

By: Representative Ford

To: Public Health and Welfare

HOUSE BILL NO. 522
(As Passed the House)

1 AN ACT TO REENACT SECTIONS 73-6-1 THROUGH 73-6-31,
2 MISSISSIPPI CODE OF 1972, WHICH ESTABLISH REGULATIONS REGARDING
3 THE PRACTICE OF CHIROPRACTIC AND CREATE THE STATE BOARD OF
4 CHIROPRACTIC EXAMINERS; TO AMEND SECTION 73-6-33, MISSISSIPPI CODE
5 OF 1972, TO EXTEND THE REPEAL DATE ON THE REENACTED CODE SECTIONS
6 FROM JULY 1, 2001, TO JULY 1, 2006; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 SECTION 1. Section 73-6-1, Mississippi Code of 1972, is
9 reenacted follows:

10 73-6-1. (1) The practice of chiropractic involves the
11 analysis of any interference with normal nerve transmission and
12 expression, and the procedure preparatory to and complementary to
13 the correction thereof, by adjustment and/or manipulation of the
14 articulations of the vertebral column and its immediate
15 articulations for the restoration and maintenance of health
16 without the use of drugs or surgery.

17 (2) The chiropractic adjustment and/or manipulation of the
18 articulations of the human body may include manual adjustments
19 and/or manipulations and adjustments and/or manipulations by means
20 of electrical and mechanical devices which produce traction or
21 vibration. Chiropractors licensed under this chapter may also use
22 in conjunction with adjustments and/or manipulations of the spinal
23 structures electrical therapeutic modalities which induce heat or
24 electrical current beneath the skin, including therapeutic
25 ultrasound, galvanism, diathermy and electromuscular stimulation.

26 (3) Chiropractors licensed under this chapter may utilize
27 those electric therapeutic modalities described in subsection (2)
28 of this section only after the chiropractor has completed a course

29 of study containing a minimum of one hundred twenty (120) hours of
30 instruction in the proper utilization of those procedures in
31 accordance with the guidelines set forth by the Council on
32 Chiropractic Education, or its successor, and is qualified and so
33 certified in that proper utilization.

34 (4) Chiropractors shall not prescribe or administer medicine
35 to patients, perform surgery, practice obstetrics or osteopathy.
36 Chiropractors shall be authorized to recommend, dispense or sell
37 vitamins or food supplements.

38 (5) Chiropractors shall not use venipuncture, capillary
39 puncture, acupuncture or any other technique which is invasive of
40 the human body either by penetrating the skin or through any of
41 the orifices of the body or through the use of colonics.

42 (6) A person professing to practice chiropractic for
43 compensation must bring to the exercise of that person's
44 profession a reasonable degree of care and skill. Any injury
45 resulting from a want of such care and skill shall be a tort for
46 which a recovery may be had. If a chiropractor performs upon a
47 patient any act authorized to be performed under this chapter but
48 which act also constitutes a standard procedure of the practice of
49 medicine including, but not limited to, the use of modalities such
50 as those described in subsection (2) of this section and X-rays,
51 under similar circumstances, the chiropractor shall be held to the
52 same standard of care as would licensed doctors of medicine who
53 are qualified to and who actually perform those acts under similar
54 conditions and like circumstances.

55 (7) Chiropractors licensed under this chapter are authorized
56 to refer patients to licensed physical therapists for treatment.

57 SECTION 2. Section 73-6-3, Mississippi Code of 1972, is
58 reenacted as follows:

59 73-6-3. There is hereby created a State Board of
60 Chiropractic Examiners. This board shall consist of six (6)
61 members, one (1) of whom shall be the executive officer of the

62 State Board of Health or his designee, and one (1) from each
63 congressional district as presently constituted, to be appointed
64 by the Governor with the advice and consent of the Senate. Each
65 member except the executive officer of the State Board of Health
66 shall be a qualified elector of the State of Mississippi having
67 been continuously engaged in the practice of chiropractic in
68 Mississippi for at least five (5) years prior to appointment. No
69 member shall be a stockholder in or member of the faculty or board
70 of trustees of any school of chiropractic. Each member appointed
71 to the board shall serve for five (5) years and until his
72 successor is appointed and qualified; except the terms of the
73 initial members appointed by the Governor shall expire one each
74 for five (5) years or until their successors are appointed and
75 qualified. Vacancies on the board, except for the executive
76 officer of the State Board of Health or his designee, shall be
77 filled by appointment of the Governor only for unexpired terms.
78 Any member who shall not attend two (2) consecutive meetings of
79 the board shall be subject to removal by the Governor. The
80 chairman of the board shall notify the Governor in writing when
81 any such member has failed to attend two (2) consecutive regular
82 meetings.

