

**Chapter 246-808 WAC**  
**CHIROPRACTIC QUALITY ASSURANCE COMMISSION**

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**WAC**

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246-808-120 Chiropractic examination scores. [Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-120, § 246-808-120, filed 8/6/96, effective 9/6/96.] Repealed by WSR 00-17-180, filed 8/23/00, effective 9/23/00. Statutory Authority: RCW 18.25.0171 and 18.25.030.

246-808-155 Prior approval not required. [Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-808-155, filed 2/13/98, effective 3/16/98. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-155, filed 8/6/96, effective 9/6/96.] Repealed by WSR 17-07-096, filed 3/20/17, effective 4/20/17. Statutory Authority: RCW 18.25.0171, 18.130.050, 18.25.070, and 43.70.442.

246-808-160 License renewal—Affidavit of compliance with continuing education requirements. [Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-160, filed 8/6/96, effective 9/6/96.] Repealed by WSR 98-05-060, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.70.280.

246-808-165 Exemptions. [Statutory Authority: RCW 18.25.0171 and RCW 18.25.070. WSR 06-03-057, § 246-808-165, filed 1/11/06, effective 2/11/06. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-808-165, filed 2/13/98, effective 3/16/98. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-165, filed 8/6/96, effective 9/6/96.] Repealed by WSR 17-07-096, filed 3/20/17, effective 4/20/17. Statutory Authority: RCW 18.25.0171, 18.130.050, 18.25.070, and 43.70.442.

246-808-170 Licensees residing and practicing out-of-state—Continuing education requirements. [Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-170, filed 8/6/96, effective 9/6/96.] Repealed by WSR 06-03-057, filed 1/11/06, effective 2/11/06. Statutory Authority: RCW 18.25.0171 and 18.25.070.

246-808-185 License renewal form. [Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-185, filed 8/6/96, effective 9/6/96.] Repealed by WSR 98-05-060, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.70.280.

246-808-215 Registration of chiropractic X-ray technicians. [Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-808-215, filed 2/13/98, effective 3/16/98. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-215, filed 8/6/96, effective 9/6/96.] Repealed by WSR 24-03-095, filed 1/18/24, effective 7/1/24. Statutory Authority: RCW 18.25.180 and 43.70.613.

246-808-370 Patient disclosure. [Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-370, filed 8/6/96, effective 9/6/96.] Repealed by WSR 19-13-081, filed 6/17/19, effective 7/18/19. Statutory Authority: RCW 18.25.0171 and 18.130.050.

246-808-380 Degree of skill. [Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-380, filed 8/6/96, effective 9/6/96.] Repealed by WSR 19-13-081, filed 6/17/19, effective 7/18/19. Statutory Authority: RCW 18.25.0171 and 18.130.050.

246-808-410 Disparaging other practitioners. [Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-410, filed 8/6/96, effective 9/6/96.] Repealed by WSR 97-20-163, filed 10/1/97, effective 11/1/97. Statutory Authority: Chapter 18.25 RCW.

246-808-525 Health food store ownership. [Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-525, filed 8/6/96, effective 9/6/96.] Repealed by WSR 97-20-163, filed 10/1/97, effective 11/1/97. Statutory Authority: Chapter 18.25 RCW.

246-808-530 Vitamins, minerals and food supplements. [Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-530, filed 8/6/96, effective 9/6/96.] Repealed by WSR 97-20-163, filed 10/1/97, effective 11/1/97. Statutory Authority: Chapter 18.25 RCW.

246-808-640 Scope of practice—Revocation or suspension of license authorized for practice outside scope. [Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-640, filed 8/6/96, effective 9/6/96.] Repealed by WSR 09-04-041, filed 1/30/09, effective 3/2/09. Statutory Authority: RCW 18.25.0171.

246-808-700 Cooperation with investigation. [Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-700, filed 8/6/96, effective 9/6/96.] Repealed by WSR 15-15-044, filed 7/8/15, effective 8/8/15. Statutory Authority: RCW 18.25.0171, 18.130.050, and 18.130.230.

246-808-710 Professional standards review organizations. [Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-710, filed 8/6/96, effective 9/6/96.] Repealed by WSR 97-20-163, filed 10/1/97, effective 11/1/97. Statutory Authority: Chapter 18.25 RCW.

#### CHIROPRACTORS

**WAC 246-808-001 Purpose.** The purpose of these rules is to further clarify and define chapter 18.25 RCW, Chiropractic.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-001, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-010 Definitions.** The following terms are so defined for the purposes of this chapter:

**"Acquired immunodeficiency syndrome"** or **"AIDS"** means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

**"Approval"** and **"accreditation"** are used interchangeably with reference to sanctioning of courses.

**"College"** means an institution whose curriculum provides education leading to the acquiring of a professional degree in chiropractic.

**"Commission"** means the chiropractic quality assurance commission, whose address is:

Department of Health  
Health Profession Quality Assurance Division  
Chiropractic Quality Assurance Commission  
1112 SE Quince Street, P.O. Box 47867  
Olympia, WA 98504-7867

**"Office on AIDS"** means that section within the department of health with jurisdiction over public health matters as defined in chapter 70.24 RCW.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-010, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-015 Adjudicative proceedings—Procedural rules for the commission.** The commission adopts the model procedural rules for adjudicative proceedings as adopted by the department of health and contained in chapter 246-11 WAC, including subsequent amendments.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-015, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-020 Accreditation and approval of chiropractic colleges—Policy.** (1) In determining a chiropractic college's eligibility for accreditation and approval in the state of Washington, the commission may utilize recognized national or international chiropractic accrediting bodies that meet the criteria in WAC 246-808-040 (3)(d), (e), and (f), unless the chiropractic college applies directly to the commission for accreditation and approval under RCW 18.25.025, and meets all criteria of WAC 246-808-040.

(2) The commission shall accredit and approve chiropractic colleges primarily contingent upon a course of study that incorporates educationally sound practices and complies with the chiropractic educational requirements for the state of Washington as defined in WAC 246-808-040.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 19-13-080, § 246-808-020, filed 6/17/19, effective 7/18/19. Statutory Authority:

**WAC 246-808-030 Accreditation of chiropractic colleges—Procedure.** In determining a chiropractic college's eligibility for accreditation and approval in the state of Washington, the chiropractic college must be accredited by a commission-recognized national or international accrediting body whose standards meet the criteria of WAC 246-808-040 (3)(d), (e), and (f), or receive accreditation and approval from the commission in accordance with RCW 18.25.025 and WAC 246-808-040.

(1) Application and determination.

(a) To apply for accreditation and approval by the commission, a chiropractic college shall send a written request to the commission requesting an application form. The applicant shall complete the application form and submit it to the commission, along with any accompanying documents, and recent photographs of the chiropractic college or the buildings in which the chiropractic college is located.

(b) Within one hundred twenty days after the receipt of the completed application, the commission shall consider the application, determine whether or not the chiropractic college fulfills the requirements in WAC 246-808-040, and notify the applicant of the commission's determination. If the commission determines that the chiropractic college cannot be accredited and approved, the notice shall include the reasons for denial. The commission may withhold making a determination for a reasonable period of time for any justifiable cause upon giving notice to the applicant.

(2) Additional information. The commission may request additional information from the applicant including answers to specific inquiries. The commission may grant or deny the accreditation and approval contingent upon the applicants' response to such inquiries.

(3) Inspection. The commission, at its discretion, may make a physical inspection of the applicant's chiropractic college a condition for accreditation and approval.

(4) Duration. An accredited and approved chiropractic college shall continue to be accredited and approved for as long as it fulfills the requirements of this chapter.

(a) A chiropractic college shall report to the commission any changes to its accreditation status, financial solvency, ownership status, administration, or curriculum.

(b) A chiropractic college shall also report any changes to its faculty, facilities, or equipment that may affect the chiropractic college's qualifications for commission accreditation and approval.

(5) Enforcement. The commission may place an accredited and approved chiropractic college on probation when the commission receives evidence that the chiropractic college is not meeting criteria for continued commission accreditation and approval. The commission will provide the chiropractic college with a written statement of deficiencies describing the specific areas of noncompliance. The commission and the chiropractic college may agree on a mutually acceptable timetable and procedures for correction of the deficiencies or the commission may set the timetable. Should the chiropractic college not make the required corrections, or should further deficiencies develop during the probation, the commission may revoke the approval of the chiropractic college. The commission need not place a chiropractic col-

lege on probation before pursuing suspension or revocation of the approval.

(6) Appeal. A chiropractic college whose approval is suspended or revoked may request an adjudicative proceeding under chapter 246-11 WAC to contest the decision. A request for an adjudicative proceeding must be filed with the commission within thirty calendar days of service of the commission's notice of decision.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 19-13-080, § 246-808-030, filed 6/17/19, effective 7/18/19. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-030, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-040 Chiropractic colleges—Educational standards required for accreditation and approval.** (1) A chiropractic college seeking to obtain or maintain commission accreditation and approval shall have clearly defined education objectives.

(2) Administration and organization. The chiropractic college shall:

(a) Be incorporated as a nonprofit institution and recognized as such by its state of domicile;

(b) Have a full-time administrator;

(c) Have either a president or a dean of education with a doctor of chiropractic degree; and

(d) Adopt policies on nondiscrimination as to national origin, race, religion, or sexual orientation.

