

# ***Statutes and Regulations*** **Chiropractors**

***March 2025***



DEPARTMENT OF COMMERCE, COMMUNITY,  
AND ECONOMIC DEVELOPMENT

***DIVISION OF CORPORATIONS, BUSINESS  
AND PROFESSIONAL LICENSING***

NOTE: The official version of the statutes in this document is printed in the Alaska Statutes, copyrighted by the State of Alaska. The official version of the regulations in this document is published in the Alaska Administrative Code, copyrighted by the State of Alaska. If any discrepancies are found between this document and the official versions, the official versions will apply.

## TABLE OF CONTENTS

	Page
<b>Section</b>	
1. Chiropractor Statutes (AS 08.20).....	1
2. Chiropractor Regulations (12 AAC 16) .....	7
3. Appendix A: Notice on Superiority Advertising .....	23

## CHAPTER 20. CHIROPRACTORS

### Article

1. Board of Chiropractic Examiners (§§ 08.20.010 — 08.20.090)
2. Licensing and Regulation (§§ 08.20.100 — 08.20.195)
3. Unlawful Acts and Penalties (§§ 08.20.200, 08.20.210)
4. General Provisions (§§ 08.20.230, 08.20.900)

### ARTICLE 1. BOARD OF CHIROPRACTIC EXAMINERS

#### Section

10. Creation and membership of Board of Chiropractic Examiners
20. Members of board
25. Removal of board members
40. Organization of board
50. Power of officers to administer oaths and take testimony
55. Board regulations
60. Seal
90. Quorum of board

**Sec. 08.20.010. Creation and membership of Board of Chiropractic Examiners.** There is created the Board of Chiropractic Examiners consisting of five members appointed by the governor.

**Sec. 08.20.020. Members of board.** Four members of the board shall be licensed chiropractic physicians who have practiced chiropractic in this state not less than two years. One member of the board shall be a person with no direct financial interest in the health care industry. Each member serves without pay but is entitled to per diem and travel expenses allowed by law.

**Sec. 08.20.025. Removal of board members.** A member of the board may be removed from office by the governor for cause.

**Sec. 08.20.030. Members' terms; vacancies.** *[Repealed, Sec. 49 ch 94 SLA 1987.]*

**Sec. 08.20.040. Organization of board.** Every two years, the board shall elect from its membership a president, vice-president and secretary.

**Sec. 08.20.050. Power of officers to administer oaths and take testimony.** The president and the secretary may administer oaths in conjunction with the business of the board.

**Sec. 08.20.055. Board regulations.** The board shall adopt regulations necessary to effect the provisions of this chapter, including regulations establishing standards for

- (1) continuing education;
- (2) the application, performance, and evaluation of chiropractic core methodology;
- (3) the training, qualifications, scope of practice, and employment of chiropractic interns and chiropractic preceptors;
- (4) the designation of one or more nationally recognized certification programs for chiropractic clinical assistants; and
- (5) the performance of patient examinations authorized under AS 08.20.100(b).

**Sec. 08.20.060. Seal.** The board shall adopt a seal and affix it to all licenses issued.

**Sec. 08.20.070 – 08.20.080. Secretary; records; reports and accounts of board.** *[Repealed, Sec. 3 ch 59 SLA 1966.]*

**Sec. 08.20.090. Quorum of board.** A majority of the board constitutes a quorum for the transaction of business.

### ARTICLE 2. LICENSING AND REGULATION

#### Section

100. License to practice chiropractic

- 110. Application for license
- 120. Qualifications for license
- 130. Examinations
- 141. Licensure by credentials
- 155. Professional designation
- 160. Temporary permits
- 163. Temporary permit for locum tenens practice
- 165. Inactive license status
- 167. Retired license status
- 168. Chiropractic clinical assistant
- 170. Disciplinary sanctions; refusal to issue or renew license
- 180. Fees
- 185. Utilization review committee; confidentiality
- 195. Limitation of practice

**Sec. 08.20.100. License to practice chiropractic.** (a) A person may not practice chiropractic or use chiropractic core methodology in the state without a license.

(b) A person licensed under this chapter may

(1) analyze, diagnose, or treat the chiropractic condition of a patient by chiropractic core methodology or by ancillary methodology;

(2) accept referrals for treatment by chiropractic core methodology or by ancillary methodology;

(3) consult on chiropractic matters;

(4) refer patients to other health care professionals;

(5) perform, within the scope of chiropractic practice, physical examinations of children for school physical examinations and preparticipation physical examinations for sports and school activities;

(6) sign

(A) reports for excuses from employment and from attendance at school or participation in sports activities; and

(B) authorizations for sick leave;

(7) perform preemployment and workplace health examinations;

(8) provide disability and physical impairment ratings;

(9) provide retirement health and disability authorizations and recommendations;

(10) employ nationally certified chiropractic clinical assistants; and

(11) employ chiropractic interns and chiropractic preceptors.

(c) A person licensed under this chapter is not authorized to sign affidavits exempting school children from immunization requirements under AS 14.30.125 or to administer or interpret the results of infectious disease tests required by statute or regulation.

(d) This section does not apply to a chiropractic intern who is acting within the scope of practice authorized by the board and is under the personal supervision of a licensed chiropractor.

**Sec. 08.20.110. Application for license.** A person desiring to practice chiropractic shall apply in writing to the board.

**Sec. 08.20.115. Malpractice insurance.** *[Repealed, Sec. 40 ch 177 SLA 1978.]*

**Sec. 08.20.120. Qualifications for license.** (a) An applicant shall be issued a license to practice chiropractic if the applicant

(1) has a high school education or its equivalent;

(2) has successfully completed at least two academic years of study in a college of liberal arts or sciences or has engaged in the active licensed practice of chiropractic for three of the four years preceding the filing of the application;

(3) is a graduate of a school or college of chiropractic that

(A) is accredited by or a candidate for accreditation by the Council on Chiropractic Education or a successor accrediting agency recognized by the board; or

(B) if an accrediting agency under (A) of this paragraph does not exist, requires the completion of a minimum of 4,000 hours of formal education and training in order to graduate, including

(i) 150 hours of chiropractic philosophy or principles;

(ii) 1,200 hours of basic sciences, including anatomy, chemistry, physiology, and pathology;

(iii) 1,400 hours of preclinical technique, including diagnosis, chiropractic technique, and x-ray; and

(iv) 700 hours of clinical training;

(4) completes 120 hours of formal training in physiological therapeutics;

(5) passes an examination given by the board; and

(6) passes, to the satisfaction of the board, the parts of the examination of the National Board of Chiropractic Examiners required by the board.

(b) *[Repealed, Sec. 2 ch 93 SLA 1996.]*

**Sec. 08.20.130. Examinations.** (a) Examinations for a license to practice chiropractic may be held in the time and manner fixed by the board.

(b) The examination may include practical demonstration and oral and written examination in those subjects usually taught in accredited chiropractic schools.

(c) A general average rating of 75 percent is a passing grade on the examination.

(d) An applicant may take a reexamination within one year after failing the examination.