83 SECTION 3. Section 73-6-5, Mississippi Code of 1972, is
84 reenacted as follows:

85 73-6-5. (1) The State Board of Chiropractic Examiners shall
86 select by election from its membership a chairman and vice
87 chairman who shall hold their respective offices for a period of
88 one (1) year. A majority of the members of the board may select
89 an executive secretary; and may hire such other employees,
90 including an attorney, needed to implement the provisions of this
91 chapter. The board shall hold regular meetings for examination
92 beginning on the second week of January and July of each year; and
93 may hold additional meetings at such times and places as it deems
94 necessary, but not to exceed twelve (12) times during its initial

95 calendar year and not more than four (4) times during any
96 subsequent calendar year. The July meeting shall be held in the
97 City of Jackson. A majority of the board shall constitute a
98 quorum, and the concurrence of a majority of the members of the
99 board shall be required to grant or revoke a license. The board
100 shall make such rules and regulations as is necessary to carry out
101 the provisions of this chapter, and a copy of these rules and
102 regulations as well as all changes thereto shall, upon passage, be
103 sent to all practitioners licensed hereunder.

104 (2) The State Board of Chiropractic Examiners shall be
105 authorized to certify to the State Department of Health those
106 chiropractic assistants who are exempt from registration under
107 Section 41-58-3(7)(d) as having completed continuing education
108 requirements and charge a fee of not more than Fifty Dollars
109 (\$50.00) biennially to each individual whom the board certifies,
110 as required under Section 41-58-5(4)(f). The board shall be
111 authorized to establish educational qualifications and continuing
112 education requirements for chiropractic assistants that
113 participate in direct patient care. Chiropractic radiological
114 technologists are not exempt from these continuing education
115 requirements.

116 SECTION 4. Section 73-6-7, Mississippi Code of 1972, is
117 reenacted as follows:

118 73-6-7. Before entering upon the discharge of the duties of
119 his office, the Executive Secretary of the State Board of
120 Chiropractic Examiners shall present a bond, approved by the
121 board, to the state in the sum of Ten Thousand Dollars
122 (\$10,000.00), conditioned upon the faithful discharge of the
123 duties of his office. The premium for such bond shall be paid
124 from the funds paid into the State Treasury by the secretary of
125 the board. Such bond, with the approval of the board and oath of
126 office endorsed thereon, shall be deposited with the Secretary of
127 State.

128 Each month, monies received by the secretary of the board
129 shall be paid by him into the State Treasury and deposited in a
130 fund to be known as the "State Board of Chiropractic Examiners
131 Fund" for the use of the board in carrying out the provisions of
132 this chapter. The board shall receive no appropriation from any
133 state funds for its support, except from the special fund
134 deposited into the State Treasury by the board.

135 SECTION 5. Section 73-6-9, Mississippi Code of 1972, is
136 reenacted as follows:

137 73-6-9. Each member of the State Board of Chiropractic
138 Examiners shall receive the per diem authorized under Section
139 25-3-69, for each day actually discharging his official duties,
140 and shall receive reimbursement for mileage and necessary expense
141 incurred, as provided in Section 25-3-41. The executive secretary
142 shall receive an annual salary to be fixed by the board in
143 addition to reimbursements for necessary expenses incurred in the
144 discharge of his official duties.

145 The expenses of the board in carrying out the provisions of
146 this chapter shall be paid upon requisitions signed by the
147 chairman and secretary of the board and warrants signed by the
148 State Auditor from the fund in the State Treasury for the use of
149 the board. Said expenses shall not exceed the amount paid into
150 the State Treasury under the provisions of this chapter.

