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Chiropractors, Board of Examiners. Licensing Requirements

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Chiropractors, Board of Examiners. Licensing Requirements— Legislative Initiative Amendment

Ballot Title

CHIROPRACTORS, BOARD OF EXAMINERS. LICENSING REQUIREMENTS. LEGISLATIVE INITIATIVE AMENDMENT. Amends initiative statute relating to chiropractors to provide for addition of two public members to State Board of Chiropractic Examiners. Requires chiropractic school or college to be accredited by Council on Chiropractic Education, or equivalent, before graduates thereof are eligible to apply for chiropractic licenses. Increases minimum educational requirements necessary to practice chiropractic to include, among others, 60 prechiropractic college credits. Authorizes Board to accept diplomate certificate and results of National Board of Chiropractic Examiners examination in lieu of all or part of California Board examination. Financial impact: Insignificant.

FINAL VOTE CAST BY LEGISLATURE ON SB 1416 (PROPOSITION 15)

Assembly—Ayes, 67	Senate—Ayes, 22
Noes, 0	Noes, 1

Analysis by Legislative Analyst

PROPOSAL:

This proposition increases the members of the Board of Chiropractic Examiners from five to seven and requires that both of the new members be from the general public, that is, not licensed chiropractors. The proposition also makes minor changes in: (1) the eligibility requirements for an approved chiropractic

school or college and (2) the license application period, and the education and examination requirements for state licensing of chiropractors.

FISCAL EFFECT:

The net fiscal effect of the measure on state or local government would be insignificant.

Chiropractors, Board of Examiners. Licensing Requirements— Legislative Initiative Amendment

15

Argument in Favor of Proposition 15

This is a good law intended to better preserve and protect California citizens' most important asset—their health. This law will help assure that Doctors of Chiropractic continue to meet the high standards of excellence and competence they must possess to treat you, the consumer patient.

Your "Yes" vote on this proposition will give consumers a direct voice in health matters by adding two public members to the State Board of Chiropractic Examiners. The chiropractic profession is one of the first to recognize the need for public input and the only profession to voluntarily request legislation to accomplish this. The two new members added will be consumers appointed by the Governor.

Passage of this proposition will mean that in order to become a chiropractic doctor, a person must have attended and graduated from a chiropractic college that is accredited by a competent, professional, nationally recognized, independently constituted organization. This organization, the Council on Chiropractic Education, is approved by the United States Office of Education and the United States Department of Health, Education and Welfare as the only official accrediting agency for chiropractic colleges. If for any reason this accrediting agency goes out of existence, the State Board retains the power to adopt similar standards through another agency or independently. California is one of only three or four states that has not yet adopted this standardized accrediting method.

This law strengthens the State Board's ability to demand higher standards of doctors; it does not remove authority but does give flexibility.

This proposition will guarantee the high scholastic requirements for admission to chiropractic colleges. This assures that doctors treating you will be competent and well-trained so as to be of greater help with your health needs.

This proposition will help chiropractic students by eliminating unnecessary duplication of testing. If in the opinion of the California State Board the testing standards of the National Board of Chiropractic Examiners are sufficiently high and a student has passed that test, that student would not be required to take a California state test which is practically identical.

This proposition is supported by the California State Board of Chiropractic Examiners, the California Chiropractic Association, the Federation of Chiropractic Licensing Boards, the National Board of Chiropractic Examiners, and the American Chiropractic Association. The California State Legislature overwhelmingly approved this proposition. Your "Yes" vote is now needed to make this proposition law.

ALBERT S. RODDA
Member of the Senate, 5th District

KENNETH D. ALLEN, D.C.
President, California Chiropractic Association

CYNTHIA E. PREISS, D.C.
President, California Board of Chiropractic Examiners

No argument against Proposition 15 was submitted

Text of Proposition 15 appears on page 77

TEXT OF PROPOSITION 15

This law proposed by Senate Bill 1416 (Statutes of 1976, Chapter 263) expressly amends existing sections of the law; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be inserted or added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENTS TO INITIATIVE ACT

An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith" approved by electors November 7, 1922, by amending Sections 1, 3, 4, 5, and 6 thereof, said amendments to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors, pursuant to subdivision (c) of Section 24 of Article IV * of the State Constitution, relating to chiropractic.