**Sec. 08.20.141. Licensure by credentials.** The board may issue a license by credentials to an applicant who pays the appropriate fee and presents satisfactory proof that the applicant

(1) is a graduate of a school or college of chiropractic that

(A) is accredited by or a candidate for accreditation by the Council on Chiropractic Education or a successor accrediting agency recognized by the board; or

(B) if an accrediting agency under (A) of this paragraph does not exist, requires the completion of a minimum of 4,000 hours of formal education and training in order to graduate, including

(i) 150 hours of chiropractic philosophy or principles;

(ii) 1,200 hours of basic sciences, including anatomy, chemistry, physiology, and pathology;

(iii) 1,400 hours of preclinical technique, including diagnosis, chiropractic technique, and x-rays; and

(iv) 700 hours of clinical training;

(2) has held a license in good standing to practice chiropractic in another jurisdiction for the five years preceding the date of application; for purposes of this paragraph, "good standing" means that

(A) no action has been reported about the applicant in the national licensee database of the Federation of Chiropractic Licensing Boards;

(B) the applicant has not, within the five years preceding the date of application, been the subject of an unresolved review or an adverse decision based on a complaint, investigation, review procedure, or disciplinary proceeding undertaken by a foreign, state, territorial, local, or federal chiropractic licensing jurisdiction, chiropractic society, or law enforcement agency that relates to criminal or fraudulent activity, chiropractic malpractice, or negligent chiropractic care and that adversely reflects on the applicant's ability or competence to engage in the practice of chiropractic or on the safety or well-being of patients;

(C) the applicant has not been convicted of a felony within the five years preceding the date of application;

(3) has been in active licensed clinical chiropractic practice for at least three of the five years immediately preceding the date of application;

(4) has passed, to the satisfaction of the board, the parts of the examination of the National Board of Chiropractic Examiners required by the board;

(5) has passed an examination approved by the board that is designed to test the applicant's knowledge of the laws of the state governing the practice of chiropractic and the regulations adopted under those laws; and

(6) has completed 120 hours of formal training in physiological therapeutics or has passed, to the satisfaction of the board, a physiological therapeutics examination of the National Board of Chiropractic Examiners required by the board.

**Sec. 08.20.150. Recording of license.** *[Repealed, Sec. 7 ch 37 SLA 1986.]*

**Sec. 08.20.155. Professional designation.** Notwithstanding the provisions of AS 08.02.110 relating to specialist designations, a person licensed under this chapter may not designate a specialty unless the person has completed a postgraduate specialty program at an accredited school approved by the board and the person has passed a certification exam for the specialty approved by the board. All specialty designations must include the term "chiropractic"

**Sec. 08.20.160. Temporary permits.** Temporary permits may be issued to qualified applicants until the next regular meeting of the board.

**Sec. 08.20.163. Temporary permit for locum tenens practice.** (a) The board may grant a temporary permit to a chiropractor for the purpose of the chiropractor's substituting for another chiropractor licensed in this state. The permit is valid for 60 consecutive days. If circumstances warrant, an extension of the permit may be granted by the board.

(b) A chiropractor applying under (a) of this section shall pay the required fee and shall meet the

(1) requirements of AS 08.20.120; or

(2) following requirements:

(A) submit evidence of a current license in good standing, including

(i) no action reported in the national licensee database of the Federation of Chiropractic Licensing Boards;

(ii) not having been, within the five years preceding the date of application, the subject of an unresolved review or an adverse decision based upon a complaint, investigation, review procedure, or disciplinary proceeding undertaken by a state, territorial, local, or federal chiropractic licensing jurisdiction, chiropractic society, or law enforcement agency that relates to criminal or fraudulent activity, chiropractic malpractice, or negligent chiropractic care and that adversely reflects on the applicant's ability or competence to engage in the practice of chiropractic or on the safety or well-being of patients; and

(iii) no conviction for a felony within the five years preceding the date of application;

- (B) submit evidence of five years of active licensed clinical practice;
  - (C) be a graduate of a school or college of chiropractic that is accredited by or a candidate for accreditation by the Council on Chiropractic Education or a successor accrediting agency recognized by the board;
  - (D) have completed 120 hours of formal training in physiological therapeutics or have passed, to the satisfaction of the board, a physiological therapeutic examination of the National Board of Chiropractic Examiners required by the board;
  - (E) have passed, to the satisfaction of the board, Parts I and II of the examination of the National Board of Chiropractic Examiners; and
  - (F) pass an examination given by the board.
- (c) Permits and extensions of permits issued under this section to an individual are not valid for more than 240 days during any consecutive 24 months.

**Sec. 08.20.165. Inactive license status.** (a) A licensee who does not practice in the state may convert a license to inactive status when renewing the license. A person who practices in the state, however infrequently, shall hold an active license. A person renewing an inactive license shall meet the same renewal requirements that would be applicable if the person were renewing an active license.

(b) A person who has an inactive license certificate under (a) of this section may reactivate the license by applying for an active license and paying the required fees.

**Sec. 08.20.167. Retired license status.** (a) Upon retiring from practice and upon payment of an appropriate one-time fee, a licensee in good standing with the board may apply for the conversion of an active or inactive license to a retired status license. A person holding a retired status license may not practice chiropractic in the state. A retired status license is valid for the life of the license holder and does not require renewal. A person holding a retired status license is exempt from continuing education requirements adopted by the board under AS 08.20.170(d).

(b) A person with a retired status license may apply for active licensure. Before issuing an active license under this subsection, the board may require the applicant to meet reasonable criteria, as determined under regulations of the board, that may include submission of continuing education credits, reexamination requirements, physical and psychiatric examination requirements, an interview with the board, and a review of information in the national licensee database of the Federation of Chiropractic Licensing Boards.

**Sec. 08.20.168. Chiropractic clinical assistant.** (a) Enrollment in or completion of a nationally recognized certification program under AS 08.20.055(4) is required to practice as a chiropractic clinical assistant in this state.

(b) A person who meets the requirement under (a) of this section may, under the general supervision of a person licensed under this chapter,

- (1) perform diagnostic imaging studies;
- (2) use ancillary methodologies; and
- (3) perform procedures.

**Sec. 08.20.170. Disciplinary sanctions; refusal to issue or renew license.** (a) The board may impose a disciplinary sanction on a person licensed under this chapter or refuse to issue a license under this chapter when the board finds that the person

- (1) secured or attempted to secure a license through deceit, fraud, or intentional misrepresentation;
- (2) engaged in deceit, fraud, or intentional misrepresentation in the course of providing professional services or engaging in professional activities;
- (3) advertised professional services in a false or misleading manner;
- (4) has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of
  - (A) a felony or other crime that affects the person's ability to practice competently and safely; or
  - (B) a crime involving the unlawful procurement, sale, prescription, or dispensing of drugs;
- (5) intentionally or negligently engaged in or permitted the performance of patient care by persons under the licensee's supervision that does not conform to minimum professional standards established by regulation regardless of whether actual injury to the patient occurred;
- (6) failed to comply with this chapter, with a regulation adopted under this chapter, or with an order of the board;
- (7) continued or attempted to practice after becoming unfit due to
  - (A) professional incompetence;
  - (B) addiction or severe dependency on alcohol or a drug that impairs the person's ability to practice safely;
  - (C) physical or mental disability or an infectious or contagious disease;
- (8) engaged in lewd or immoral conduct in connection with the delivery of professional service to patients; or
- (9) failed to satisfy continuing education requirements adopted by the board.

(b) AS 44.62 (Administrative Procedure Act) applies to any action taken by the board for the suspension or revocation of a license.

(c) A person whose license is suspended or revoked may within two years from date of suspension apply for reinstatement, and if the board is satisfied that the applicant should be reinstated, it shall order reinstatement.

(d) The board shall adopt regulations which ensure that renewal of license is contingent on proof of continued competency by a practitioner.

**Sec. 08.20.175. Disciplinary sanctions.** *[Repealed, Sec. 49 ch 94 SLA 1987.]*

**Sec. 08.20.180. Fees.** (a) An applicant for an examination, reexamination, issuance of a temporary permit under AS 08.20.160, issuance of a locum tenens permit under AS 08.20.163, issuance of a license by credentials under AS 08.20.141, one-time issuance of a retired status license, or initial issuance or renewal of an active or inactive license shall pay a fee established under AS 08.01.065.

(b) *[Repealed, Sec. 24 ch 22 SLA 2001.]*

**Sec. 08.20.185. Utilization review committee; confidentiality.** (a) The board may establish a utilization review committee to review complaints concerning the reasonableness or appropriateness of care provided, fees charged, or costs for services rendered by a licensee to a patient. A review conducted by a utilization review committee under this section may be used by the board in considering disciplinary action against a licensee, but the results or recommendations of a utilization review committee are not binding on the board. A member of a utilization review committee established under this section who in good faith submits a report under this section or participates in an investigation or judicial proceeding related to a report submitted under this section is immune from civil liability for the submission or participation.

(b) The board shall charge a complainant a fee, established under AS 08.01.065, for utilization review under this section.