151 SECTION 6. Section 73-6-11, Mississippi Code of 1972, is
152 reenacted as follows:

153 73-6-11. The State Board of Chiropractic Examiners shall
154 adopt an official seal and shall keep a record of its proceedings,
155 persons licensed as chiropractors, and a record of licenses which
156 have been revoked or suspended. The board shall keep on file all
157 examination papers for a period of at least ninety (90) days after
158 each examination. A transcript of an entry in such records,
159 certified by the secretary under the seal of the board, shall be
160 evidence of the facts therein stated. The board shall annually,

161 on or before January 1, make a report to the Governor and
162 Legislature of all its official acts during the preceding year,
163 its receipts and disbursements, and a full and complete report of
164 the conditions of chiropractic in this state.

165 SECTION 7. Section 73-6-13, Mississippi Code of 1972, is
166 reenacted as follows:

167 73-6-13. (1) Any adult citizen of the United States of good
168 moral character who has (a) graduated from a school or college of
169 chiropractic recognized by the State Board of Chiropractic
170 Examiners, preceded by the successful completion of at least two
171 (2) academic years at an accredited institution of higher
172 learning, or accredited junior college, and (b) successfully
173 completed parts 1, 2, 3 and 4 and the physical modality section of
174 the examination prepared by the National Board of Chiropractic
175 Examiners, shall be entitled to take the examination for a license
176 to practice chiropractic in Mississippi. The State Board of
177 Chiropractic Examiners shall keep on file a list of schools or
178 colleges of chiropractic which are so recognized. No chiropractic
179 school shall be approved unless it is recognized and approved by
180 the council of chiropractic education, offers an accredited course
181 of study of not less than four (4) academic years of at least nine
182 (9) months in length, and requires its graduates to receive not
183 less than forty (40) clock hours of instruction in the operation
184 of X-ray machinery and not less than forty (40) clock hours of
185 instruction in X-ray interpretation and diagnosis.

186 (2) Except as otherwise provided in this section, the State
187 Board of Health shall prescribe rules and regulations for the
188 operation and use of X-ray machines.

189 (3) The examination to practice chiropractic used by the
190 board shall consist of testing on the statutes and the rules and
191 regulations regarding the practice of chiropractic in the State of
192 Mississippi.

193 (4) Reciprocity privileges for a chiropractor from another
194 state shall be granted at the board's option on an individual
195 basis and by a majority vote of the State Board of Chiropractic
196 Examiners to an adult citizen of the United States of good moral
197 character who (a) is currently an active competent practitioner
198 for at least eight (8) years and holds an active chiropractic
199 license in another state with no disciplinary proceeding or
200 unresolved complaint pending anywhere at the time a license is to
201 be issued by this state, (b) demonstrates having obtained
202 licensure as a chiropractor in another state under the same
203 education requirements which were equivalent to the education
204 requirements in this state to obtain a chiropractic license at the
205 time the applicant obtained the license in the other state, (c)
206 satisfactorily passes the examination administered by the State
207 Board of Chiropractic Examiners and the Spec examination prepared
208 by the National Board of Chiropractic Examiners, and (d) meets the
209 requirements of Section 73-6-1(3) pertaining to therapeutic
210 modalities.

211 SECTION 8. Section 73-6-15, Mississippi Code of 1972, is
212 reenacted as follows:

213 73-6-15. Every applicant shall file with the secretary of
214 the board an application, verified by oath, setting forth the
215 facts which entitle the applicant to examination under the
216 provisions of this chapter. The State Board of Chiropractic
217 Examiners shall hold at least two (2) examinations each year. In
218 case of failing to pass such examination, the applicant, after the
219 expiration of six (6) months and within two (2) years, shall have
220 the privilege of taking a second examination by the board with the
221 payment of an additional fee equal to that charged the State Board
222 of Chiropractors by the National Board of Chiropractic Examiners.
223 An applicant who fails the examination twice shall not be
224 permitted to retake the examination until completion of further
225 course of study to be outlined by the board and payment of the fee