SECTION 1. Section 1 of the act cited in the title is amended to read:

Section 1. A board is hereby created to be known as the "State Board of Chiropractic Examiners," hereinafter referred to as the board. ~~The board, which shall consist of five seven members; citizens of the United States, with at least five years residence in California; appointed by the Governor. Each member shall be of good moral character a citizen of the United States and shall have been a resident of California for five years. Two members shall be public members. and Each licensee member shall have had at least five years of licensure in this state prior to appointment. Each licensee member must have pursued a resident course in an approved chiropractic school or college, and must be a graduate thereof and hold a diploma therefrom.~~

Not more than two persons shall serve simultaneously as members of said board, whose first diplomas were issued by the same school or college of chiropractic, nor shall more than two members be residents of any one county of the state. And no person who is or within one year of the proposed appointment has been an administrator, policy board member, or paid employee of any chiropractic school or college shall be eligible for appointment to the board. Each member of board shall receive a per diem in the amount provided in Section ~~of the Business and Professions Code for each day during which he is actually engaged in the discharge of his duties, together with his actual and necessary travel expenses incurred in connection with the performance of the duties of his office, such per diem, travel expenses and other incidental expenses of the board or of its members to be paid out of the funds of the board hereinafter defined and not from the state's taxes.~~

SEC. 2. Section 3 of the act cited in the title is amended to read:

Sec. 3. The board shall elect a chairman and a vice chairman and a secretary to be chosen from the members of the board. The board shall employ an executive officer and fix his salary with the approval of the Director of Finance. Elections of the officers shall occur annually at the January meeting of the board. A majority of the board shall constitute a quorum.

It shall require the affirmative vote of ~~three~~ *four* members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act. The executive officer shall receive a salary to be fixed by the board, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the state in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first day of December of each year he shall file with the Governor or his designee, a report of all receipts and disbursements and of the proceedings of the board for the preceding fiscal year.

SEC. 3. Section 4 of the act cited in the title is amended to read:

Sec. 4. Powers of board. The board shall have power:

- (a) To adopt a seal, which shall be affixed to all licenses issued by the board.
- (b) To adopt from time to time such rules and regulations as the board may deem proper and necessary for the performance of its work, the effective enforcement and administration of this act, the establishment of educational requirements for license renewal, and the protection of the public. Such rules and regulations shall be adopted, amended, repealed and established in accordance with the provisions of Chapter 4.5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of the Government Code as it now reads or as it may be hereafter amended by the Legislature.

- (c) To examine applicants and to issue and revoke licenses to practice chiropractic, as herein provided.
- (d) To summon witnesses and to take testimony as to matters pertaining to its duties; and each member shall have power to administer oaths and take affidavits.
- (e) To do any and all things necessary or incidental to the exercise of the powers and duties herein granted or imposed.
- (f) To determine minimum requirements for teachers in chiropractic schools and colleges.

(g) To approve chiropractic schools and colleges whose graduates may apply for licenses in this state. Any school or college having status with the Accrediting Commission of the Council on Chiropractic Education or the equivalent criterion thereof, and meeting the requirements of Section 5 of this act and the rules and regulations adopted by the board shall be eligible for such approval.

(h) The board may employ such investigators, clerical assistants, and other employees as it may deem necessary to carry into effect the provisions of this act, and shall prescribe the duties of such employees.