(c) Patient records presented to a utilization review committee for review under this section that were confidential before their presentation to the committee are confidential to the committee members and to the board members and are not subject to inspection or copying under AS 40.25.110 - 40.25.125. A committee member or board member to whom confidential records are presented under this subsection shall maintain the confidentiality of the records. A person who violates this subsection is guilty of a class B misdemeanor.

**Sec. 08.20.190. Disposition of fees.** *[Repealed, Sec. 54 ch 37 SLA 1985.]*

**Sec. 08.20.195. Limitation of practice.** A person licensed under this chapter or a person who is practicing as a chiropractic intern, chiropractic clinical assistant, or chiropractic preceptor under this chapter may act only within the scope of practice authorized by the board.

### ARTICLE 3. UNLAWFUL ACTS AND PENALTIES

**Section**

**200. Unlicensed practice**

**210. Fraudulent licenses and certificates**

**Sec. 08.20.200. Unlicensed practice.** A person who practices chiropractic in the state without a license in violation of AS 08.20.100 is guilty of a class A misdemeanor and may be punished as provided in AS 12.55.

**Sec. 08.20.210. Fraudulent licenses and certificates.** A person who obtains or attempts to obtain a chiropractic license or provides the board with evidence that the person is nationally certified to practice as a chiropractic clinical assistant by dishonest or fraudulent means or who forges, counterfeits, or fraudulently alters a chiropractic license or chiropractic clinical assistant certificate issued by a nationally recognized certification program is guilty of a class A misdemeanor and is punishable as provided in AS 12.55.

### ARTICLE 4. GENERAL PROVISIONS

**Section**

**230. Practice of chiropractic**

**900. Definitions**

**Sec. 08.20.220. Chiropractic defined.** *[Repealed, Sec. 13 ch 60 SLA 1988.]*

**Sec. 08.20.230. Practice of chiropractic.** The practice of chiropractic

(1) addresses ramifications of health and disease with a special emphasis on biomechanical analysis, interpretation and treatment of the structural and functional integrity of skeletal joint structures, and the physiological efficiency of the nervous system as these matters relate to subluxation complex; and

(2) involves the diagnosis, analysis, or formulation of a chiropractic diagnostic impression regarding the chiropractic conditions of the patient to determine the appropriate method of chiropractic treatment.

**Sec. 08.20.900. Definitions.** In this chapter,

(1) "ancillary methodology" means employing within the scope of chiropractic practice, with appropriate training and education, those methods, procedures, modalities, devices, and measures commonly used by trained and licensed health care providers and includes

(A) physiological therapeutics; and

(B) counseling on dietary regimen, sanitary measures, physical and mental attitudes affecting health, personal hygiene, occupational safety, lifestyle habits, posture, rest, and work habits that enhance the effects of chiropractic adjustment;

(2) "board" means the Board of Chiropractic Examiners;

(3) "chiropractic" is the clinical science of human health and disease that focuses on the detection, correction, and prevention of the subluxation complex and the employment of physiological therapeutic procedures preparatory to and complementary with the correction of the subluxation complex for the purpose of enhancing the body's inherent recuperative powers, without the use of surgery or prescription drugs; the primary therapeutic vehicle of chiropractic is chiropractic adjustment;

(4) "chiropractic adjustment" means the application of a precisely controlled force applied by hand or by mechanical device to a specific focal point of the anatomy for the express purpose of creating a desired angular movement in skeletal joint structures in order to eliminate or decrease interference with neural transmission and correct or attempt to correct subluxation complex; "chiropractic adjustment" utilizes, as appropriate, short lever force, high velocity force, short amplitude force, or specific line-of-correction force to achieve the desired angular movement, as well as low force neuro-muscular, neuro-vascular, neuro-cranial, or neuro-lymphatic reflex technique procedures;

(5) "chiropractic clinical assistant" means a person who works under the general supervision of a person licensed under this chapter and who is

(A) enrolled in a nationally recognized certification program that certifies chiropractic clinical assistants; or

(B) certified by a national organization that certifies chiropractic clinical assistants;

(6) "chiropractic core methodology" means the treatment and prevention of subluxation complex by chiropractic adjustment as indicated by a chiropractic diagnosis and includes the determination of contra-indications to chiropractic adjustment, the normal regimen and rehabilitation of the patient, and patient education procedures; chiropractic core methodology does not incorporate the use of prescription drugs, surgery, needle acupuncture, obstetrics, or x-rays used for therapeutic purposes;

(7) "chiropractic diagnosis" means a diagnosis made by a person licensed under this chapter based on a chiropractic examination;

(8) "chiropractic examination" means an examination of a patient conducted by a person licensed under this chapter, or by a chiropractic clinical assistant or chiropractic intern under the supervision of a person licensed under this chapter, for the express purpose of ascertaining whether symptoms of subluxation complex exist and consisting of an analysis of the patient's health history, current health status, results of diagnostic procedures, including x-ray and other diagnostic imaging devices, and postural, thermal, physical, neuro-physical, and spinal examinations that focuses on the discovery of

(A) the existence and etiology of disrelationships of skeletal joint structures; and

(B) interference with normal nerve transmission and expression;

(9) "chiropractic intern" means a person who is engaged in the practice of chiropractic while under the personal supervision of a person licensed under this chapter for the purpose of obtaining practical experience for licensure as a chiropractor;

(10) "chiropractic preceptor" means a person who is licensed under this chapter and who participates in the instruction and training of chiropractic interns;

(11) "manipulation" means an application of a resistive movement by applying a nonspecific force without the use of a thrust, that is directed into a region and not into a focal point of the anatomy for the general purpose of restoring movement and reducing fixations;

(12) "physiological therapeutics" means the therapeutic application of forces that induce a physiologic response and use or allow the natural processes of the body to return to a more normal state of health; physiological therapeutics encompasses the diagnosis and treatment of disorders of the body, utilizing

(A) manipulation;

(B) the natural healing forces associated with air, cold, heat, electricity, exercise, light, massage, water, nutrition, sound, rest, and posture;

(C) thermotherapy, cryotherapy, high frequency currents, low frequency currents, interferential currents, hydrotherapy, exercise therapy, rehabilitative therapy, meridian therapy, vibratory therapy, traction and stretching, bracing and supports, trigger point therapy, and other forms of therapy;

(13) "subluxation complex" means a biomechanical or other disrelation or a skeletal structural disrelationship, misalignment, or dysfunction in a part of the body resulting in aberrant nerve transmission and expression.

**CHAPTER 16.**  
**BOARD OF CHIROPRACTIC EXAMINERS.**

**Article**

1. The Board (12 AAC 16.010 — 12 AAC 16.020)
2. Licensing (12 AAC 16.030 — 12 AAC 16.270)
3. Continuing Education (12 AAC 16.280 — 12 AAC 16.390)
4. Utilization Review (12 AAC 16.400 — 12 AAC 16.430)
5. General Provisions (12 AAC 16.900 — 12 AAC 16.990)

**ARTICLE 1.**  
**THE BOARD.**

**Section**

10. Objectives
20. Meetings

**12 AAC 16.010. OBJECTIVES.** (a) It is the objective of the board to foster professional standards consistent with the best interests of the public.

(b) It is the objective of the board to adhere to the Code of Ethics of the American Chiropractic Association or International Chiropractic Association as a basis for considering what comprises the duties and obligations of chiropractors to the public.

**Authority:** AS 08.20.055

**12 AAC 16.020. MEETINGS.** The board will, in its discretion, meet at least twice each year for the transaction of business and examination of applicants.