(3) The chiropractic college shall provide educational offerings that:

(a) Prepare the student for successfully completing the licensing examination and engaging in practice;

(b) Have an educational program with a minimum of four thousand classroom hours provided over a four year academic term;

(c) Have available syllabi for all courses;

(d) Offer a chiropractic curriculum as follows:

(i) Principles of chiropractic - Two hundred classroom hours;

(ii) Adjustive technique - Four hundred classroom hours;

(iii) Spinal roentgenology - One hundred seventy-five classroom hours;

(iv) Symptomatology and diagnosis - Four hundred twenty-five classroom hours; and

(v) Clinic - Six hundred twenty-five classroom hours.

(e) The computation of hours required in subsection (3)(d) of this section do not include mechanotherapy, physiotherapy, acupuncture, acupressure, or any other therapy; and

(f) Maintain a clinical program sufficient to fulfill the objectives of the chiropractic college.

(4) Faculty - The chiropractic college shall provide sufficient faculty to support the educational program of the chiropractic college.

(5) Students - The chiropractic college shall:

(a) Select students on a nondiscriminatory basis;

(b) Require that students maintain a 2.00 grade point average and have no chiropractic subject grade less than 2.00; and

(c) Require the student to complete a four-year academic program that meets all requirements of chapter 18.25 RCW and this chapter for licensing to practice chiropractic in Washington state.

(6) Physical facilities and equipment - The chiropractic college shall:

(a) Maintain a library of size and quality sufficient to serve the educational program;

(b) Maintain a physical plant that facilitates the educational program; and

(c) Maintain clinic facilities that are of sufficient size and equipped appropriately to serve the number of students enrolled.

(7) Financial - The chiropractic college shall:

(a) Have adequate present and anticipated income to sustain a sound educational program;

(b) Have well formulated plans for financing existing and projected education programs;

(c) Have an annual audit of financial records by a certified public accountant; and

(d) Make records available for review by the commission upon request.

(8) Self-evaluation - The chiropractic college shall have a program of continuing self-evaluation and such evaluation must be made available upon request by the commission.

(9) A chiropractic college must have successfully graduated a class prior to making application for commission accreditation and approval.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 19-13-080, § 246-808-040, filed 6/17/19, effective 7/18/19. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-040, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-050 Early remediation program—Purpose.** The purpose of the early remediation program is to address minor practice deficiencies that have not resulted in patient harm. The early remediation program may include education, training, and monitoring to improve the quality of care and reduce the risk of patient harm.

WAC 246-808-060 and 246-808-070 establish the early remediation program and its eligibility criteria and procedures.

The commission intends to use the early remediation program only in cases in which there is no evidence of patient harm as a direct result of the licensee's practice-related deficiencies. The commission may resolve allegations of practice deficiencies through early remediation during an investigation.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 19-13-080, § 246-808-050, filed 6/17/19, effective 7/18/19.]

**WAC 246-808-060 Early remediation program—Definitions.** The definitions in this section apply to WAC 246-808-050 through 246-808-070, unless the context clearly requires otherwise.

(1) "Complaint" means a documented report of a possible violation of the Uniform Disciplinary Act, for which the commission shall assess and may subsequently authorize an investigation.

(2) "Licensee" means a chiropractor or chiropractic X-ray technician who holds an active license under chapter 18.25 RCW.

(3) "Remediation plan" means a documented agreement between the licensee named in the complaint(s) and the commission listing remedial steps to be taken by the licensee to resolve the identified practice deficiencies. Remediation plans may include education, training, and monitoring of the licensee.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 19-13-080, § 246-808-060, filed 6/17/19, effective 7/18/19.]

**WAC 246-808-070 Early remediation program—Criteria.** (1) The commission shall use the following criteria to determine eligibility for early remediation:

(a) Practice limitations are not needed to ensure patient protection;

(b) The identified practice deficiencies may be corrected by education, training, monitoring, or any combination of these;

(c) The respondent is willing and able to participate in the early remediation program; and

(d) The practice deficiency did not result in patient harm.

(2) The commission may offer a remediation plan to resolve a complaint in cases of the following practice deficiencies:

(a) Documentation of care;

(b) Radiographic standards;

(c) Billing and coding;

(d) Advertising or marketing;

(e) Continuing education; or

(f) Other minor practice concerns as determined by the commission.

(3) The commission may offer a remediation plan to resolve eligible complaints. Nothing in this section requires the commission to offer a remediation plan. A licensee who accepts a remediation plan waives any right to a hearing to modify a remediation plan or challenge the commission's decision regarding successful completion of a remediation plan.

(4) The commission shall use the following process to implement the early remediation program:

(a) After a preliminary investigation identifies the practice deficiencies, the commission shall apply criteria in subsections (1) and (2) of this section to determine eligibility for the early remediation program;

(b) If all of the criteria are met, and if the commission determines the licensee is eligible for participation in the early remediation program, the commission shall propose a remediation plan to the licensee;

(c) The commission shall evaluate whether the practice deficiencies have been corrected and are unlikely to recur;

(d) The commission may decide to conduct a full investigation and consider disciplinary action if additional facts become known or circumstances change such that the licensee is no longer eligible based on the criteria in subsections (1) and (2) of this section; and

(e) If the licensee complies with the agreed remediation plan, the commission may consider the licensee's completion of the remediation plan as grounds to close the matter without further action.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 19-13-080, § 246-808-070, filed 6/17/19, effective 7/18/19.]

## **LICENSURE—APPLICATION AND ELIGIBILITY REQUIREMENTS**

**WAC 246-808-101 Purpose.** The purpose of WAC 246-808-101 through 246-808-190 is to establish guidelines on eligibility, and set forth the procedures for application to receive a license to practice chiropractic. By statute, the eligibility and application criterion are established in RCW 18.25.020 through 18.25.070.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-101, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-105 Chiropractic licensure—Initial eligibility and application requirements.** To be eligible for Washington state chiropractic licensure, the applicant shall complete an application provided by the commission, and shall include written documentation to meet the eligibility criteria for licensure.

(1) Eligibility. An applicant shall provide proof that applicant:

(a) Graduated from an accredited chiropractic college approved by the commission and show satisfactory evidence of completion of a resident course of study of at least four thousand classroom hours of instruction.

(b) Successfully completed National Board of Chiropractic Examiners test parts I, II, III and IV.

(c) Completed at least one-half the requirements for a baccalaureate degree at an accredited and approved college or university if the applicant matriculated after January 1, 1975. Applicants who matriculated prior to January 1, 1975, must show proof of high school graduation or its equivalent.

(2) Application procedure. Each applicant shall submit:

(a) A completed official application including one recent photo.

(b) The application fee. (Refer to WAC 246-808-990 for fee schedule.)

(c) Official transcripts from prechiropractic schools showing successful completion of at least two years of liberal arts and sciences study.

(d) An official transcript and diploma certified by the registrar, from an approved chiropractic college.

(e) An official certificate of proficiency sent directly to the commission from the National Board of Chiropractic Examiners, parts I, II, III and IV.

(f) Verification of licensure status from all states where applicant has been issued a license to practice chiropractic. Verification is required whether license is active or inactive.

(g) Evidence of completion of four clock hours of AIDS education as required in chapter 246-12 WAC, Part 8.

[Statutory Authority: RCW 18.25.0171 and 18.25.030. WSR 00-17-180, § 246-808-105, filed 8/23/00, effective 9/23/00. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-808-105, filed 2/13/98, effective



3/16/98. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-105, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-115 Examinations.** (1) In order to be eligible to take the commission administered examination, all applicants shall satisfactorily pass the National Board of Chiropractic Examiners test parts I, II, III and IV which covers the subjects set forth in RCW 18.25.030.

(2) All applicants shall pass the open book written jurisprudence examination.

(3) The minimum passing score on the open book written jurisprudence examination is 95 percent.

[Statutory Authority: RCW 18.25.0171 and 18.25.030. WSR 00-17-180, § 246-808-115, filed 8/23/00, effective 9/23/00. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-115, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-130 Temporary permits—Issuance and duration.** (1) An applicant may request a temporary practice permit by submitting to the commission:

(a) A completed application on forms provided by the department with the request for a temporary practice permit indicated;

(b) An application fee and a temporary practice permit fee as specified in WAC 246-808-990; and

(c) Written verification directly from all states in which the applicant has a license, attesting that the applicant has a license in good standing and is not subject to charges or disciplinary action for unprofessional conduct or impairment.

(2) The commission shall issue a one-time-only temporary practice permit unless the commission determines a basis for denial of the license or issuance of a conditional license.

(3) The temporary permit shall expire immediately upon:

(a) The issuance of a license by the commission;

(b) Initiation of an investigation of the applicant by the commission;

(c) Failure to pass the examinations given by the commission; or

(d) Three months, whichever occurs first.

An applicant who has failed the examination must apply for and take the next examination for which they are eligible.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-130, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-133 Background check—Temporary practice permit.** The chiropractic quality assurance commission (CQAC) conducts background checks on applicants to assure safe patient care. Completion of a national criminal background check may require additional time. The CQAC may issue a temporary practice permit when the applicant has met all other licensure requirements, except the national criminal background check requirement. The applicant must not be subject to denial of a license or issuance of a conditional license under this chapter.

(1) A temporary practice permit may be issued to an applicant who:

(a) Holds an unrestricted, active chiropractic license in another state that has substantially equivalent licensing standards to those in Washington state;

(b) Is not subject to denial of a license or issuance of a conditional or restricted license; and

(c) Does not have a criminal record in Washington.

(2) A temporary practice permit grants the individual the full chiropractic scope of practice.