226 for further examination. Every applicant who passed the
227 examination and otherwise complies with the provisions of this
228 chapter shall receive from the board, under its seal, a
229 certificate of licensure which entitles him to practice
230 chiropractic in this state; however, such certificate does not in
231 any way qualify a chiropractor to make application to practice on
232 the medical staff of any hospital licensed by the State Department
233 of Health. Nothing in this chapter may prevent a chiropractor
234 from making application to any hospital for chiropractic staff
235 privileges or as an allied health provider as outlined under the
236 Minimum Standards for the Operation of Hospitals. Such
237 certificate shall be duly registered in a record book which shall
238 be properly kept by the secretary of the board and which shall be
239 open to public inspection. A duly certified copy of said record
240 shall be competent evidence in all courts of this state to
241 establish licensure.

242 Each application or filing made under this section shall
243 include the social security number(s) of the applicant in
244 accordance with Section 93-11-64, Mississippi Code of 1972.

245 SECTION 9. Section 73-6-17, Mississippi Code of 1972, is
246 reenacted as follows:

247 73-6-17. The State Board of Chiropractic Examiners shall
248 charge the following fees for application, examination and
249 issuance of certificates: application, One Hundred Dollars
250 (\$100.00); examination and issuance of certificate, Two Hundred
251 Dollars (\$200.00) for all applicants; provided, however, that
252 resident and nonresident applicants shall have first successfully
253 completed parts 1, 2, 3 and 4 and the physical modality section of
254 the examination prepared by the National Board of Chiropractic
255 Examiners.

256 Every registered chiropractor in order to continue the
257 practice of chiropractic shall pay annually to the secretary of
258 the board a registration renewal fee of not more than Three

259 Hundred Dollars (\$300.00) and, in addition to such renewal fee,
260 shall be required to file with the secretary of the board a
261 certificate, certified by a state board and state association,
262 verifying his attendance at a course of study approved by the
263 board consisting of not less than twelve (12) hours of instruction
264 in the latest developments in the practice of chiropractic of
265 which at least three (3) hours shall be instruction in the subject
266 of risk management. Provided, that any chiropractor who has
267 reached the age of seventy-five (75) years and is not
268 participating in an active practice shall not be required to pay
269 said renewal fee or submit the twelve (12) hours of continuing
270 education. Any chiropractor who has received a certificate of
271 licensure in this state under the provisions of Section 73-6-21
272 shall be in good standing in the state of his original licensure
273 in order to renew his certificate in this state, and the board
274 shall refuse to renew the certificate of any such chiropractor
275 whose license has been suspended or revoked for cause in the state
276 of his original licensure. In case of failure to pay the renewal
277 fee, the board may revoke such certificate after giving sixty (60)
278 days' notice to the holder who, within such period, may renew such
279 certificate upon payment of the delinquent fee with a special
280 processing charge of not more than Three Hundred Dollars
281 (\$300.00). Lack of participation in active practice for a period
282 of less than two (2) years, except when a doctor is in active
283 military duty, shall not deprive the holder of the right to renew
284 such certificate, without examination, upon the payment of all
285 lapsed fees and proof of required continuing education hours.

286 SECTION 10. Section 73-6-18, Mississippi Code of 1972, is
287 reenacted as follows:

288 73-6-18. These standards apply to all licensed chiropractors
289 and chiropractic assistants. These standards also apply to those
290 consultations and examinations advertised as a reduced fee or free
291 (no charge) service:

292 (a) The chiropractor shall maintain records for
293 patients which accurately, legibly and completely reflect the
294 evaluation and treatment of the patient.

295 (b) All patient records shall include patient history,
296 symptomatology, examination, diagnosis, prognosis and treatment.
297 If abbreviations or symbols are used in daily record keeping, a
298 key must be provided.

299 (c) In the event that the board takes disciplinary
300 action against a chiropractor for any reason, these minimum record
301 keeping standards will apply. It is understood that these
302 procedures are the accepted standard(s) and anything less than
303 this shall be considered unprofessional conduct in the practice of
304 chiropractic.