**Authority:** AS 08.20.055 AS 08.20.130

**ARTICLE 2.**  
**LICENSING.**

**Section**

30. Application for licensure by examination
31. Application for temporary permit for locum tenens practice
32. (Repealed)
33. Application for licensure by credentials
35. (Repealed)
37. National examination requirements
40. Evaluation of academic study in liberal arts or science
41. Preceptor scope of practice
42. Intern scope of practice
45. Accredited school or college
46. Chiropractic specialty designation
47. Chiropractic specialty program criteria
48. Approved chiropractic specialty programs
50. (Repealed)
52. Chiropractic clinical assistant scope of practice
60. (Repealed)
70. (Repealed)
80. (Repealed)
90. (Repealed)
100. (Repealed)
110. (Repealed)
120. (Repealed)
130. State chiropractic examination
140. (Repealed)
150. Reexamination
160. (Repealed)
170. (Repealed)
180. (Repealed)
185. (Repealed)

- 190. (Repealed)
- 200. Temporary permits
- 205. Courtesy license
- 206. Temporary military courtesy license
- 210. (Repealed)
- 211. (Repealed)
- 220. (Repealed)
- 230. (Repealed)
- 240. (Repealed)
- 250. (Repealed)
- 260. (Repealed)
- 270. (Repealed)

**12 AAC 16.030. APPLICATION FOR LICENSURE BY EXAMINATION.** (a) A person applying for chiropractic licensure by examination shall submit

- (1) a completed application on a form provided by the department;
- (2) the fees set out under 12 AAC 02.150;
- (3) official college transcripts that show that the applicant has met the education requirements set out in AS 08.20.120(a)(1), (3), and (4);
- (4) an official grade transcript sent directly to the department from the National Board of Chiropractic Examiners that shows that the applicant has passed the applicable examination under 12 AAC 16.037;
- (5) either
  - (A) official college transcripts that show that the applicant has met the education requirements set out in AS 08.20.120(a)(2); or
  - (B) evidence of active licensed practice of chiropractic for at least three of the four years preceding the date of the application;
- (6) if the applicant graduated from a school or college of chiropractic more than three years before the date of the application,
  - (A) verification of the status of the applicant's license from each licensing jurisdiction where the applicant holds or has held a license to practice chiropractic, sent directly to the department from the licensing jurisdiction; and
  - (B) documentation of continuing education that meets the requirements set out under (b) of this section;
- (7) a report under AS 12.62 containing the applicant's criminal history record information, issued not more than 90 days before the date of the application; and
- (8) if the applicant primarily resides in another state or holds or has held a license to practice chiropractic in another state, an equivalent report to the report under AS 12.62 containing the applicant's criminal history record information, issued by that state not more than 90 days before the date of the application.

(b) An applicant's documentation of continuing education required under (a) of this section must document 32 credit hours of continuing education, approved by the board or another licensing jurisdiction, earned within the two years preceding the date of the application, and

- (1) must include at least
  - (A) eight hours in radiographic safety, radiographic techniques and interpretation, or diagnostic imaging;
  - (B) two hours in coding and documentation;
  - (C) two hours in ethics and boundaries;
  - (D) two hours in cardiopulmonary resuscitation; and
  - (E) 18 hours in education that does not include business management;
- (2) may not include more than four total hours in the following subject areas:
  - (A) cardiopulmonary resuscitation (CPR) training;
  - (B) automated external defibrillator (AED) training;
  - (C) basic life support (BLS) training; and
- (3) may not include more than 16 hours obtained over the Internet or through distance learning.

**Authority:** AS 08.20.055 AS 08.20.120 AS 08.20.170  
AS 08.20.110 AS 08.20.130

**12 AAC 16.031. APPLICATION FOR TEMPORARY PERMIT FOR LOCUM TENENS PRACTICE.**

(a) A person applying for a temporary permit for locum tenens practice must meet the applicable requirements of AS 08.20.163 and this section, including passing the state chiropractic examination described in 12 AAC 16.130.

(b) An applicant applying for a temporary permit for locum tenens practice under AS 08.20.163(b)(1) and this section shall submit

- (1) a completed application on a form provided by the department;
- (2) the applicable fees established in 12 AAC 02.150;
- (3) official college transcripts showing that the applicant meets the education requirements of AS 08.20.120(a)(2) - (4); and

(4) an official grade transcript sent directly to the department from the National Board of Chiropractic Examiners showing that the applicant has successfully passed the applicable national examinations described in 12 AAC 16.037.

(c) An applicant applying for a temporary permit for locum tenens practice under AS 08.20.163(b)(2) and this section shall submit

- (1) a completed application on a form provided by the department;
- (2) the applicable fees established in 12 AAC 02.150;
- (3) official college transcripts showing that the applicant meets the education requirements of AS 08.20.163(b)(2)(C) and (D);
- (4) an official grade transcript sent directly to the department from the National Board of Chiropractic Examiners showing that the applicant has successfully passed the examinations described in AS 08.20.163(b)(2)(D) and (E);
- (5) verification of practice showing that the applicant meets the requirements of AS 08.20.163(b)(2)(B);
- (6) verification of the applicant's licensure status and complete information regarding any disciplinary action or investigation taken or pending, sent directly to the department from all licensing jurisdictions where the applicant holds or has ever held a chiropractic license; and
- (7) a notarized, sworn statement by the applicant that the applicant has not been, within the five years preceding the date of application, the subject of an unresolved review or an adverse decision based upon a complaint, investigation, review procedure, or disciplinary proceeding undertaken by a state, territorial, local, or federal chiropractic licensing jurisdiction, chiropractic society, or law enforcement agency that relates to criminal or fraudulent activity, chiropractic malpractice, or negligent chiropractic care and that adversely reflects on ability or competence to engage in the practice of chiropractic or the safety or well-being of patients;
- (8) repealed 5/27/2006.

(d) An applicant applying for a temporary permit for locum tenens practice under AS 08.20.163 and this section shall submit

- (1) a notarized, sworn statement by the chiropractor licensed in this state for whom the applicant will substitute, including the dates of the substitute practice and the date that the chiropractor licensed in this state will resume practice; and
- (2) a report under AS 12.62 containing criminal history record information concerning the applicant and issued no earlier than 90 days before the application; if a state other than this state is the applicant's primary state of residence, or if the applicant holds or has ever held a license in a state other than this state to practice chiropractic, the applicant shall also submit an equivalent report issued by that other state and issued no earlier than 90 days before the application.

<b>Authority:</b>	AS 08.20.055	AS 08.20.163	AS 08.20.170
	AS 08.20.120		

#### **12 AAC 16.032. APPLICATION FOR LICENSURE BY CREDENTIALS.** Repealed 12/7/97.

**12 AAC 16.033. APPLICATION FOR LICENSURE BY CREDENTIALS.** An applicant for licensure by credentials shall meet the requirements of AS 08.20.141, pass the examination required under AS 08.20.141(5), and submit the following:

- (1) a completed application on a form provided by the department;
- (2) the applicable fees established in 12 AAC 02.150;
- (3) evidence that the applicant has held a license in good standing to practice chiropractic in another jurisdiction for the five years preceding the date of application;
- (4) verification of the present status of the applicant's license from each jurisdiction where the applicant holds or has ever held a license to practice chiropractic;
- (5) evidence of active licensed clinical chiropractic practice for at least three out of the last five years immediately preceding the date of application;
- (6) official transcripts showing that the applicant is a graduate of a school or college of chiropractic that was, at the time of graduation, accredited by or a candidate for accreditation by the Council on Chiropractic Education or a successor accrediting agency recognized by the board;
- (7) an official grade transcript sent directly to the department from the National Board of Chiropractic Examiners showing that the applicant has successfully passed the Special Purposes Examination of Chiropractic (SPEC) or parts one, two, three, and four of the national examination;
- (8) either
  - (A) evidence of completion of 120 hours of formal training in physiological therapeutics; or
  - (B) an official grade transcript sent directly to the department from the National Board of Chiropractic Examiners showing that the applicant has successfully passed the physiological therapeutics examination;
- (9) a notarized sworn statement by the applicant that the applicant has not, within the five years preceding the date of application, been the subject of an unresolved review or an adverse decision based upon a complaint, investigation, review procedure, or disciplinary proceeding undertaken by a foreign, state, territorial, local, or federal chiropractic licensing jurisdiction, chiropractic society, or law enforcement agency that relates to criminal or fraudulent activity, chiropractic malpractice, or negligent chiropractic care and that adversely reflects on the

applicant's ability or competence to engage in the practice of chiropractic or on the safety or well-being of patients;

(10) a report under AS 12.62 containing criminal history record information concerning the applicant and issued no earlier than 90 days before the application; if a state other than this state is the applicant's primary state of residence, or if the applicant holds or has ever held a license in a state other than this state to practice chiropractic, the applicant shall also submit an equivalent report issued by that other state and issued no earlier than 90 days before the application.