(3) A temporary practice permit will not be renewed, reissued, or extended. A temporary practice permit expires when any one of the following occurs:

(a) The license is granted;

(b) A notice of decision on application is mailed to the applicant, unless the notice of decision on application specifically extends the duration of the temporary practice permit; or

(c) One hundred eighty days after the temporary practice permit is issued.

(4) To receive a temporary practice permit, the applicant must:

(a) Submit the necessary application, fee(s), and documentation for the license.

(b) Meet all requirements and qualifications for the license, except the results from a fingerprint-based national background check, if required.

(c) Provide verification of having an active unrestricted chiropractic license from another state that has substantially equivalent licensing standards to those in Washington state.

(d) Submit the fingerprint card and a written request for a temporary practice permit when the department notifies the applicant the national background check is required.

[Statutory Authority: RCW 18.25.0171, 18.130.064, 18.130.075. WSR 11-07-002, § 246-808-133, filed 3/2/11, effective 4/2/11.]

**WAC 246-808-135 Licensure by endorsement.** RCW 18.25.040 authorizes the commission to grant licensure for endorsement to individuals to practice chiropractic under the laws of any other state, territory of the United States, the District of Columbia, Puerto Rico, or province of Canada, if the commission determines an applicant has qualifications that are substantially equivalent to the requirements in this section.

An applicant may apply for licensure by endorsement by submitting to the commission:

(1) A completed application on forms provided by the department;

(2) A fee as specified in WAC 246-808-990; and

(3) Evidence, satisfactory to the commission that the applicant, at the time of application under this section:

(a) Is licensed to practice chiropractic in another jurisdiction including, but not limited to, another state, a territory of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province in Canada;

(b) Has credentials and qualifications that are substantially equivalent to Washington state's requirements for licensure by examination;

(c) Has been engaged in the full-time practice of chiropractic, or has taught general clinical chiropractic subjects at an accredited school of chiropractic;

(d) Has not been convicted of a crime, if the crime would be grounds for the denial, suspension, or revocation of a license to practice chiropractic in the state of Washington;

(e) Has a license to practice chiropractic that is not suspended, revoked, or otherwise conditioned or restricted, in any jurisdiction, which would be grounds for the denial, suspension or revocation of a license to practice chiropractic in the state of Washington; and

(f) Of passing an open book written jurisprudence examination with a minimum passing score of ninety-five percent.

[Statutory Authority: RCW 18.25.0171 and 18.25.040. WSR 05-20-105, § 246-808-135, filed 10/5/05, effective 11/5/05. Statutory Authority: RCW 18.25.0171 and 18.25.030. WSR 00-17-180, § 246-808-135, filed 8/23/00, effective 9/23/00. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-135, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-140 Thirty-day permit.** A chiropractor practicing under authority of RCW 18.25.190(1) shall register with the commission by:

(1) Notifying the commission of the nature and dates of their practice in the state of Washington;

(2) Submitting a copy of their current, valid license in the other jurisdiction in which they are licensed; and

(3) Submitting a declaration, on forms provided by the commission, attesting to the possession of a current, valid license and not having had a license to practice chiropractic suspended, revoked, or conditioned in any jurisdiction in the preceding five years. No fee shall be charged to register under this section.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-140, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-150 Commission approved continuing education.** (1) A chiropractor must demonstrate completion of 25 hours of continuing education each annual renewal cycle as required by RCW 18.25.070 and WAC 246-12-170 through 246-12-240. The required continuing education must be obtained during the period between renewals.

(2) A chiropractor must attest to completion of the continuing education requirement upon renewal. If the first renewal period is less than one full year from the date of licensure, no continuing education will be due for the first renewal period.

(3) A chiropractor in active status who resides and practices outside Washington must meet all the requirements.

(4) A chiropractor is not required to obtain prior approval of any continuing education.

(5) The commission approves the following subject material within the scope of practice for continuing chiropractic education credit:

(a) Diagnosis and treatment of the spine or extremity articulations within the scope of practice;

(b) X-ray/diagnostic imaging;

(c) Adjustive technique;

(d) Detection of a subluxation;

- (e) Physical examination;
- (f) Hygiene;
- (g) Symptomatology;
- (h) Neurology;
- (i) Pathology;
- (j) Orthopedics;
- (k) Patient/case management, documentation, coding;
- (l) Impairment within the scope of practice;
- (m) CPR (not to exceed a total of four hours);
- (n) Dietary and nutrition advice;
- (o) Chiropractic philosophy; and
- (p) Governmental regulations relevant to chiropractic and public health (not to exceed a total of 12 hours).

(6) Suicide screening and referral.

(a) As part of the continuing education requirements, a chiropractor must obtain a one-time, three-hour training in suicide screening and referral from a qualified suicide prevention training program. The training must be completed during the first full reporting period after initial licensure.

(b) A qualified training program is empirically supported training in suicide screening and referral that is at least three hours in length and may be provided in one or more sessions.

(c) The hours spent completing a training program in suicide screening and referral under this section count toward meeting any applicable continuing education requirements.

(d) In order to meet the suicide screening and referral training requirements, a chiropractor must obtain the three-hour training in suicide screening and referral from a qualified suicide prevention training program identified on the department of health's model list as required under RCW 43.70.442.

(e) Nothing in this subsection is intended to expand or limit the chiropractic scope of practice.

(7) Health equity requirements.

(a) Beginning January 1, 2024, as part of the continuing education requirements, a chiropractor must complete a minimum of two hours of training in health equity every four years in accordance with WAC 246-12-800 through 246-12-830.

(b) Hours spent completing health equity continuing education under this section count toward meeting the continuing education requirement(s) for chiropractors for renewal.

(8) Subject matter not approved for continuing education credit:

(a) Subject matter not directly relating to the chiropractic clinical scope of practice; and

(b) Conduct prohibited by Washington state statutes or rules governing chiropractic practice.

(9) A chiropractor may earn a maximum of 12 hours for:

(a) Completing a multimedia chiropractic education program, which includes, but is not limited to, the internet, teleseminars, employer led training, live remote webinars, and audio or video presentations.

(b) Serving as teachers or lecturers in continuing education programs approved under subsection (5) of this section. A chiropractor may receive credit on the same basis as those attending the program.

(10) The commission may randomly audit license holders for compliance. A chiropractor must provide acceptable documentation of attendance upon commission request or audit. Acceptable forms of documentation include:

(a) Transcripts;

- (b) Written documentation from the course instructors;
- (c) Certificate of completion indicating the name of the course, date(s) of the course, and the number of credit hours completed; or
- (d) Other formal documentation which includes:
  - (i) Participant's name;
  - (ii) Course title;
  - (iii) Course content;
  - (iv) Date(s) of course;
  - (v) Number of credit hours completed;
  - (vi) Instructor's name(s); and
  - (vii) Signature of the program sponsor or course instructor. Multimedia courses are exempt from the signature requirement.

(11) A sponsor offering a continuing chiropractic education program does not need prior commission approval for a formal continuing education program. The number of creditable hours may be determined by counting the contact hours of instruction. A credit hour for time actually spent in a course cannot be less than 50 minutes as required in WAC 246-12-220.

(12) The commission may grant exemptions or time extensions on an individual basis if a licensee fails to meet continuing education requirements due to illness, retirement, or other extenuating circumstances.

[Statutory Authority: RCW 18.130.040 and 43.70.613. WSR 23-20-114, § 246-808-150, filed 10/3/23, effective 11/3/23. Statutory Authority: RCW 18.25.0171, 18.130.050, 18.25.070, and 43.70.442. WSR 17-07-096, § 246-808-150, filed 3/20/17, effective 4/20/17. Statutory Authority: RCW 18.25.0171, 18.25.070, and 2014 c 71. WSR 15-07-005, § 246-808-150, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 18.25.0171 and 18.25.070. WSR 06-03-057, § 246-808-150, filed 1/11/06, effective 2/11/06. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-808-150, filed 2/13/98, effective 3/16/98. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-150, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-180 Expired licenses—Requirements for reactivating a chiropractic license.** If a chiropractor's license is expired, to return to active status the chiropractor must meet the requirements of WAC 246-12-040 and comply with the following:

(1) If the license has expired for less than one year, the chiropractor must submit to the department a written attestation of completing at least twenty-five hours of continuing education in any of the categories under WAC 246-808-150.

(2) If the chiropractor does not have an active license to practice chiropractic under the laws of any other state, territory of the United States, the District of Columbia, Puerto Rico, or province of Canada and:

(a) If the license has expired for one year or more but less than three years, the chiropractor must:

(i) Complete at least fifty hours of continuing education in any of the categories listed under WAC 246-808-150 and submit to the department the appropriate documentation of course completion for approval; and

(ii) Pass the jurisprudence examination as specified in WAC 246-808-115.

(b) If the license has been expired for three years or more, the chiropractor must:

(i) Complete at least fifty hours of continuing education in any of the categories listed under WAC 246-808-150 and submit to the department the appropriate documentation of course completion for approval;

(ii) Pass the jurisprudence examination as specified in WAC 246-808-115; and

(iii) Pass the National Board of Chiropractic Examiners Special Purposes Examination of Chiropractic and submit to the department the appropriate documentation verifying a passing score.

(3) If the license has expired for one year or more, and the chiropractor has an active license to practice chiropractic under the laws of any other state, territory of the United States, the District of Columbia, Puerto Rico, or province of Canada, the chiropractor must:

(a) Meet the requirements of WAC 246-808-135 for licensure by endorsement; or

(b) Meet the requirements of subsection (2)(a) or (b) of this section depending on the length of time the license has been expired.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 13-07-030, § 246-808-180, filed 3/13/13, effective 4/13/13. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-808-180, filed 2/13/98, effective 3/16/98. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-180, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-181 Inactive credential.** (1) A chiropractor may obtain an inactive credential. Refer to the requirements of chapter 246-12 WAC, Part 4.