305 SECTION 11. Section 73-6-19, Mississippi Code of 1972, is
306 reenacted as follows:

307 73-6-19. (1) The board shall refuse to grant a certificate
308 of licensure to any applicant or may cancel, revoke or suspend the
309 certificate upon the finding of any of the following facts
310 regarding the applicant or licensed practitioner:

311 (a) Failure to comply with the rules and regulations
312 adopted by the State Board of Chiropractic Examiners;

313 (b) Violation of any of the provisions of this chapter
314 or any of the rules and regulations of the State Board of Health
315 pursuant to this chapter with regard to the operation and use of
316 X-rays;

317 (c) Fraud or deceit in obtaining a license;

318 (d) Addiction to the use of alcohol, narcotic drugs, or
319 anything which would seriously interfere with the competent
320 performance of his professional duties;

321 (e) Conviction by a court of competent jurisdiction of
322 a felony, other than manslaughter or any violation of the United
323 States Revenue Code;

324 (f) Unprofessional and unethical conduct;

325 (g) Contraction of a contagious disease which may be
326 carried for a prolonged period;

327 (h) Failure to report to the Mississippi Department of
328 Human Services or the county attorney any case wherein there are
329 reasonable grounds to believe that a child has been abused by its
330 parent or person responsible for such child's welfare;

331 (i) Advising a patient to use drugs, prescribing or
332 providing drugs for a patient, or advising a patient not to use a
333 drug prescribed by a licensed physician or dentist;

334 (j) Professional incompetency in the practice of
335 chiropractic;

336 (k) Having disciplinary action taken by his peers
337 within any professional chiropractic association or society;

338 (l) Offering to accept or accepting payment for
339 services rendered by assignment from any third-party payor after
340 offering to accept or accepting whatever the third-party payor
341 covers as payment in full, if the effect of the offering or
342 acceptance is to eliminate or give the impression of eliminating
343 the need for payment by an insured of any required deductions
344 applicable in the policy of the insured;

345 (m) Associating his practice with any chiropractor who
346 does not hold a valid chiropractic license in Mississippi, or
347 teach chiropractic manipulation to nonqualified persons under
348 Section 73-6-13;

349 (n) Failure to make payment on chiropractic student
350 loans; or

351 (o) Failure to follow record keeping requirements
352 prescribed in Section 73-6-18.

353 (2) Any holder of such certificate or any applicant therefor
354 against whom is preferred any of the designated charges shall be
355 furnished a copy of the complaint and shall receive a formal
356 hearing in Jackson, Mississippi, before the board, at which time
357 he may be represented by counsel and examine witnesses. The board

358 is authorized to administer oaths as may be necessary for the
359 proper conduct of any such hearing. In addition, the board is
360 authorized and empowered to issue subpoenas for the attendance of
361 witnesses and the production of books and papers. The process
362 issued by the board shall extend to all parts of the state. Where
363 in any proceeding before the board any witness shall fail or
364 refuse to attend upon subpoena issued by the board, shall refuse
365 to testify, or shall refuse to produce any books and papers, the
366 production of which is called for by the subpoena, the attendance
367 of such witness and the giving of his testimony and the production
368 of the books and papers shall be enforced by any court of
369 competent jurisdiction of this state in the manner provided for
370 the enforcement of attendance and testimony of witnesses in civil
371 cases in the courts of this state.

372 (3) In addition to any other investigators the board
373 employs, the board shall appoint one or more licensed
374 chiropractors to act for the board in investigating the conduct
375 relating to the competency of a chiropractor, whenever
376 disciplinary action is being considered for professional
377 incompetence and unprofessional conduct.

378 (4) Whenever the board finds any person unqualified to
379 practice chiropractic because of any of the grounds set forth in
380 subsection (1) of this section, after a hearing has been conducted
381 as prescribed by this section, the board may enter an order
382 imposing one or more of the following:

- 383 (a) Deny his application for a license or other
384 authorization to practice chiropractic;
- 385 (b) Administer a public or private reprimand;
- 386 (c) Suspend, limit or restrict his license or other
387 authorization to practice chiropractic for up to five (5) years;
- 388 (d) Revoke or cancel his license or other authorization
389 to practice chiropractic;

390 (e) Require him to submit to care, counseling or
391 treatment by physicians or chiropractors designated by the board,
392 as a condition for initial, continued or renewal of licensure or
393 other authorization to practice chiropractic;

394 (f) Require him to participate in a program of
395 education prescribed by the board; or

396 (g) Require him to practice under the direction of a
397 chiropractor designated by the board for a specified period of
398 time.