**Authority:** AS 08.20.055 AS 08.20.130 AS 08.20.170  
AS 08.20.110 AS 08.20.141

**12 AAC 16.035. LICENSE-BY-EXAMINATION; NATIONAL BOARD CERTIFICATION.** Repealed 5/10/90.

**12 AAC 16.037. NATIONAL EXAMINATION REQUIREMENTS.** (a) To satisfy the examination requirements of AS 08.20.120(a)(6), an applicant must successfully pass each subject of the following parts of the examination of the National Board of Chiropractic Examiners, and the elective physiotherapy examination;

(1) if the applicant graduated before 1987 from a school or college of chiropractic that meets the requirements of AS 08.20.120(a)(3), parts one and two of the national examination;

(2) if the applicant graduated after 1986 from a school or college of chiropractic that meets the requirements of AS 08.20.120(a)(3), parts one, two, and three of the national examination.

(b) An applicant who has been in the active practice of chiropractic for five continuous years before the date of application for a license in this state may substitute successful passage of the Special Purposes Examination of Chiropractic (SPEC) of the National Board of Chiropractic Examiners for parts three and four of the national examination.

(c) To pass a national examination subject, an applicant must achieve a minimum score of

(1) 75 percent for an examination taken before October 1983; or

(2) 375 for an examination taken on or after October 1983.

(d) If the applicant graduated after September 1, 1998 from a school or college of chiropractic that meets the requirements of AS 08.20.120(a)(3), in addition to the requirements of (a) of this section, an applicant must also pass part four of the national examination.

**Authority:** AS 08.20.055 AS 08.20.120 AS 08.20.130

**12 AAC 16.040. EVALUATION OF ACADEMIC STUDY IN LIBERAL ARTS OR SCIENCE.** After evaluating an applicant's academic study as required by AS 08.20.120(a)(3), it must be apparent that the course of academic study corresponds with that which is available from the University of Alaska or is acceptable to a regional accrediting agency for approved colleges of liberal arts or sciences.

**Authority:** AS 08.20.055 AS 08.20.120

**12 AAC 16.041. PRECEPTOR SCOPE OF PRACTICE.** A chiropractic preceptor

(1) may supervise not more than one chiropractic intern at a time;

(2) may permit a chiropractic intern to perform the chiropractic adjustment as set out in AS 08.20.900 only under personal supervision;

(3) before any chiropractic manipulative therapy performed by the intern, must provide a patient with an informed consent document that states that the chiropractic intern is a chiropractic student and not a licensed chiropractic physician in this state;

(4) must maintain a malpractice insurance policy with coverage limits of at least \$1,000,000 per claim, and a minimum aggregate limit of \$3,000,000 per policy period; and

(5) must have been licensed under this chapter in this state for not less than five years preceding the acceptance of a chiropractic intern.

**Authority:** AS 08.20.055

**12 AAC 16.042. INTERN SCOPE OF PRACTICE.** (a) A chiropractic intern may, under the personal supervision of a chiropractic preceptor, use chiropractic core methodologies as defined in AS 08.20.900, except that chiropractic diagnosis must be provided by the chiropractic preceptor.

(b) A chiropractic intern may, under the general supervision of a chiropractic preceptor,

(1) perform diagnostic imaging studies;

(2) perform examination procedures;

(3) use ancillary methodologies as defined in AS 08.20.900.

(c) A chiropractic preceptor is subject to disciplinary action if an intern is in violation of this chapter.

(d) An intern must be enrolled in a graduate-level course of study at a chiropractic institution accredited by the Council on Chiropractic Education (CCE), and be accepted into and approved to participate in an internship program. Internship placement will be made by and overseen by the accredited chiropractic college program.

(e) An intern may practice under a chiropractic preceptor for a period of not more than six months or the time period approved by the intern's accredited chiropractic college, whichever comes first. Written extensions of an internship may be granted by the board.

**Authority:** AS 08.20.055 AS 08.20.170 AS 08.20.900  
AS 08.20.100 AS 08.20.195

**12 AAC 16.045. ACCREDITED SCHOOL OR COLLEGE.** (a) For the purpose of AS 08.20.120(a)(3), an accredited school or college of chiropractic is a chiropractic program or institution that is accredited by or meets standards equivalent to those of the Council on Chiropractic Education.

(b) The definition in (a) of this section applies to all colleges of chiropractic from which an applicant for licensure matriculates after the effective date of this section.

**Authority:** AS 08.20.055 AS 08.20.120

**12 AAC 16.046. CHIROPRACTIC SPECIALTY DESIGNATION.** (a) A chiropractor licensed under AS 08.20 and this chapter applying for an initial or renewal specialty chiropractic designation shall submit

- (1) a completed application on a form provided by the department;
- (2) the specialty designation fee established in 12 AAC 02.150;
- (3) for the initial specialty chiropractic designation, documentation of the successful completion of a postgraduate specialty program at an accredited school approved by the board, mailed directly to the department from the accredited school;
- (4) documentation of certification or diplomate status issued by the certification program or diplomate board verifying that the licensee has met the protocols, guidelines, standards, continuing competency examinations, and coursework established by the certification program or diplomate board, mailed directly to the department from the certifying body.

(b) Upon approval by the board, the department will issue a new license with the specialty designation.

**Authority:** AS 08.20.055 AS 08.20.155

**12 AAC 16.047. CHIROPRACTIC SPECIALTY PROGRAM CRITERIA.** (a) To be approved by the board, a postgraduate diplomate chiropractic specialty program must

- (1) be comprised of a minimum of 300 classroom hours; and
  - (2) require passage of appropriate examinations administered by the approved specialty board.
- (b) To be approved by the board, a postgraduate chiropractic specialty certification program must
- (1) be offered by a program or institution accredited by the Council on Chiropractic Education;
  - (2) be comprised of a minimum of 120 classroom hours; and
  - (3) require passage of appropriate examinations administered by the approved program.

**Authority:** AS 08.20.055 AS 08.20.155

**12 AAC 16.048. APPROVED CHIROPRACTIC SPECIALTY PROGRAMS.** (a) The following postgraduate diplomate specialty programs are approved by the board, if the board determines that the program meets the requirements of 12 AAC 16.047:

- (1) Chiropractic Diagnostic Imaging (DACBR) program administered by the American Chiropractic Association Council on Diagnostic Imaging (Roentgenology);
- (2) Chiropractic Rehabilitation (DACRB) program administered by the American Chiropractic Association Council on Chiropractic Physiological Therapeutics and Rehabilitation;
- (3) Chiropractic Clinical Nutrition (DACBN) program administered by the American Chiropractic Association Council on Nutrition;
- (4) Chiropractic Diagnosis and Management of Internal Disorders (DABCI) program administered by the American Chiropractic Association Council on Family Practice;
- (5) Chiropractic Orthopedics (DABCO) program administered by the American Chiropractic Association Council on Orthopedists;
- (6) Chiropractic Clinical Neurology program administered by the
  - (A) American Chiropractic Academy of Neurology (DACAN or FACCN);
  - (B) American Chiropractic Association Council on Neurology (DABCN);
  - (C) American Chiropractic Neurology Board (DACNB);
  - (D) International Board of Chiropractic Neurology (IBCN);
- (7) Chiropractic Sports Physician (DACBSP) program administered by the American Chiropractic Board of Sports Physicians;
- (8) Chiropractic Forensics (DABFP) program administered by the American Board of Forensic Professionals.

(b) The following postgraduate specialty certification programs are approved by the board, if the board determines that the program meets the requirements of 12 AAC 16.047:

- (1) Certified Chiropractic Sports Physician (CCSP) program administered by the American Chiropractic

Association Sports Council;

(2) Certificate in Chiropractic Thermography (CACBT) program administered by the American Chiropractic Association Council on Thermography;

(3) Certificate in Chiropractic Pediatrics program administered by the International Chiropractors Association (ICA) Council on Chiropractic Pediatrics.