(2) To return to active status the practitioner must:

(a) Take and pass the jurisprudence examination given by the department; and

(b) Meet the requirements of chapter 246-12 WAC, Part 4.

[Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-808-181, filed 2/13/98, effective 3/16/98.]

**WAC 246-808-190 Preceptor or direct supervisory doctor.** A preceptor is a doctor of chiropractic who is approved by the commission to provide direct supervision to, clinical postgraduate trainee, or regular senior student, as set forth in RCW 18.25.190. The commission maintains a list of approved preceptors.

(1) An approved preceptor shall:

(a) Provide direct supervision and control;

(b) Be on the premises any time the clinical postgraduate trainee, or regular senior student, treats patients in accordance with WAC 246-808-535; and

(c) Meet with the patient prior to commencement of chiropractic care, and inform the patient in writing of the unlicensed status of the person from whom care is being received.

(2) To apply for commission approval to function as a preceptor, a doctor of chiropractic shall submit to the commission:

- (a) Proof of licensure as a Washington chiropractic doctor for the preceding five years, during which time the license has not been suspended, revoked, or otherwise conditioned or restricted;
- (b) A completed official application;
- (c) Verification of approval to participate in the program by an approved chiropractic college;
- (d) Evidence of malpractice insurance for the clinical postgraduate trainee, the preceptor applicant, the regular senior student; and
- (e) A fee as specified in WAC 246-808-990.

[Statutory Authority: RCW 18.25.0171 and 18.25.190. WSR 06-02-088, § 246-808-190, filed 1/4/06, effective 2/4/06. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-190, filed 8/6/96, effective 9/6/96.]

### **REGISTRATION OF CHIROPRACTIC X-RAY TECHNICIANS**

**WAC 246-808-201 Purpose.** The purpose of WAC 246-808-201 through 246-808-211 is to establish eligibility criteria for registration of chiropractic X-ray technicians as allowed under RCW 18.25.180.

[Statutory Authority: RCW 18.25.180 and 43.70.613. WSR 24-03-095, § 246-808-201, filed 1/18/24, effective 7/1/24. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-201, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-203 Definitions.** The definitions in this section apply to WAC 246-808-201 through 246-808-211, unless the context clearly requires otherwise:

- (1) "Classroom hour" means 50 minutes of instruction.
- (2) "In-person learning" means real-time instruction where all of the instructor(s) and student(s) meet in the same physical space.

[Statutory Authority: RCW 18.25.180 and 43.70.613. WSR 24-03-095, § 246-808-203, filed 1/18/24, effective 7/1/24.]

#### **WAC 246-808-205 Registration of chiropractic X-ray technicians.**

- (1) A licensed chiropractor shall employ only chiropractors or chiropractic X-ray technicians to operate X-ray equipment.
- (2) To apply for registration as a chiropractic X-ray technician, the applicant shall submit:
  - (a) A completed application on forms provided by the commission;
  - (b) Applicable fees as required in WAC 246-808-990;
  - (c) Proof of satisfactory completion of a course of instruction of not less than 72 classroom hours, 30 of which are in-person learning. The course must have been approved by the commission in accordance with WAC 246-808-207; and
  - (d) Verification of passing a written and practical proficiency examination in radiologic technology, approved by the commission in accordance with WAC 246-808-207. A passing grade shall be 70 percent.
    - (i) If the applicant fails their first attempt at the written and practical proficiency examination, the applicant may take the examination one additional time without additional classroom instruction.

(ii) If the applicant fails their second and any subsequent attempt at the written and practical proficiency examination, the applicant shall complete an additional course of instruction of not less than 16 hours prior to retaking the examination.

(3) Exceptions allowing registration without meeting the requirements of subsection (2)(c) and (d) of this section.

(a) A chiropractic X-ray technician applicant who holds a current active registration, license, or certification from a national certifying agency or other governmental licensing agency whose standards for registration, licensure, or certification are equal to or exceed the standards under these rules.

(b) A person who has graduated from an accredited and commission approved chiropractic school or college within five years prior to submitting their application.

[Statutory Authority: RCW 18.25.180 and 43.70.613. WSR 24-03-095, § 246-808-205, filed 1/18/24, effective 7/1/24.]

**WAC 246-808-207 Course requirements and approval.** (1) A person may request commission approval of a course of classroom instruction for chiropractic X-ray technicians by submitting the following information to the commission:

(a) An outline of the course of instruction, which shall include:

(i) Physics and equipment;

(ii) Principles of radiographic exposure;

(iii) Radiation protection;

(iv) Anatomy;

(v) Radiographic positioning and procedures; and

(vi) Topics that address the requirements listed in WAC 246-808-565.

(b) A written and practical proficiency examination.

(c) A qualified instructor. A qualified instructor must verify that during the preceding five years their license has not been suspended, revoked, or otherwise conditioned or restricted and:

(i) Be a diplomate of the American Chiropractic Board of Radiology;

(ii) Be a chiropractor who has been licensed for five years, with at least five years in practice that includes the taking of X-rays; or

(iii) Be a chiropractor who has on-campus or postgraduate faculty status in the field of radiology.

(d) Any other information deemed necessary by the commission to make a determination.

(2) All information submitted pursuant to this section must be consistent with chapters 18.25 RCW and 246-808 WAC and must cover all aspects of the chiropractic scope of practice as it pertains to X-rays.

[Statutory Authority: RCW 18.25.180 and 43.70.613. WSR 24-03-095, § 246-808-207, filed 1/18/24, effective 7/1/24.]

**WAC 246-808-209 Continuing education for chiropractic X-ray technicians.** (1) A chiropractic X-ray technician shall complete six hours of continuing education in compliance with WAC 246-12-170 through 246-12-240. Verification of completion of the continuing education requirement is due upon renewal. If the first renewal period is



less than one full year from the date of licensure, no continuing education will be due for the first renewal period.

(2) The commission approves continuing education of the subject matter listed in WAC 246-808-207 (1)(a). Prior approval of continuing education programs is not required by the commission.

(3) Health equity requirements.

(a) Beginning July 1, 2024, as part of the continuing education requirements, a chiropractic X-ray technician must complete a minimum of two hours of training in health equity every four years in accordance with WAC 246-12-800 through 246-12-830.

(b) Hours spent completing health equity continuing education under this section count toward meeting the continuing education requirements for chiropractic X-ray technicians for renewal.

[Statutory Authority: RCW 18.25.180 and 43.70.613. WSR 24-03-095, § 246-808-209, filed 1/18/24, effective 7/1/24.]

**WAC 246-808-211 Expired credential—Requirements for reactivating a chiropractic X-ray technician.** If a chiropractic X-ray technician registration is expired, to return to active status, the chiropractic X-ray technician must meet the requirements of WAC 246-12-040 and comply with the following:

(1) If the chiropractic X-ray technician registration has been expired for less than one year, the chiropractic X-ray technician must submit to the commission a written attestation of completing at least six hours of continuing education within the last 12 months in any of the categories listed in accordance with WAC 246-808-207 (1)(a), and meet the requirements as listed in WAC 246-12-040 (3)(a).

(2) If the chiropractic X-ray technician registration has been expired for one year or more, but less than three years, the chiropractic X-ray technician must complete at least 12 hours of continuing education in the two years prior to the date of application in any of the categories listed in accordance with WAC 246-808-207 (1)(a), and meet the requirements as listed in WAC 246-12-040 (3)(b).

(3) If the chiropractic X-ray technician registration has been expired for three years, but less than five years, the chiropractic X-ray technician must complete at least 12 hours of continuing education in the two years prior to the date of application in any of the categories listed in accordance with WAC 246-808-207 (1)(a), and meet the requirements as listed in WAC 246-12-040 (3)(c).

(4) If the chiropractic X-ray technician registration has been expired for five years or more, the chiropractic X-ray technician must meet the course requirements and pass the written and practical proficiency examination as described in WAC 246-808-207 less than one year prior to the date the application was received and meet the requirements as listed in WAC 246-12-040 (3)(c), excluding (c)(ix).

[Statutory Authority: RCW 18.25.180 and 43.70.613. WSR 24-03-095, § 246-808-211, filed 1/18/24, effective 7/1/24.]

## STANDARDS OF CARE

**WAC 246-808-301 Purpose.** The purpose of WAC 246-808-301 through 246-808-720 is to provide standards of care to guide the practitioner of chiropractic in the conduct of their practice.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-301, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-320 Protected health information.** A chiropractor shall comply with the provisions of the Federal Health Insurance Portability and Accountability Act, 42 U.S.C. Sec. 1302(a) and 42 U.S.C. Sec. 1302d-1320d-9, the Health Information Portability and Accountability Act (HIPAA), 45 C.F.R. Parts 160, 162, and 165.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 19-13-081, § 246-808-320, filed 6/17/19, effective 7/18/19. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-320, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-330 Discontinuation of care.** If a chiropractor chooses to discontinue care, the chiropractor shall:

(1) Advise the patient in writing and document in the patient record that the chiropractor is terminating the doctor-patient relationship; and

(2) Advise the patient to seek any future treatment from another chiropractor or health care provider.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 19-13-081, § 246-808-330, filed 6/17/19, effective 7/18/19. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-330, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-340 Consultation.** In difficult or protracted cases consultations are advisable, and the chiropractor shall be ready to act upon any desire the patient may express for a consultation, even though the chiropractor may not personally feel the need for it.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-340, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-350 Unethical requests.** A chiropractor shall not aid a patient in the pretense or the concealment of a physical condition or disability.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 19-13-081, § 246-808-350, filed 6/17/19, effective 7/18/19. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-350, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-360 Patient welfare.** The health and welfare of the patient shall always be paramount.

