVE AND OBJECTIVE EVIDENCE THAT THE APPLICANT OR**  
4 **LICENSEE MAY CAUSE HARM TO INDIVIDUALS AFFECTED BY THE APPLICANT'S OR**  
5 **LICENSEE'S PRACTICE OF CHIROPRACTIC, THE BOARD SHALL REQUIRE THE**  
6 **APPLICANT OR LICENSEE TO SUBMIT TO AN APPROPRIATE EXAMINATION BY A**  
7 **HEALTH CARE PROVIDER DESIGNATED BY THE BOARD.**

8           **(B) IN RETURN FOR THE PRIVILEGE TO PRACTICE CHIROPRACTIC IN THE**  
9 **STATE, THE APPLICANT OR LICENSEE IS DEEMED TO HAVE:**

10           **(1) CONSENTED TO SUBMIT TO AN EXAMINATION UNDER THIS**  
11 **SECTION, IF REQUESTED BY THE BOARD IN WRITING; AND**

12           **(2) WAIVED ANY CLAIM OF PRIVILEGE AS TO THE TESTIMONY OR**  
13 **EXAMINATION REPORTS OF THE EXAMINING HEALTH CARE PROFESSIONAL.**

14           **(C) THE FAILURE OR REFUSAL OF THE APPLICANT OR LICENSEE TO SUBMIT**  
15 **TO AN EXAMINATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION IS PRIMA**  
16 **FACIE EVIDENCE OF THE APPLICANT'S OR LICENSEE'S INABILITY TO PRACTICE**  
17 **CHIROPRACTIC COMPETENTLY UNLESS THE BOARD FINDS THAT THE FAILURE OR**  
18 **REFUSAL WAS BEYOND THE CONTROL OF THE LICENSEE.**

19           **(D) THE BOARD SHALL PAY THE COST OF ANY EXAMINATION MADE UNDER**  
20 **THIS SECTION.**

21 [3-402.

22           (a) The Board shall approve those schools of chiropractic that provide a  
23 curriculum, teaching standards, and facilities that the Board determines are adequate to  
24 prepare a license applicant to practice chiropractic under this title.

25           (b) To be approved under this section, a school shall offer a program that:

26           (1) Is 4 academic years that total at least 4,000 60-minute hours of  
27 resident study; and

28           (2) Leads to a degree of Doctor of Chiropractic.

29           (c) The Board may inspect any school of chiropractic to determine whether it  
30 meets the standards required by this section.

31           (d) The Board may approve a school in another state on the recommendation of:

32           (1) The chiropractic licensing authority of that state; or

1                   (2)    The Council on Chiropractic Education.]

2                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
3   1, 2025.