(c) The board may approve other postgraduate diplomate specialty programs or specialty certification programs upon written request by the program sponsor. In order to be approved by the board, the program sponsor must include in the written request documentation showing that the program meets the requirements in 12 AAC 16.047.

**Authority:** AS 08.20.055 AS 08.20.155

**12 AAC 16.050. NOTIFICATION.** Repealed 6/3/89.

**12 AAC 16.052. CHIROPRACTIC CLINICAL ASSISTANT SCOPE OF PRACTICE.** (a) A chiropractic clinical assistant may, under the general supervision of a licensed chiropractic physician, perform the following procedures:

- (1) diagnostic imaging studies;
- (2) examination procedures;
- (3) ancillary methodologies as defined in AS 08.20.900.

(b) A chiropractic clinical assistant may not provide chiropractic diagnosis, chiropractic adjustment as in AS 08.20.900, or formulation or alteration of treatment plans.

(c) A chiropractic clinical assistant must maintain current cardiopulmonary resuscitation (CPR) certification from a nationally recognized provider.

(d) In order to meet the initial certification requirements of AS 08.20.168 and practice as a chiropractic clinical assistant in this state, a currently employed chiropractic clinical assistant with 2,000 hours or more of experience must complete the requirements as set out by the Certified Chiropractic Clinical Assistant Program (CCCA) administered by the Federation of Chiropractic Licensing Boards (FCLB), the Chiropractic Therapy Assistant (CTA) Program administered by the Tennessee Chiropractic Association, or an equivalent nationally recognized program as determined by the board in accordance with AS 08.20.055(4), not later than 2/23/2021.

(e) In order to meet the initial certification requirements of AS 08.20.168 and practice as a chiropractic clinical assistant in this state, a currently employed chiropractic clinical assistant with less than 2,000 hours of experience must complete the requirements as set out by the Certified Chiropractic Clinical Assistant Program (CCCA) administered by the Federation of Chiropractic Licensing Boards (FCLB), the Chiropractic Therapy Assistant (CTA) Program administered by the Tennessee Chiropractic Association, or an equivalent nationally recognized program as determined by the board in accordance with AS 08.20.055(4), not later than 2/23/2021.

(f) In order to meet the certification requirements of AS 08.20.168 and practice as a chiropractic clinical assistant in this state, a newly hired chiropractic clinical assistant must complete the requirements as set out by the Certified Chiropractic Clinical Assistant Program (CCCA) administered by the Federation of Chiropractic Licensing Boards (FCLB), the Chiropractic Therapy Assistant (CTA) Program administered by the Tennessee Chiropractic Association, or an equivalent nationally recognized program as determined by the board in accordance with AS 08.20.055(4), not later than 12 months after hire date.

(g) A person enrolled in an educational program recognized by the board that leads to certification as a chiropractic clinical assistant is allowed to provide clinical services under the general supervision of a chiropractic physician to gain the necessary practical clinical experience.

(h) A person may not use the title "Certified Chiropractic Clinical Assistant" or another designation indicating status, including abbreviations, or hold oneself out directly or indirectly as a certified chiropractic clinical assistant, unless that person has met the requirements under (d), (e), or (f) of this section.

(i) After completing the initial certification requirements under (d), (e), or (f) of this section, a chiropractic clinical assistant must maintain current certification in accordance with the requirements of the Certified Chiropractic Clinical Assistant Program (CCCA) administered by the Federation of Chiropractic Licensing Boards (FCLB), the Chiropractic Therapy Assistant (CTA) Program administered by the Tennessee Chiropractic Association, or an equivalent nationally recognized program as determined by the board in accordance with AS 08.20.055(4).

**Authority:** AS 08.20.055 AS 08.20.168 AS 08.20.195  
AS 08.20.100 AS 08.20.170 AS 08.20.900

**12 AAC 16.060. SCHEDULE.** Repealed 9/30/81.

**12 AAC 16.070. BASIS OF QUESTIONS.** Repealed 8/21/91.

**12 AAC 16.080. IDENTIFICATION OF EXAMINATION APPLICANTS.** Repealed 1/6/2002.

**12 AAC 16.090. METHOD OF EXAMINATION.** Repealed 6/3/89.

**12 AAC 16.100. MATERIALS.** Repealed 1/6/2002.

**12 AAC 16.110. LEAVING THE EXAMINATION ROOM.** Repealed 1/6/2002.

**12 AAC 16.120. DISTURBANCE.** Repealed 1/6/2002.

**12 AAC 16.130. STATE CHIROPRACTIC EXAMINATION.** (a) The state chiropractic examination consists of a written examination, administered by the board or the board's agent, covering AS 08.01 – AS 08.03, AS 08.20, 12 AAC 02, 12 AAC 16, and 7 AAC 18, and any other subjects that the board determines are necessary to demonstrate knowledge of chiropractic as defined in AS 08.20.

(b) Repealed 6/28/2024.

(c) A score of 75 percent or above is required to receive a passing grade on the state chiropractic examination.

**Authority:** AS 08.20.055 AS 08.20.120 AS 08.20.130

**12 AAC 16.140. FAILED SUBJECTS.** Repealed 5/10/98.

**12 AAC 16.150. REEXAMINATION.** An applicant who has failed the state chiropractic examination may submit an application for reexamination to the board not sooner than seven days after the date the applicant failed the examination. The application for reexamination must include

- (1) a written request for reexamination; and
- (2) repealed 5/10/98;
- (3) the examination fee established in 12 AAC 02.150.

**Authority:** AS 08.20.055 AS 08.20.130

**12 AAC 16.160. TIME.** Repealed 9/30/81.

**12 AAC 16.170. SPECIAL EXAMINATION.** Repealed 6/28/2024.

**12 AAC 16.180. RECONSIDERATION OF PAPERS.** Repealed 6/3/89.

**12 AAC 16.185. EXAMINERS.** Repealed 5/10/98.

**12 AAC 16.190. LICENSES AND CERTIFICATES.** Repealed 1/29/2009.

**12 AAC 16.200. TEMPORARY PERMITS.** (a) The board may issue a temporary permit to an applicant for licensure by examination or credentials who is scheduled to sit for the next state chiropractic examination and who otherwise

- (1) meets the requirements of 12 AAC 16.030 or 12 AAC 16.033, as applicable;
- (2) furnishes the board with the name of the licensed chiropractor in the state with whom the applicant will associate while practicing under the authority of the temporary permit;
- (3) has not previously taken and failed the examination; and
- (4) has not previously held a temporary permit.

(b) Repealed 12/7/97.

(c) A temporary permit holder must

(1) provide the board with a statement, sworn to by a licensed chiropractor in the state with whom the temporary permit holder will practice, that the licensed chiropractor assumes all legal liability for the practice of the temporary permit holder and is physically present in the same facility when the temporary permit holder is practicing;

(2) display the temporary permit in a conspicuous place in the office where the holder practices chiropractic; and

(3) inform the board of a change in the temporary permit holder's mailing and practicing address.

(d) A temporary permit is valid until the results of the next scheduled examination are received by the applicant. If an applicant is unable to appear for the first scheduled examination, the board will, in its discretion, extend the temporary permit until the results of the next scheduled examination are received. The board will not extend a temporary permit more than once.

(e) If, after having been warned by the board once, a permittee continues to practice in an unethical or unlawful manner, the board will, in its discretion, terminate that permittee's temporary permit.

**Authority:** AS 08.20.055 AS 08.20.160 AS 08.20.170

**12 AAC 16.205. COURTESY LICENSE.** (a) The board will issue a courtesy license to an applicant who meets the requirements of this section. A courtesy license authorizes the licensee to practice chiropractic for a special event only. A courtesy license does not authorize the licensee to conduct a general chiropractic practice or to perform services outside the scope of practice specified in the courtesy license required for that special event.