(1) A chiropractor owes their patient(s) the highest degree of skill and care.

(2) Absolute honesty shall characterize all transactions with patients.

(3) A chiropractor shall act in the best interest of the patient and not in the interest of any other party.

(4) A chiropractor shall provide evaluations, opinions, and recommendations that are unbiased.

(5) A chiropractor shall neither intentionally exaggerate nor minimize the gravity of the patient's condition, nor offer any false hope or prognosis.

(6) A chiropractor shall provide the highest quality of services regardless of expectation of reimbursement or lack thereof, including care provided to an indigent patient.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 19-13-081, § 246-808-360, filed 6/17/19, effective 7/18/19. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-360, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-390 Illegal practitioners.** A chiropractor shall safeguard their profession by exposing those who practice without proper credentials. This is in addition to mandatory reporting rules adopted by the secretary of health.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 19-13-081, § 246-808-390, filed 6/17/19, effective 7/18/19. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-390, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-400 Excessive professional charges.** (1) A chiropractor shall not enter into an agreement for, charge, or collect an illegal or clearly excessive fee.

(2) A fee is clearly excessive when, after a review of the facts, a chiropractor would be left with a definite and firm conviction that the fee is in excess of a reasonable fee. Factors to be considered as guides in determining the reasonableness of a fee include the following:

(a) The time, effort and skill required requisite to perform the chiropractic service properly;

(b) The fee customarily charged in the locality for similar chiropractic services;

(c) The experience, reputation, and ability of the chiropractor performing the services.

(3) A chiropractor shall not prescribe nor perform any services which are not reasonably necessary in consideration of the patient's condition and shall furnish an explanation of charges for chiropractic services upon request of the commission.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-400, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-505 Classification of chiropractic procedures and instrumentation.** (1) Procedures, instruments for treatment and/or diagnostic evaluation used by a doctor of chiropractic shall be classified by the commission as follows:

(a) **"Approved"**: A procedure or instrument which is taught by a commission approved chiropractic college for patient clinical application and not for research or experimental purposes and is allowable by statute. All factors listed under subsection (4) of this section shall be considered before a procedure or instrument is placed in the approved classification.

(b) **"Nonapproved or experimental"**: Any procedure or instrument that does not meet with commission approval. A procedure or instrument in this classification shall pass further testing in the laboratory before it can be used on the public. These may be defined by previous declaratory rules or rules and regulations.

(c) **"Research or investigational"**: A procedure or instrumentation that is not approved, but may have a positive benefit in the diagnosis or care of a patient's condition. No billing is allowed for procedures or instruments used under this classification.

(2) The commission shall maintain a classified list of chiropractic procedures and instrumentation. The list shall be made available upon request.

(3) A doctor who intends to use a new procedure or instrument in practice shall notify the commission to determine the classification of the procedure or instrument. If the procedure or instrument is not classified or if new information on a previously classified procedure or instrument is available the doctor shall:

(a) Provide the commission with supporting documentation concerning the use of such a procedure or instrumentation;

(b) Demonstrate sufficient additional training or study for the doctor and utilizing staff to properly use the procedure or instrumentation.

(4) The commission may use the following factors to determine the classification of the procedure or instrumentation, and shall notify the doctor of such classification:

(a) The new procedure or instrument is taught at an approved chiropractic college.

(b) There is a scientific basis for the new procedure or instrument.

(c) The procedure or instrument has a direct and positive relationship to chiropractic care.

(d) Comparison of potential risk to benefit to the patient.

(e) Any other factors the commission may wish to consider.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-505, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-510 Definitions. "Auxiliary services"** means those services, excluding those practices which are restricted to licensed chiropractors, which may be needed for the support of chiropractic care.

**"Auxiliary staff"** means personnel, except regular senior students and clinical postgraduate trainees, who receive ongoing on-the-job training and who work for or at the direction of a licensed doctor of chiropractic.

**"Chiropractor," "doctor of chiropractic,"** means a person licensed under chapter 18.25 RCW.

**"Clinical postgraduate trainee"** means a graduate doctor of chiropractic serving a period of postgraduate chiropractic training in a program of clinical chiropractic training sponsored by an accredited

school of chiropractic approved by this state. The clinical postgraduate trainee works under the direct supervision and control of a commission approved preceptor as described in WAC 246-808-190 and 246-808-535. Clinical postgraduate trainees who have had their chiropractic license suspended, revoked, or otherwise conditioned or restricted under authority of any competent jurisdiction shall not perform any delegated tasks listed in WAC 246-808-535(4).

**"Direct supervision"** and **"direct supervision and control"** means a licensed chiropractor is on the premises and immediately available, and has examined the patient prior to delegating duties to auxiliary staff, regular senior students, or clinical postgraduate trainees.

**"Mentally or physically disabled chiropractor"** means a chiropractor who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice chiropractic with reasonable skill and safety to patients by reason of any mental or physical condition.

**"Regular senior student"** means a student in his or her last term (quarter or semester) at an accredited school approved by the commission who has met all clinical and graduation requirements except clinical training hours.

**"Unprofessional conduct"** as used in these regulations means the conduct described in RCW 18.130.180 and 18.25.112.

[Statutory Authority: RCW 18.25.0171. WSR 06-09-033, § 246-808-510, filed 4/12/06, effective 5/13/06. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-510, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-520 Identification.** (1) When using their name, a licensed chiropractor must clearly identify oneself as a chiropractor on their office signs, website, business cards, letterhead, electronic and other media with the use of one or more of the following: Doctor of chiropractic; D.C.; D.C., Ph.C.; chiropractor; or chiropractic physician consistent with RCW 18.25.090.

(2) A chiropractor shall identify and present their chiropractic practice in a dignified manner, and not in a sensational or misleading way.

(3) A chiropractor practicing in a multidisciplinary setting must identify oneself as a chiropractor.

(4) Nothing in this section prohibits the use of a business name that does not include one of the terms in subsection (1) of this section.

[Statutory Authority: RCW 18.25.0171 and 18.130.050. WSR 19-13-081, § 246-808-520, filed 6/17/19, effective 7/18/19. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-520, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-535 Delegation of services to auxiliary staff, regular senior students, and clinical postgraduate trainees.** (1) A licensed chiropractor may delegate certain services to auxiliary staff, regular senior students, and clinical postgraduate trainees, if these services are performed under the licensed chiropractor's direct supervision and control. The supervising chiropractor shall be responsible for determining that auxiliary staff, regular senior students, and clinical postgraduate trainees are competent to perform the delegated

services. The licensed supervising chiropractor must render adequate supervision so that the patient's health and safety is not at risk.

(2) Auxiliary staff shall not perform the following services:

- (a) Detection of subluxation;
- (b) Adjustment or manipulation of the articulations of the body;
- (c) Interpretation or analysis of radiographs;
- (d) Determining the necessity for chiropractic care;
- (e) Orthopedic or neurological examinations.

(3) Regular senior students may perform the following under the direct supervision and control of an approved preceptor:

- (a) Detection of subluxation;
- (b) Expose, interpret or analyze radiographs;
- (c) Determine the necessity for chiropractic care;
- (d) Orthopedic or neurological examinations.

(4) Clinical postgraduate trainees may perform the following under the direct supervision and control of an approved preceptor:

- (a) Detection of subluxation;
- (b) Adjustment or manipulation of the articulations of the body;
- (c) Expose, interpret or analyze radiographs;
- (d) Determine the necessity for chiropractic care;
- (e) Orthopedic or neurological examinations.

(5) Auxiliary staff, regular senior students, and clinical postgraduate trainees may perform the following auxiliary services: Preliminary patient history, height, weight, temperature, blood pressure, pulse rate, gross postural observation, active spinal range of motion utilizing a generally accepted measuring device, and oversight of patients during approved therapeutic procedures, rehabilitation exercises or use of therapeutic or rehabilitation equipment as incident to chiropractic services.

[Statutory Authority: RCW 18.25.0171 and 18.25.190. WSR 06-02-088, § 246-808-535, filed 1/4/06, effective 2/4/06. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-535, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-540 Billing.** A doctor of chiropractic may bill for all provided services that are allowable under chapter 18.25 RCW and the rules adopted pursuant to the foregoing statute. The doctor shall utilize codes and/or descriptions of services that accurately describe the professional services rendered.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-540, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-545 Improper billing practices.** The following acts shall constitute grounds for which disciplinary action may be taken:

(1) Rebating or offering to rebate to an insured any payment to the licensee by the third-party payor of the insured for services or treatments rendered under the insured's policy.

(2) Submitting to any third-party payor a claim for a service or treatment at a greater or an inflated fee or charge than the usual fee the licensee charges for that service or treatment when rendered without third-party reimbursement.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-545, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-550 Future care contracts prohibited.** It shall be considered unprofessional conduct for any chiropractor to enter into a contract which would obligate a patient to pay for care to be rendered in the future, unless the contract provides that the patient is entitled to a complete refund for any care not received.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-550, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-560 Documentation of care.** A doctor of chiropractic must keep complete and accurate documentation on all patients and patient encounters. This documentation is necessary to protect the health, well-being and safety of the patient.

