

By: Huggins

To: Public Health and
Welfare

SENATE BILL NO. 2461
(As Sent to Governor)

1 AN ACT TO AMEND SECTIONS 73-6-17, 73-6-5, AND 73-6-34,
2 MISSISSIPPI CODE OF 1972, TO REVISE THE FEES FOR APPLICATION,
3 EXAMINATION AND ISSUANCE AND RENEWAL OF CERTIFICATES BY THE STATE
4 BOARD OF CHIROPRACTIC EXAMINERS; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 73-6-17, Mississippi Code of 1972, is
7 amended as follows:[RDD1]

8 73-6-17. The State Board of Chiropractic Examiners shall
9 charge the following fees for application, examination and
10 issuance of certificates: application, One Hundred Dollars
11 (\$100.00); examination and issuance of certificate, Two Hundred
12 Dollars (\$200.00) for all applicants * * *; provided, however,
13 that resident and nonresident applicants shall have first
14 successfully completed parts 1, 2, 3 and 4 and the physical
15 modality section of the examination prepared by the National Board
16 of Chiropractic Examiners.

17 Every registered chiropractor in order to continue the
18 practice of chiropractic shall pay annually to the secretary of
19 the board a registration renewal fee of not more than Three
20 Hundred Dollars (\$300.00) and, in addition to such renewal fee,
21 shall be required to file with the secretary of the board a
22 certificate, certified by a state board and state association,
23 verifying his attendance at a course of study approved by the
24 board consisting of not less than twelve (12) hours of instruction
25 in the latest developments in the practice of chiropractic of
26 which at least three (3) hours shall be instruction in the subject
27 of risk management. Provided, that any chiropractor who has

28 reached the age of seventy-five (75) years and is not
29 participating in an active practice shall not be required to pay
30 said renewal fee or submit the twelve (12) hours of continuing
31 education. Any chiropractor who has received a certificate of
32 licensure in this state under the provisions of Section 73-6-21
33 shall be in good standing in the state of his original licensure
34 in order to renew his certificate in this state, and the board
35 shall refuse to renew the certificate of any such chiropractor
36 whose license has been suspended or revoked for cause in the state
37 of his original licensure. In case of failure to pay the renewal
38 fee, the board may revoke such certificate after giving sixty (60)
39 days' notice to the holder who, within such period, may renew such
40 certificate upon payment of the delinquent fee with a special
41 processing charge of not more than Three Hundred Dollars
42 (\$300.00). Lack of participation in active practice for a period
43 of less than two (2) years, except when a doctor is in active
44 military duty, shall not deprive the holder of the right to renew
45 such certificate, without examination, upon the payment of all
46 lapsed fees and proof of required continuing education hours.

47 SECTION 2. Section 73-6-5, Mississippi Code of 1972, is
48 amended as follows:

49 73-6-5. (1) The State Board of Chiropractic Examiners shall
50 select by election from its membership a chairman and vice
51 chairman who shall hold their respective offices for a period of
52 one (1) year. A majority of the members of the board may select
53 an executive secretary; and may hire such other employees,
54 including an attorney, needed to implement the provisions of this
55 chapter. The board shall hold regular meetings for examination
56 beginning on the second week of January and July of each year; and
57 may hold additional meetings at such times and places as it deems
58 necessary, but not to exceed twelve (12) times during its initial
59 calendar year and not more than four (4) times during any
60 subsequent calendar year. The July meeting shall be held in the
61 City of Jackson. A majority of the board shall constitute a
62 quorum, and the concurrence of a majority of the members of the
63 board shall be required to grant or revoke a license. The board
64 shall make such rules and regulations as is necessary to carry out

65 the provisions of this chapter, and a copy of these rules and
66 regulations as well as all changes thereto shall, upon passage, be
67 sent to all practitioners licensed hereunder.

68 (2) The State Board of Chiropractic Examiners shall be
69 authorized to certify to the State Department of Health those
70 chiropractic assistants who are exempt from registration under
71 Section 41-58-3(7)(d) as having completed continuing education
72 requirements and charge a fee of not more than Fifty Dollars
73 (\$50.00) biennially to each individual whom the board certifies,
74 as required under Section 41-58-5(4)(f). The board shall be
75 authorized to establish educational qualifications and continuing
76 education requirements for chiropractic assistants that
77 participate in direct patient care. Chiropractic radiological
78 technologists are not exempt from these continuing education
79 requirements.

80 SECTION 3. Section 73-6-34, Mississippi Code of 1972, is
81 amended as follows:[RDD2]

82 73-6-34. (1) "Claims review" and/or "independent
83 examinations" are defined as services for third-party entities for
84 the purpose of rendering a decision on chiropractic insurance
85 claims.

86 (2) Nothing in this section shall prohibit an insurance
87 company or its designees from taking adverse action based upon
88 reviewing a claim if it is determined that the services rendered
89 are not covered under the insurance plan's schedule of benefits or
90 the services are subject to the insurance plan's exclusions and/or
91 limitations. No determination adverse to a chiropractic patient
92 or doctor of chiropractic shall be made on any question relating
93 to the necessity or justification of any form of health care
94 services without prior evaluation and concurrence in the adverse
95 determination by a chiropractor licensed to practice in
96 Mississippi and meeting the following criteria:

97 (a) Present proof of three hundred (300) hours of study

98 in insurance claim review by a course of study recognized by the
99 Mississippi State Chiropractic Examining Board. Such proof is to
100 be filed with the Executive Secretary of the Mississippi State
101 Board of Chiropractic Examiners.

102 (b) Present proof to the Executive Secretary of the
103 Mississippi State Board of Chiropractic Examiners ten (10) hours
104 of continuing education each fiscal year in the instruction or
105 developments in claims review, which must be approved by the
106 Mississippi State Board of Chiropractic Examiners.

107 (c) Those chiropractors active in doing claims review
108 five (5) years prior to the enactment of this law will be exempt
109 from the three hundred (300) hours educational requirements.
110 Those chiropractors qualifying under subsection (c) of this
111 section must show proof of one hundred (100) hours of study in
112 claims reviews or related subjects, and meet all other
113 requirements.

114 (d) The Mississippi State Board of Chiropractic
115 Examiners shall issue a certificate to those chiropractors
116 qualifying under this law, and may charge a fee of Twenty-five
117 Dollars (\$25.00) to each individual whom the board certifies.

118 (e) Any chiropractor not complying with this act will
119 be subject to disciplinary action by the Mississippi State Board
120 of Chiropractic Examiners.

121 (3) No chiropractor shall engage in chiropractic claims
122 review or independent examinations on or after March 19, 1999
123 unless he has met all requirements in this section.

124 SECTION 4. This act shall take effect and be in force from
125 and after July 1, 2000.