(b) An applicant for a courtesy license must submit a complete application on a form provided by the department

no later than 45 days before the special event for which the courtesy license is requested. A complete application includes

- (1) the applicable fees established in 12 AAC 02.150;
  - (2) a current signed photograph of the applicant;
  - (3) a certification from the applicant certifying that the applicant is not a resident of this state;
  - (4) verification of a valid and active license to practice chiropractic in another state or other jurisdiction for the scope of practice specified in the application;
  - (5) a description of the special event for which the courtesy license is requested;
  - (6) the scope of practice required for the special event;
  - (7) certification that the applicant has not
    - (A) had a chiropractor license suspended or revoked in any jurisdiction; and
    - (B) been convicted of
      - (i) a felony or other crime that affects the applicant's ability to practice chiropractic competently and safely; or
      - (ii) a crime involving the unlawful procurement, sale, prescription, or dispensing of a controlled substance listed in AS 11.71.140 – 11.71.190 or conviction in another jurisdiction of a crime having substantially similar elements;
  - (8) a report, issued by the applicant's primary state of residence no earlier than 90 days before the application, and that is equivalent to a report under AS 12.62 issued by this state containing criminal history record information concerning the applicant; if the applicant holds or has ever held a license in a state other than this state to practice chiropractic, a complete application also includes a report, issued by that state no earlier than 90 days before the application, and that is equivalent to a report under AS 12.62 issued by this state containing criminal history record information concerning the applicant.
- (c) A courtesy license will be issued only after the department receives the results of a background check of the applicant from the Federation of Chiropractic Licensing Boards that reports no disciplinary action against the applicant.
- (d) The board will waive the 45-day application deadline in (b) of this section if the board determines that the applicant's failure to meet the application deadline is for good cause beyond the control of the applicant. If the board grants the applicant a waiver under this subsection, the applicant may submit a notarized copy of the applicant's license that meets the requirements of (b)(4) of this section in place of license verification from the other jurisdiction.
- (e) A document required by (b) or (d) of this section that is not in English must be accompanied by a certified English translation of the document.
- (f) A courtesy license is valid for a period beginning seven days before and ending seven days after the event for which the courtesy license was issued. A person may not be issued more than two courtesy licenses in a 12-month period.
- (g) The holder of a courtesy license must meet the minimum professional standards of 12 AAC 16.920 and is subject to the discipline under AS 08.01.075 and AS 08.20.170.
- (h) The holder of a courtesy license is limited to the practice of chiropractic identified under AS 08.20.100, 08.20.230, and 08.20.900, and may not exceed the scope of practice specified in the courtesy license.
- (i) The holder of a courtesy license may offer chiropractic services only to those individuals involved with the special event for which the courtesy license was issued, such as athletes, coaches, and staff.
- (j) In this section, "special event" means an athletic, educational, cultural, or performing arts event held in this state.

**Authority:** AS 08.01.062

AS 08.20.055

AS 08.20.170

**12 AAC 16.206. TEMPORARY MILITARY COURTESY LICENSE.** (a) The board will issue a temporary military courtesy license to an active duty military member or spouse of an active duty military member of the armed forces of the United States to practice as a chiropractic physician who meets the requirements of AS 08.01.063 and this section not later than 30 days after the board receives a completed application.

- (b) An applicant for a temporary military courtesy license under this section
- (1) must submit a completed application on a form provided by the department;
  - (2) must pay the temporary license application fee and fee for a temporary license set out under 12 AAC 02.105;
  - (3) must submit a copy of
    - (A) the applicant's current active duty military orders showing assignment to a duty station in this state; or
    - (B) if the applicant is the spouse of an active duty military member, the applicant's spouse's current active duty military orders showing assignment to a duty station in this state;
  - (4) must submit documentation showing the applicant is currently licensed in another licensing jurisdiction and the applicant's license in the other jurisdiction is not suspended, revoked, or otherwise restricted except for failure to apply for renewal or failure to obtain the required continuing education requirements; and
  - (5) may not have been convicted of a crime that affects the applicant's ability to practice chiropractic competently and safely, as determined by the board.

(c) A temporary military courtesy license issued to an active duty military member or spouse of an active duty military member under this section will be issued for a period of 180 days and may be renewed for one additional 180-day period, at the discretion of the board.

(d) While practicing under a temporary military courtesy license issued under this section, the holder of the temporary military courtesy license must comply with the standards of practice set out in AS 08.20 and this chapter.

(e) The board may refuse to issue a temporary military courtesy license for the same reasons that it may deny, suspend, or revoke a license under AS 08.20.170.

**Authority:** AS 08.01.062 AS 08.01.063 AS 08.20.055

**12 AAC 16.210. ASSOCIATES.** Repealed 9/30/81.

**12 AAC 16.211. CHIROPRACTIC ASSOCIATES.** Repealed 6/29/84.

**12 AAC 16.220. DUPLICATE LICENSES.** Repealed 6/3/89.

**12 AAC 16.230. MISREPRESENTATION.** Repealed 6/29/84.

**12 AAC 16.240. UNPROFESSIONAL CONDUCT.** Repealed 6/29/84.

**12 AAC 16.250. VIOLATIONS.** Repealed 6/29/84.

**12 AAC 16.260. ADVERTISING.** Repealed 9/30/81.

**12 AAC 16.270. DEFINITIONS.** Repealed 6/29/84.

### **ARTICLE 3. CONTINUING EDUCATION.**

#### **Section**

- 280. Statement of purpose of continuing education**
- 290. Hours of continuing education required**
- 300. Computation of nonacademic continuing education hours**
- 310. Computation of academic credit continuing education hours**
- 320. Approved subjects**
- 330. Nonacademic program criteria**
- 340. Approved nonacademic continuing education programs**
- 345. Application for continuing education course approval**
- 350. Individual study**
- 360. Instructor or discussion leader**
- 370. Publications**
- 380. (Repealed)**
- 390. Renewal and reinstatement of license**

**12 AAC 16.280. STATEMENT OF PURPOSE OF CONTINUING EDUCATION.** The purpose of continuing chiropractic education is to insure that the renewal of licenses is contingent upon proof of continued competency and to assure the consumer of an optimum quality of chiropractic health care by requiring licensed chiropractors to pursue education designed to advance their professional skills and knowledge.

**Authority:** AS 08.20.055 AS 08.20.170(d)

**12 AAC 16.290. HOURS OF CONTINUING EDUCATION REQUIRED.** (a) An applicant for renewal of a chiropractic license who has been licensed at least two years must complete 32 credit hours of approved continuing education that was earned during the concluding licensing period including at least

- (1) eight hours in radiographic safety, radiographic techniques and interpretation, or diagnostic imaging;
- (2) two hours in coding and documentation;
- (3) two hours in ethics and boundaries; and
- (4) two hours in cardiopulmonary resuscitation (CPR) training.

(b) An applicant for renewal of a chiropractic license who has been licensed at least one year but less than two years of the concluding license period must complete 16 credit hours of approved continuing education that was earned during the concluding licensing period including at least

- (1) eight hours in radiographic safety, radiographic techniques and interpretation, or diagnostic imaging;
- (2) two hours in coding and documentation;
- (3) two hours in ethics and boundaries; and
- (4) two hours in cardiopulmonary resuscitation (CPR) training.

(c) Two of the hours required under (a) of this section will be credited to each applicant for renewal for completing the jurisprudence review prepared by the board, covering the provisions of AS 08.20 and this chapter. An applicant

for renewal must verify, in an affidavit, that the applicant has complied with this subsection before the applicant's license renewal will be processed.

(d) An applicant for renewal of a license to practice chiropractic must submit, on a form provided by the department, a sworn statement of the continuing education that the applicant completed during the concluding licensing period.

(e) An applicant for renewal of a chiropractic license may receive up to four hours of the credit required under (a) of this section from one or more of the following subject areas:

- (1) cardiopulmonary resuscitation (CPR) training;
- (2) automated external defibrillator (AED) training;
- (3) basic life support (BLS) training.

(f) Not more than 16 credit hours of the credit hours required under (a) of this section for a renewal of a chiropractic license may be obtained over the Internet or by distance learning.