(1) The patient record must detail the patient's clinical history, the rationale for the examination, diagnostic or analytical procedures, and treatment services provided. The diagnosis or clinical impression must be contained in the patient record, not merely recorded on billing forms or statements. Subjective health status updates, whether or not symptoms are present, must be documented for every patient encounter.

(2) Documentation for the initial record must include at a minimum:

- (a) The patient's history;
- (b) Subjective presentation;
- (c) Examination findings or objective findings relating to the patient's presenting condition;
- (d) Any diagnostic testing performed;
- (e) A diagnosis or impression;
- (f) Any treatment or care provided; and
- (g) Plan of care.

(3) Reexaminations, being necessary to monitor the progress or update the current status of a patient, must be documented at reasonable intervals sufficient to reflect the effectiveness of the treatment. Reexaminations must also be documented whenever there is an unexpected change in the subjective or objective status of the patient. Reexamination documentation must include the subjective presentation and objective findings. This documentation shall also reflect changes in the patient's care and progress and in the treatment plan.

(4) Documentation between examinations must be recorded for every patient encounter. Documentation must sufficiently record all the services provided, as well as any changes in the patient's presentation or condition. The region(s) of all treatment and, if applicable, the specific level(s) of chiropractic adjustments must be recorded in the patient encounter documentation.

(5) Patient records must be legible, permanent, and recorded in a timely manner. Documentation that is not recorded on the date of service must designate both the date of service and the date of the chart note entry. Corrections or additions to the patient's records must be corrected by a single line drawn through the text and initialed so the original entry remains legible. In the case of computer-organized documentation, unintended entries may be identified and corrected, but

must not be deleted from the record. Errors in spelling and grammar may be corrected and deleted.

(6) Correspondence relating to any referrals concerning the diagnosis or treatment of the patient must be retained in the patient record.

(7) Patient records should clearly identify the provider of services by name, initials, or signature. If the chiropractor uses a code in the documentation, a code legend must be made available upon request.

[Statutory Authority: RCW 18.25.0171 and chapter 18.25 RCW. WSR 10-15-084, § 246-808-560, filed 7/19/10, effective 8/19/10. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-560, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-565 Radiographic standards.** The following requirements for chiropractic X-ray have been established because of concerns about over radiation and unnecessary X-ray exposure.

(1) The following shall appear on the films:

- (a) Patient's name and age;
- (b) Doctor's name, facility name, and address;
- (c) Date of study;
- (d) Left or right marker;
- (e) Other markers as indicated;
- (f) Adequate collimation;
- (g) Gonad shielding, where applicable.

(2) Minimum of A/P and lateral views are necessary for any regional study unless clinically justified.

(3) As clinical evidence indicates, it may be advisable to produce multiple projections where there is an indication of possible fracture, significant pathology, congenital defects, or when an individual study is insufficient to make a comprehensive diagnosis/analysis.

(4) Each film shall be of adequate density, contrast, and definition, and no artifacts shall be present.

(5) The subjective complaints, if any, and the objective findings substantiating the repeat radiographic study must be documented in the patient record.

(6) These rules are intended to complement and not supersede those rules adopted by the radiation control agency set forth in chapter 246-225 WAC, Radiation protection—X-rays in the healing arts.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-565, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-570 Pelvic or prostate examination prohibited.** The physical examination to determine the necessity for chiropractic care does not include vaginal (pelvic) examination or prostate examination. Chiropractors are prohibited from performing such examination and from directing any agent or employee to perform such examination.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-570, filed 8/6/96, effective 9/6/96.]



**WAC 246-808-575 Intravaginal adjustment restricted.** It shall be considered unprofessional conduct for a chiropractor to perform an adjustment of the coccyx through the vagina unless the following conditions are met:

- (1) The coccyx cannot be adjusted rectally or the patient is offered and declines the option of the rectal technique;
- (2) The coccyx adjustment is performed with the use of a disposable finger cot or rubber glove; and
- (3) A female attendant is present at all times the patient is examined and the coccyx adjustment is being performed.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-575, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-580 Acupuncture.** No chiropractor shall:

- (1) Employ the use of needles in the treatment of a patient; or
- (2) Hold himself or herself out as practicing acupuncture in any form: This prohibition shall not restrict a chiropractor who is also a certified acupuncturist pursuant to chapter 18.06 RCW from practicing acupuncture, provided that the chiropractor differentiates chiropractic care from acupuncture care at all times as is required by RCW 18.25.112.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-580, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-585 Clinically necessary X-rays.** All offers of free X-rays shall be accompanied by a disclosure statement that X-rays shall only be taken if clinically necessary in order to avoid unnecessary radiation exposure.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-585, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-590 Professional boundaries and sexual misconduct.**

(1) The following definitions apply throughout this section unless the context clearly requires otherwise.

(a) "Patient" means a person who is receiving health care or treatment, or has received health care or treatment without a termination of the health care provider-patient relationship. The determination of when a person is a patient is made on a case-by-case basis with consideration given to a number of factors, including the nature, extent, and context of the professional relationship between the health care provider and the person. The fact that a person is not actively receiving treatment or professional services is not the sole determining factor.

(b) "Health care provider" means a person licensed or registered to practice under chapter 18.25 RCW.

(c) "Key third party" means immediate family members and others who would be reasonably expected to play a significant role in the health care decisions of the patient and includes, but is not limited to, the spouse, domestic partner, sibling, parent, child, guardian, and person authorized to make health care decisions of the patient.

(2) A health care provider shall not engage in sexual misconduct with a current patient or key third party. Sexual misconduct includes, but is not limited to:

- (a) Sexual intercourse or genital to genital contact;
- (b) Touching or exposing breasts, genitals, anus, or any sexualized body part for any purpose other than appropriate examination and treatment;
- (c) Rubbing against a patient or key third party for sexual gratification;
- (d) Kissing;
- (e) Examination of or touching genitals, anus, or rectum without using gloves;
- (f) Not allowing a patient the privacy to dress or undress;
- (g) Dressing or undressing in the presence of the patient or key third party;
- (h) Removing patient clothing or gown or draping without consent;
- (i) Encouraging the patient to masturbate in the presence of the health care provider or masturbation by the health care provider while the patient is present;
- (j) Suggesting or discussing the possibility of a dating, sexual or romantic relationship after the professional relationship ends;
- (k) Terminating a professional relationship for the purpose of dating or pursuing a romantic or sexual relationship;
- (l) Soliciting a date with a patient or key third party;
- (m) Communicating the sexual history, preferences, opinions, or fantasies of the health care provider, patient or key third party;
- (n) Making statements regarding the patient or key third party's body, appearance, sexual history, or sexual orientation other than for legitimate health care purposes;
- (o) Sexually demeaning behavior including any verbal or physical contact which may reasonably be interpreted as demeaning, humiliating, embarrassing, threatening, or harming a patient or key third party;
- (p) Photographing or filming the body or any body part or pose of a patient or key party, other than for legitimate health care purposes;
- (q) Showing a patient or key third party sexually explicit photographs, other than for legitimate health care purposes.
- (r) Offering to provide goods or services in exchange for sexual favors;
- (s) Oral to genital contact; and
- (t) Genital to anal contact or oral to anal contact.

(3) A health care provider shall not engage in any of the conduct described in subsection (2) of this section with a former patient or key third party if the health care provider:

- (a) Uses or exploits the trust, knowledge, influence, or emotions derived from the professional relationship; or
- (b) Uses or exploits privileged information or access to privileged information to meet the health care provider's personal or sexual objectives.

(4) Sexual misconduct also includes sexual contact with any person involving force, intimidation, or lack of consent, sexually harassing or demeaning behavior with current or former patients or key third parties, or a conviction of a sex offense as defined in RCW 9.94A.030.

(5) To determine whether a patient is a current patient or a former patient, the commission will analyze each case individually, and

will consider a number of factors including, but not limited to, the following:

- (a) Documentation of formal termination of professional relationship;
  - (b) Transfer of the patient's care to another health care provider;
  - (c) The length of time that has passed since the last health care services were provided to the patient;
  - (d) The length of the professional relationship;
  - (e) The extent to which the patient has confided personal or private information to the health care provider;
  - (f) The nature of the patient's health problem; and
  - (g) The degree of emotional dependence and vulnerability of the patient.
- (6) These rules do not prohibit:
- (a) Providing health care services in case of emergency where the services cannot or will not be provided by another health care provider;
  - (b) Contact that is necessary for a legitimate health care purpose and that meets the standard of care appropriate to the chiropractic profession; or
  - (c) Providing health care services for a legitimate health care purpose to a person who is in a preexisting, established personal relationship with the health care provider where there is no evidence of, or potential for, exploiting the patient.
- (7) It is not a defense that the patient, former patient, or key third party initiated or consented to the conduct, or that the conduct occurred outside the professional setting.
- (8) A violation of any provision of this rule shall constitute grounds for disciplinary action.

[Statutory Authority: RCW 18.25.0171, 18.130.050, and 18.13.062. WSR 22-14-002, § 246-808-590, filed 6/22/22, effective 7/23/22. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-590, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-600 Prohibited publicity and advertising.** (1) A chiropractor shall not, on behalf of himself/herself, his/her partner, associate or any other chiropractor affiliated with his/her office or clinic, use or allow to be used, any form of public communications or advertising which is false, fraudulent, deceptive or misleading, including, but not limited to, such advertising which takes any of the following forms which are prohibited:

- (a) Advertising which guarantees any result or cure;
- (b) Advertising which makes claims of professional superiority;
- (c) Advertising which fails to differentiate chiropractic care from all other methods of healing;
- (d) Advertising for a service outside the practice of chiropractic as permitted in Washington.