SEC. 4. Section 5 of the act cited in the title is amended to read:

Sec. 5. License to Practice: Fee: Educational Requirements. It shall be unlawful for any person to practice chiropractic in this state without a license so to do. Any person wishing to practice chiropractic in this state shall make application to the board ~~15~~ *45* days prior to any meeting thereof, upon such form and in such manner as may be provided by the board. *Proof of graduation from an approved chiropractic school or college must reach the board 15 days prior to any meeting thereof.* Each application must be accompanied by a ~~license~~ *licensee* fee of fifty dollars (\$50) ~~and a certificate showing good moral character of the applicant.~~ Except in the cases herein otherwise prescribed, each applicant shall be a ~~graduate of an approved present~~ *graduate of an approved present* evidence of having attended, and graduated from, a chiropractic school or college which teaches a course of not less than ~~4,000 hours, extended over a period of four school terms of at least nine months each accredited by or recognized as a candidate for accreditation by the Accrediting Commission of the Council on Chiropractic Education, or the equivalent thereof,~~ and shall present to the board at the time of making such application a diploma from a high school and a transcript of ~~60 prechiropractic college credits satisfactory to the board,~~ or proof, satisfactory to the board, of education equivalent in training power to a such high school ~~course and college courses.~~

The schedule of minimum educational requirements to enable any person to practice chiropractic in this state is as follows, except as herein otherwise provided:

Group 1	Anatomy, including embryology and histology.....	18 to 20%	14%
Group 2	Physiology	6 to 8%	6%
Group 3	Biochemistry; inorganic and organic chemistry <i>clinical nutrition</i>	6 to 8%	6%
Group 4	Pathology and bacteriology.....	10 to 12%	10%
Group 5	Public health, hygiene and sanitation	3 to 4%	3%
Group 6	Diagnosis, pediatrics, dermatology, syphilology and psychiatry <i>geriatrics, and radiological technology, safety, and interpretation</i>	12 to 18%	18%
Group 7	Obstetrics and gynecology and pediatrics	3 to 4%	3%
Group 8	Principles and practice of chiropractic, physiotherapy <i>physical therapy, psychiatry, and office procedure</i>	25 to 28%	25%
	Total	83 to 100%	85%
	Electives.....	17 to 0%	15%

Any applicant who had matriculated at a chiropractic college prior to the effective date of the amendments to this section submitted to the electors by the 1975-1976 Regular Session of the Legislature shall meet all requirements that existed immediately prior to the effective date of those amendments but need not meet the change in requirements made by said amendments.

SEC. 5. Section 6 of the act cited in the title is amended to read:

Sec. 6. (a) The office of the board shall be in the City of Sacramento. Suboffices may be established in Los Angeles and San Francisco, and such records as may be necessary may be transferred temporarily to such suboffices. Legal proceedings against the board may be instituted in any one of the three cities.

(b) The board shall meet as a board of examiners at least twice each calendar year, at such times and places as may be found necessary for the performance of its duties.

* Renumbered Section 10 of Article II on June 8, 1976.

(c) Examinations shall be written, oral, and practical, covering chiropractic as taught in chiropractic schools or colleges, designed to ascertain the fitness of the applicant to practice chiropractic. Said examination shall include at least each of the subjects as set forth in Section 5 hereof. Identity of the applicants shall not be disclosed to the examiners until after examinations have been given final grades. A license shall be granted to any applicant who shall make a general average of 75 percent, and not fall below 60 percent in more than two subjects or branches of the examination and receive a 75 percent score in all parts of the practical examination as designated by the board. Any applicant failing to make the required grade shall be given credit for the branches passed, and may, without further cost,

take the examination at the next regular examination on the subjects in which he failed. For each year of actual practice since graduation the applicant shall be given a credit of 1 percent on the general average.

(d) *An applicant having fulfilled the requirements of Section 5 and paid the fee thereunder, and having obtained a diplomate certificate from the National Board of Chiropractic Examiners, may offer said certificate together with a transcript of grades secured in said national board examination, and the California Board of Chiropractic Examiners may accept same in lieu of all or a portion of the California board examination as determined by the board.*