399 (5) Any person whose application for a license or whose
400 license to practice chiropractic has been cancelled, revoked or
401 suspended by the board within thirty (30) days from the date of
402 such final decision shall have the right of a de novo appeal to
403 the circuit court of his county of residence or the Circuit Court
404 of the First Judicial District of Hinds County, Mississippi. If
405 there is an appeal, such appeal may, in the discretion of and on
406 motion to the circuit court, act as a supersedeas. The circuit
407 court shall dispose of the appeal and enter its decision promptly.
408 The hearing on the appeal may, in the discretion of the circuit
409 judge, be tried in vacation. Either party shall have the right of
410 appeal to the Supreme Court as provided by law from any decision
411 of the circuit court.

412 (6) In a proceeding conducted under this section by the
413 board for the revocation, suspension or cancellation of a license
414 to practice chiropractic, after a hearing has been conducted as
415 prescribed by this section, the board shall have the power and
416 authority for the grounds stated in subsection (1) of this
417 section, with the exception of paragraph (c) thereof, to assess
418 and levy upon any person licensed to practice chiropractic in the
419 state a monetary penalty in lieu of such revocation, suspension or
420 cancellation, as follows:

421 (a) For the first violation, a monetary penalty of not
422 less than Five Hundred Dollars (\$500.00) nor more than One
423 Thousand Dollars (\$1,000.00) for each violation.

424 (b) For the second and each subsequent violation, a
425 monetary penalty of not less than One Thousand Dollars (\$1,000.00)
426 nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for
427 each violation.

428 The power and authority of the board to assess and levy such
429 monetary penalties under this section shall not be affected or
430 diminished by any other proceeding, civil or criminal, concerning
431 the same violation or violations. A licensee shall have the right
432 of appeal from the assessment and levy of a monetary penalty as
433 provided in this section to the circuit court under the same
434 conditions as a right of appeal is provided for in this section
435 for appeals from an adverse ruling, or order, or decision of the
436 board. Any monetary penalty assessed and levied under this
437 section shall not take effect until after the time for appeal has
438 expired, and an appeal of the assessment and levy of such a
439 monetary penalty shall act as a supersedeas.

440 (7) In addition to the grounds specified in subsection (1)
441 of this section, the board shall be authorized to suspend the
442 license of any licensee for being out of compliance with an order
443 for support, as defined in Section 93-11-153. The procedure for
444 suspension of a license for being out of compliance with an order
445 for support, and the procedure for the reissuance or reinstatement
446 of a license suspended for that purpose, and the payment of any
447 fees for the reissuance or reinstatement of a license suspended
448 for that purpose, shall be governed by Section 93-11-157 or
449 93-11-163, as the case may be. Actions taken by the board in
450 suspending a license when required by Section 93-11-157 or
451 93-11-163 are not actions from which an appeal may be taken under
452 this section. Any appeal of a license suspension that is required
453 by Section 93-11-157 or 93-11-163 shall be taken in accordance

454 with the appeal procedure specified in Section 93-11-157 or
455 93-11-163, as the case may be, rather than the procedure specified
456 in this section. If there is any conflict between any provision
457 of Section 93-11-157 or 93-11-163 and any provision of this
458 chapter, the provisions of Section 93-11-157 or 93-11-163, as the
459 case may be, shall control.

460 SECTION 12. Section 73-6-23, Mississippi Code of 1972, is
461 reenacted as follows:

462 73-6-23. Nothing in this chapter shall be construed as
463 conferring upon the holder of such certificate the right to
464 practice medicine and surgery as a physician or osteopathic
465 physician as defined by statute, to engage in the practice of
466 physical therapy as defined by statute, to advise or prescribe the
467 use of drugs by his patients, or to advise a patient not to use a
468 drug prescribed by a licensed physician or dentist.