(2) A chiropractor shall, upon request made by the commission, provide the commission with substantiation of the truth and accuracy of any and all claims made in their advertisements.

(3) Advertising is prohibited which offers gratuitous goods or services or discounts in connection with chiropractic services, unless the chiropractor provides a disclosure statement to be signed by the patient which explains:

- (a) When there shall be a charge for goods and services;
- (b) When the free services have been completed and that any additional services the patient requests are subject to charge; or
- (c) When the discount has been exhausted and any additional services shall be subject to full charge: This subsection shall not be construed to relate to the negotiation of fee between chiropractors and patients or to prohibit the rendering of chiropractic services for which no fee is charged.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-600, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-605 Honoring of publicity and advertisements. (1)**

If a chiropractor advertises a fee for a service, the chiropractor must render that service for no more than the fee advertised.

(2) Unless otherwise specified in the advertisement, if a chiropractor publishes any fee information authorized under chapter 246-808 WAC, the chiropractor shall be bound by any representation made therein for the periods specified in the following categories:

(a) If in a publication which is published more frequently than one time per month, for a period of not less than thirty days after such publication.

(b) If in a publication which is published once a month or less frequently, until the publication of the succeeding issue.

(c) If in a publication which has no fixed date for publication of the succeeding issue, for a reasonable period of time after publication, but in no event less than one year.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-605, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-610 Prohibited transactions.** A chiropractor shall not compensate or give anything of value to representatives of the press, radio, television or other communication media in anticipation of or in return for professional publicity of any individual chiropractor in a news item.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-610, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-615 Professional notices, letterheads, cards, and mailings.** In his/her use of professional notices, letterheads, cards, and mailings, a chiropractor is subject to the same regulations of chapter 246-808 WAC which apply to his/her use of other print media.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-615, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-620 Suggestion of need of chiropractic services.** A chiropractor who has given in-person, unsolicited advice to a lay person that he/she should obtain chiropractic care shall not accept employment resulting from that advice except that:

(1) A chiropractor may accept employment by a close friend, relative, former patient (if the advice is germane to the former treatment), or one whom the chiropractor reasonably believes to be a patient; and

(2) Without affecting his/her right to accept employment, a chiropractor may speak publicly or write for publication on chiropractic topics so long as he/she does not emphasize his/her own professional experience or reputation and does not undertake to give individual advice.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-620, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-625 Public testimonial advertising.** (1) Public testimonial advertising includes the use of a statement testifying as to a chiropractor's qualifications, abilities and character, or to the value of chiropractic services.

(2) The use of testimonial advertising shall not be considered false or misleading if the following guidelines are met:

(a) Testimonials must relate to patient care provided within the immediately preceding five-year period.

(b) The testimonial shall be documented by a notarized statement of the patient, a copy of which is kept by both the chiropractor and the patient.

(c) The testimonial must be consistent with the history of the patient's care, including office records, examination reports and X-rays.

(d) Testimonials shall not:

(i) Be exaggerated or misrepresented;

(ii) State that a technique or doctor is superior;

(iii) Claim specific cures;

(iv) Compare one chiropractor to another;

(v) Include a named diagnosis.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-625, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-630 Full disclosure of cost of services.** (1) This rule shall apply to all representations made in public advertising regarding the provision of chiropractic services, including X-rays or chiropractic examinations, on a free basis or at a reduced cost. This rule shall also apply to all billings or other written or oral communications regarding charges for chiropractic services whether made to patients, third-party health care payors, or to any other person, firm, or governmental agency.

(2) When a chiropractic service is represented in public advertising as available without cost, or at a reduced cost, that service must be made available to everyone who wishes to take advantage of the offer on an equal basis. No charge may be made to any individual or third-party health care payor for any services which have been provided on a free basis.

(3) All billings to third-party payors for patients who are also being treated for an unrelated condition must fully disclose the additional treatment being provided and the charges for that treatment.

(4) Billings to patients or to third-party health care payors shall accurately reflect the actual charge to the patient, including any discounts, reduced fees, or waiver of copayment.

(5) Because of the potential element of fraud being present, advertising full or partial forgiveness of coinsurance shall be prohibited unless the insurance company is given accurate and complete information relating to the actual charge to the patient and that coinsurance has been fully or partially waived.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-630, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-650 Records and X-rays and withdrawal from practice —Maintenance and retention of patient records.** (1) Any chiropractor who treats patients in the state of Washington shall maintain all treatment records regarding patients treated. These records may include, but shall not be limited to, X-rays, treatment plans, patient charts, patient histories, correspondence, financial data, and billing. These records shall be retained by the chiropractor for five years in an orderly, accessible file and shall be readily available for inspection by the commission or its authorized representative: X-rays or copies of records may be forwarded pursuant to a licensed agent's written request. Also, office records shall state the date on which the records were released, method forwarded and to whom, and the reason for the release. A reasonable fee may be charged the patient to cover mailing and clerical costs.

(2) A chiropractor shall honor within fifteen days a written request from an adult patient or their legal representative or the legal representative of a minor child to release:

(a) Original X-rays and records to other licensed health care providers; or

(b) The chiropractor may provide duplicate films or a copy of the patient records to the health care provider or the patient. The health care provider may bill the patient reasonable duplication costs. Once the original films have been loaned at patient request, the chiropractor is no longer responsible for them, or for their retrieval or subsequent production.

A chiropractor who has received original X-rays on a loan basis shall return them to the loaning chiropractor upon request within sixty days unless other arrangements are made.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-650, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-655 Duties of a chiropractor who retires or withdraws from practice.** Any chiropractor who ceases practice in their community for any reason, including retirement, illness, disability, or relocation shall comply with the following duties:

(1) The chiropractor shall notify all current patients that they shall not be able to provide chiropractic services and shall notify the patient to seek another chiropractor to continue their care.

(2) The chiropractor shall offer to deliver to the patient, or to another chiropractor or licensed health care professional chosen by the patient, the originals or copies of all patient examination and

treatment records and X-rays or notify the patient of a community area location where the records and X-rays shall be maintained and accessible for at least one year after the notice is sent to the patient.

(3) The chiropractor shall refund any part of fees paid in advance that have not been earned.

(4) The commission requests that the executor or executrix of a deceased chiropractor comply with the duties set forth herein to the fullest extent possible. The commission staff shall provide advice and assistance to such executor or executrix upon request.

(5) For the purpose of this section, any relocation or restriction of practice which substantially interferes with a patient's reasonable access to their chiropractor shall be cause for the chiropractor to comply with the duties set forth.

(6) Willful failure to comply with this section shall be cause to suspend a chiropractor's license until the required duties are fulfilled.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-655, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-660 Mandatory reporting.** (1) All reports required by these regulations shall be submitted to the commission as soon as possible, but no later than sixty days after a determination is made.

(2) A report shall contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name, address, and telephone number of the chiropractor being reported.

(c) The name of any patient whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid the evaluation of the report.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-660, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-670 Chiropractic associations or societies.** The president or chief executive officer of any chiropractic association or society within this state shall report to the commission when an association or society determines that a chiropractor has committed unprofessional conduct or that a chiropractor may not be able to practice chiropractic with reasonable skill and safety to patients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the license holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-670, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-680 Insurance carriers.** The executive officer of every insurer, licensed under Title 48 RCW operating in the state of Washington, shall report to the commission any evidence that a chiropractor has charged fees for chiropractic services not actually provided, or has otherwise committed unprofessional conduct.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-680, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-685 Professional liability carriers.** Every institution or organization providing professional liability insurance directly or indirectly to chiropractors shall send the commission a complete report of any malpractice settlement, award or payment over thirty thousand dollars as a result of a claim or action for damages alleged to have been caused by an insured chiropractor's incompetence or negligence in the practice of chiropractic. Such institution or organization shall also report the payment of three or more claims during a year as the result of alleged incompetence or negligence in the practice of chiropractic regardless of the dollar amount of the payment.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-685, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-690 Courts.** The commission requests the assistance of all clerks of trial courts within the state to report to the commission, all professional malpractice judgments and all criminal convictions of licensed chiropractors, other than for minor traffic violations.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-690, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-695 State and federal agencies.** The commission requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a chiropractor has been judged to have demonstrated incompetence or negligence in the practice of chiropractic, or has otherwise committed unprofessional conduct; or whose practice is impaired as a result of a mental, physical or chemical condition, to report to the commission all professional malpractice judgments and decisions.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-695, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-720 Commission conflict of interest.** Members of the commission shall not participate in deciding a case or in rule making where their participation presents a conflict of interest, creates an appearance of a conflict of interest or where the commission determines the member's participation raises questions as to the impartiality of the commission.



[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-720, filed 8/6/96, effective 9/6/96.]

## **SUBSTANCE ABUSE MONITORING**

**WAC 246-808-801 Purpose.** The commission recognizes the need to establish a means of proactively providing early recognition and treatment options for chiropractors whose competency may be impaired due to the abuse of drugs or alcohol. The commission intends that such chiropractors be treated and their treatment monitored so that they can return to or continue to practice their profession in a way which safeguards the public. To accomplish this, the commission shall approve voluntary substance abuse monitoring programs and shall refer chiropractors impaired by substance abuse to approved programs as an alternative to instituting disciplinary proceedings as defined in RCW 18.130.160.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-801, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-810 Definitions.** The following general terms are defined within the context used in this chapter:

**"Aftercare"** is that period of time after intensive treatment that provides the chiropractor and the chiropractor's family with group or individual counseling sessions, discussions with other families, ongoing contact and participation in self-help groups and ongoing continued support of treatment program staff.

**"Approved substance abuse monitoring program"** or **"approved monitoring program"** is a program the commission has determined meets the requirements of the law and the criteria established by the commission in WAC 246-808-820 which enters into a contract with chiropractors who have substance abuse problems regarding the required components of the chiropractor's recovery activity and oversees the chiropractor's compliance with these requirements. Substance abuse monitoring programs do not provide evaluation or treatment to participating chiropractors.

**"Approved treatment facility"** is a facility approved by the bureau of alcohol and substance abuse, department of social and health services according to RCW 70.96A.020(2) or 69.54.030 to provide intensive alcoholism or drug treatment if located within Washington state. Drug and alcohol treatment programs located out-of-state must be equivalent to the standards required for approval under RCW 70.96A.020(2) or 69.54.030.

**"Contract"** is a comprehensive, structured agreement between the recovering chiropractor and the approved monitoring program stipulating the chiropractor's consent to comply with the monitoring program and its required components of the chiropractor's recovery activity.

**"Health care professional"** is an individual who is licensed, certified, or registered in Washington to engage in the delivery of health care to patients.

**"Random drug screens"** are laboratory tests to detect the presence of drugs of abuse in body fluids which are performed at irregular intervals not known in advance by the person being tested.

**"Substance abuse"** means the impairment, as determined by the commission, of a chiropractor's professional services by an addiction to, a dependency on, or the use of alcohol, legend drugs, or controlled substances.

**"Support group"** is a group of health care professionals meeting regularly to support the recovery of its members. The group provides a confidential setting with a trained and experienced health care professional facilitator in which chiropractors may safely discuss drug diversion, licensure issues, return to work, and other professional issues related to recovery.

**"Twelve-step groups"** are groups such as alcoholics anonymous, narcotics anonymous, and related organizations based on a philosophy of anonymity, belief in a power outside of oneself, a peer group association, and self-help.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-810, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-820 Approval of substance abuse monitoring programs.**

The commission shall approve the monitoring program(s) which shall participate in the commission's substance abuse monitoring program. A monitoring program approved by the commission may be contracted with an entity outside the department but within the state, out-of-state, or a separate structure within the department.

(1) The approved monitoring program shall not provide evaluation or treatment to the participating chiropractor.

(2) The approved monitoring program staff must have the qualifications and knowledge of both substance abuse and the practice of chiropractic as defined in this chapter to be able to evaluate:

(a) Clinical laboratories;

(b) Laboratory results;

(c) Providers of substance abuse treatment, both individuals and facilities;

(d) Support groups;

(e) The chiropractic work environment; and

(f) The ability of the chiropractor to practice with reasonable skill and safety.

(3) The approved monitoring program shall enter into a contract with the chiropractor and the commission to oversee the chiropractor's compliance with the requirements of the program.

(4) The approved monitoring program may make exceptions to individual components of the contract on an individual basis.

(5) The approved monitoring program staff shall recommend, on an individual basis, whether a chiropractor shall be prohibited from engaging in the practice of chiropractic for a period of time and restrictions, if any, on the chiropractor's access to controlled substances in the workplace.

(6) The approved monitoring program shall maintain records on participants.

(7) The approved monitoring program shall be responsible for providing feedback to the chiropractor as to whether treatment progress is acceptable.

(8) The approved monitoring program shall report to the commission any chiropractor who fails to comply with the requirements of the monitoring program.

(9) The approved monitoring program shall receive from the commission guidelines on treatment, monitoring, and limitations on the practice of chiropractic for those participating in the program.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-820, filed 8/6/96, effective 9/6/96.]

**WAC 246-808-830 Participation in approved substance abuse monitoring program.** (1) In lieu of disciplinary action, the chiropractor may accept commission referral into the approved substance abuse monitoring program.

(a) The chiropractor shall undergo a complete physical and psychosocial evaluation before entering the approved monitoring program. This evaluation shall be performed by health care professional(s) with expertise in chemical dependency. The person(s) performing the evaluation shall not also be the provider of the recommended treatment.

(b) The chiropractor shall enter into a contract with the commission and the approved substance abuse monitoring program to comply with the requirements of the program which shall include, but not be limited to:

(i) The chiropractor shall undergo intensive substance abuse treatment in an approved treatment facility.

(ii) The chiropractor shall agree to remain free of all mind-altering substances including alcohol, except for medications prescribed by an authorized prescriber, as defined in RCW 69.41.030 and 69.50.101.

(iii) The chiropractor must complete the prescribed aftercare program of the intensive treatment facility, which may include individual and/or group psychotherapy.

(iv) The treatment counselor(s) shall provide reports to the approved monitoring program at specified intervals. Reports shall include treatment, prognosis, and goals.

(v) The chiropractor shall submit to random drug screening as specified by the approved monitoring program.

(vi) The chiropractor shall attend support groups facilitated by a health care professional and/or twelve-step group meetings as specified by the contract.

(vii) The chiropractor shall comply with specified employment conditions and restrictions as defined by the contract.

(viii) The chiropractor shall sign a waiver allowing the approved monitoring program to release information to the commission if the chiropractor does not comply with the requirements of this contract.

(c) The chiropractor is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment, and random drug screens.

(d) The chiropractor may be subject to disciplinary action under RCW 18.130.160 if the chiropractor does not consent to be referred to the approved monitoring program, does not comply with specified employment restrictions, or does not successfully complete the program.

(2) A chiropractor who is not being investigated by the commission or subject to current disciplinary action or currently being monitored by the commission for substance abuse may voluntarily participate in the approved substance abuse monitoring program without being referred by the commission. Such voluntary participants shall not be subject to disciplinary action under RCW 18.130.160 for their substance abuse, and shall not have their participation made known to

the commission if they meet the requirements of the approved monitoring program as defined in subsection (1) of this section.

(3) The treatment and pretreatment records of license holders referred to or voluntarily participating in approved monitoring programs shall be confidential, shall be exempt from RCW 42.17.250 through 42.17.450 and shall not be subject to discovery by subpoena or admissible as evidence except for monitoring records reported to the disciplinary authority for cause as defined in subsection (1) of this section. Records held by the commission under this section shall be exempt from RCW 42.17.250 through 42.17.450 and shall not be subject to discovery by subpoena except by the license holder.

[Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-830, filed 8/6/96, effective 9/6/96.]

### **CHIROPRACTIC FEES**

**WAC 246-808-990 Chiropractic fees and renewal cycle.** (1) Licenses and registrations must be renewed on the practitioner's birthday every year as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged for chiropractic licensure:

<b>Title of Fee</b>	<b>Fee</b>
<b>Original application</b>	
Application	\$625.00
Jurisprudence examination and reexamination	100.00
UW online access fee (HEAL-WA)	16.00
<b>Temporary practice permit</b>	
90-day permit	105.00
<b>Preceptorship - Initial and renewal</b>	<b>155.00</b>
<b>Active license renewal</b>	
Renewal	550.00
Late renewal penalty	225.00
Expired license reissuance	302.00
UW online access fee (HEAL-WA)	16.00
<b>Inactive license renewal</b>	
Renewal	257.00
Expired license reissuance	157.00
<b>Duplicate license</b>	<b>30.00</b>
<b>Verification of license</b>	<b>30.00</b>

(3) The following nonrefundable fees will be charged for chiropractic X-ray technician registration:

<b>Title of Fee</b>	<b>Fee</b>
Application	135.00
Original registration	47.00
Renewal	90.00
Late renewal penalty	50.00
Expired registration reissuance	62.00

<b>Title of Fee</b>	<b>Fee</b>
Duplicate registration	30.00
Verification of registration	30.00

[Statutory Authority: RCW 43.70.250 and 43.70.280. WSR 19-13-034, § 246-808-990, filed 6/12/19, effective 10/1/19; WSR 17-08-061, § 246-808-990, filed 3/31/17, effective 8/1/17. Statutory Authority: RCW 43.70.110, 43.70.250, and 43.70.280. WSR 15-19-145, § 246-808-990, filed 9/22/15, effective 1/1/16. Statutory Authority: RCW 43.70.110 and 43.70.250. WSR 13-23-040, § 246-808-990, filed 11/15/13, effective 1/1/14. Statutory Authority: RCW 43.70.110 (3)(c) and 43.70.250. WSR 12-19-088, § 246-808-990, filed 9/18/12, effective 11/1/12. Statutory Authority: RCW 43.70.110, 43.70.250, and 2011 1st sp.s. c 50. WSR 11-20-092, § 246-808-990, filed 10/4/11, effective 12/1/11. Statutory Authority: RCW 43.70.110, 43.70.250, 2008 c 329. WSR 08-15-014, § 246-808-990, filed 7/7/08, effective 7/7/08. Statutory Authority: RCW 43.70.250, [43.70.]280 and 43.70.110. WSR 05-12-012, § 246-808-990, filed 5/20/05, effective 7/1/05. Statutory Authority: RCW 43.70.250. WSR 99-08-101, § 246-808-990, filed 4/6/99, effective 7/1/99. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-808-990, filed 2/13/98, effective 3/16/98. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-990, filed 8/6/96, effective 9/6/96.]