469 SECTION 13. Section 73-6-25, Mississippi Code of 1972, is
470 reenacted as follows:

471 73-6-25. (1) The members of the chiropractic profession,
472 licensed or unlicensed, are hereby prohibited from:

473 (a) Making use of any public statement of a character
474 tending to mislead the public in regard to the health services of
475 the chiropractic profession or of an individual chiropractor, or
476 use of any other professional designation other than the term
477 "chiropractor," "doctor of chiropractic," or "D.C.";

478 (b) Offering discounts or inducements to prospective
479 patients by means of coupons or otherwise to perform professional
480 services during any period of time for a lesser or more attractive
481 price without providing a disclaimer to the public indicating the
482 usual price for other services;

483 (c) Advertising or promising to guarantee any
484 professional service or to perform any operation painlessly;

485 (d) Violating any of the provisions of this chapter or
486 any of the rules and regulations of the State Board of Health

487 pursuant to this chapter with regard to the operation and use of
488 X-rays.

489 (2) Nothing herein shall be construed to prohibit a licensed
490 practitioner of chiropractic from allowing or causing his name,
491 address and telephone number to be inserted in the classified
492 section of a telephone directory under a classification denoting
493 said practitioner's profession. Nothing herein shall be construed
494 to prohibit a licensed practitioner from mailing letters to his
495 clients, but such letters shall otherwise be subject to the
496 provisions of this section.

497 SECTION 14. Section 73-6-27, Mississippi Code of 1972, is
498 reenacted as follows:

499 73-6-27. Any person who has graduated from a college
500 approved by the International Chiropractors Association or
501 American Chiropractic Association and who was engaged in the
502 full-time practice of chiropractic in Mississippi prior to January
503 1, 1970, or was engaged in the full-time practice of chiropractic
504 in Mississippi for a period of eight (8) years prior to the date
505 of passage of this chapter, shall be entitled to a license
506 hereunder by making application to the State Board of Chiropractic
507 Examiners without being required to take the examination of the
508 State Board of Chiropractic Examiners, provided he applies for
509 such license within ninety (90) days after the appointment of the
510 initial board, submits reasonable evidence to the board
511 establishing his eligibility for such exemption, and pays a
512 Twenty-five Dollar (\$25.00) registration fee. All other persons
513 practicing chiropractic within the State of Mississippi at the
514 time of passage of this chapter shall be eligible to take the
515 approved examination.

516 SECTION 15. Section 73-6-29, Mississippi Code of 1972, is
517 reenacted as follows:

518 73-6-29. Anyone failing to comply with the provisions of
519 this chapter shall be guilty of a misdemeanor and upon conviction

520 thereof shall be punished by a fine of not less than Five Hundred
521 Dollars (\$500.00) nor more than Two Thousand Five Hundred Dollars
522 (\$2,500.00), and/or by imprisonment in the county jail for not
523 less than thirty (30) days nor more than one (1) year.

524 All subsequent offenses shall be separate and distinct
525 offenses, and punishable in like manner.

526 The State Board of Chiropractic Examiners or the district
527 attorney or county attorney of the county in which the defendant
528 may reside or the Attorney General of Mississippi may institute
529 legal action as provided by law against any person violating the
530 provisions of this chapter, and the chancery court of the county
531 in which any such violation occurred or in which any such person
532 resides or practices shall have jurisdiction to grant injunctive
533 relief against the continuation of any such violation.

534 SECTION 16. Section 73-6-31, Mississippi Code of 1972, is
535 reenacted as follows:

536 73-6-31. No person shall engage in the practice of
537 chiropractic from and after January 1, 1974, unless he has a valid
538 license issued pursuant to this chapter.

539 SECTION 17. Section 73-6-33, Mississippi Code of 1972, is
540 amended as follows:

541 73-6-33. Sections 73-6-1 through 73-6-31, Mississippi Code
542 of 1972, which create the State Board of Chiropractic Examiners
543 and prescribe its duties and powers, shall stand repealed as of
544 July 1, 2006.

545 SECTION 18. This act shall take effect and be in force from
546 and after July 1, 2001.