(g) An applicant applying for renewal who has been licensed more than 90 days but less than one year of the concluding biennial license period is not required to submit proof of completion of continuing education.

**Authority:** AS 08.20.055 AS 08.20.170

**12 AAC 16.300. COMPUTATION OF NONACADEMIC CONTINUING EDUCATION HOURS.** (a) For the purposes of 12 AAC 16.280 — 12 AAC 16.390, 50 minutes of instruction constitutes one hour.

(b) Credit is given only for class hours and not for hours devoted to class preparation.

**Authority:** AS 08.20.055 AS 08.20.170(d)

**12 AAC 16.310. COMPUTATION OF ACADEMIC CREDIT CONTINUING EDUCATION HOURS.** (a) One quarter hour academic credit from a college or university constitutes 10 hours of continuing education.

(b) One semester hour academic credit from a college or university constitutes 15 hours of continuing education.

(c) Challenged courses are not acceptable for continuing education credit.

**Authority:** AS 08.20.055 AS 08.20.170(d)

**12 AAC 16.320. APPROVED SUBJECTS.** To be approved by the board, a subject must contribute directly to the professional competency of a person licensed to practice as a chiropractor and be directly related to the concepts of chiropractic principles, philosophy, and practice, including the following:

- (1) treatment and adjustment technique, including physiotherapy, nutrition and dietetics;
  - (2) examination and diagnosis or analysis including physical, laboratory, orthopedic, neurological and differential;
  - (3) radiographic technique and interpretation involving all phases of roentgenology as permitted by law;
  - (4) study of the methods employed in the prevention of excessive radiation and safety precautions to the patient;
- and
- (5) diagnostic imaging.

**Authority:** AS 08.20.055 AS 08.20.170

**12 AAC 16.330. NONACADEMIC PROGRAM CRITERIA.** (a) Nonacademic continuing education programs requiring class attendance are approved by the board if

- (1) the program is at least one hour in length;
- (2) the program is conducted by a qualified instructor;
- (3) a record of registration or attendance is maintained; and
- (4) an examination or other method of assuring satisfactory completion of program by participant is incorporated.

(b) A qualified instructor or discussion leader is anyone whose background, training, education or experience makes it appropriate for the person to lead a discussion on the subject matter of the particular program.

**Authority:** AS 08.20.055 AS 08.20.170(d)

**12 AAC 16.340. APPROVED NONACADEMIC CONTINUING EDUCATION PROGRAMS.** (a) The following programs are approved by the board:

(1) educational meetings of the following associations if the documentation required under 12 AAC 16.290 demonstrates that the meeting meets the requirements set out under 12 AAC 16.320 and 12 AAC 16.330.

- (A) American Chiropractic Association;
- (B) International Chiropractors Association;
- (C) Canadian Chiropractic Association;
- (D) Alaska Chiropractic Society;

(2) educational classes, if

- (A) they are conducted by any chiropractic college that is accredited by or has accreditation status with the

Council on Chiropractic Education; and

(B) the program sponsor or the applicant for renewal of a chiropractic license

(i) requests board approval; and

(ii) demonstrates to the board's satisfaction that the educational classes meet the requirements of

12 AAC 16.320 and 12 AAC 16.330

(3) continuing education programs that are certified by the Providers of Approved Continuing Education through the Federation of Chiropractic Licensing Boards.

(b) The board may approve other continuing education programs under 12 AAC 16.345.

(c) Repealed 1/29/2009.

**Authority:** AS 08.20.055

AS 08.20.120

AS 08.20.170

**12 AAC 16.345. APPLICATION FOR CONTINUING EDUCATION COURSE APPROVAL.** (a) Except as provided in 12 AAC 16.340(a), to be approved by the board to meet the continuing education requirements of 12 AAC 16.290, 12 AAC 16.320, and 12 AAC 16.330, an applicant for continuing education course approval shall submit to the board, not less than 90 days before the date of the proposed program presentation date,

(1) a completed application on a form provided by the department;

(2) the continuing education course approval fee specified in 12 AAC 02.150;

(3) the name of the course provider;

(4) a complete course description, including the course title and a description of the learning objectives;

(5) a course syllabus; and

(6) an outline of the major topics covered by the course and the number of classroom hours allowed for each topic.

(b) Approval of a continuing education course under this section is valid until December 31 of the next even-numbered year.

(c) A sponsor who has a change in a condition required under (a)(3) – (6) of this section during the approval period described in (b) of this section must

(1) reapply to the board for continuing education credit approval; and

(2) submit the continuing education course change approval fee specified in 12 AAC 02.150.

(d) Notwithstanding the provisions of (a) of this section, the board may award continuing education credit for attendance at a course or seminar that has not previously been approved by the board if course or seminar meets the requirements of 12 AAC 16.320 and 12 AAC 16.330 and if the applicant submits supporting documentation to the board with the application for credit. The amount of credit awarded, if any, will be determined by the board on an individual basis.

(e) Falsification of any written evidence submitted to the board under this section is unprofessional conduct and constitutes grounds for censure, reprimand, or license revocation or suspension.

**Authority:** AS 08.20.055

AS 08.20.170

**12 AAC 16.350. INDIVIDUAL STUDY.** The number of hours of continuing education credit awarded for completion of a formal correspondence or other individual study program that requires registration and provides evidence of satisfactory completion will be determined by the board on an individual basis. A request for board approval for credit of hours of continuing education for an individual study program must be made to the board in writing before the applicant begins the individual study program.

**Authority:** AS 08.20.055

AS 08.20.170

**12 AAC 16.360. INSTRUCTOR OR DISCUSSION LEADER.** (a) One hour of continuing education credit is awarded for each hour completed in preparation for instruction or discussion as an instructor or discussion leader of educational programs meeting the requirements of 12 AAC 16.280 – 12 AAC 16.390. The number of hours of credit so awarded may not exceed twice the number of hours awarded under (b) of this section.

(b) One hour of continuing education credit is awarded for each hour completed as an instructor or discussion leader of educational programs meeting the requirements of 12 AAC 16.280 – 12 AAC 16.390. Credit is awarded only for the initial course of instruction of the subject matter unless there have been substantial new developments in the subject since the prior presentation.

(c) The total credit awarded under this section may not exceed one-third of the total hours of continuing education reported in any licensing period.

**Authority:** AS 08.20.055

AS 08.20.170(d)

**12 AAC 16.370. PUBLICATIONS.** Continuing education credit may be awarded for publication of articles or books. The amount of credit so awarded will be determined by the board on an individual basis.

**Authority:** AS 08.20.055

AS 08.20.170(d)

**12 AAC 16.380. REPORT OF CONTINUING EDUCATION.** Repealed 1/29/2009.

**12 AAC 16.390. RENEWAL AND REINSTATEMENT OF LICENSE.** (a) The department will renew a license that has been lapsed or in retired status for less than two years if the applicant submits

- (1) a completed application for renewal, on a form provided by the department;
- (2) the following fees established in 12 AAC 02.150:

(A) biennial license renewal fee;

(B) delayed renewal penalty fee, if the license has been lapsed for more than 60 days, but less than two years;

and

(3) documentation that all continuing education requirements of 12 AAC 16.290 – 12 AAC 16.370 have been met.

(b) Unless the board finds that reinstatement of a license is contrary to AS 08.20.170, the board will reinstate a license that has been lapsed or in retired status for at least two years, but less than five years if the applicant

(1) submits an application for reinstatement on a form provided by the department;

(2) submits the applicable fees established in 12 AAC 02.150;

(3) submits documentation of completion of all continuing education requirements in 12 AAC 16.290 – 12 AAC 16.370 that would have been required to maintain a current license for the entire period that the license has been lapsed or in retired status; and

(4) passes the state chiropractic examination under 12 AAC 16.130.

(c) A person may not reinstate a license that has been lapsed or in retired status for five years or more at the time of application for reinstatement, and the former licensee must apply for a new license under AS 08.20 and this chapter.

(d) A licensee unable to obtain the required continuing education hours for renewal or reinstatement of a license due to reasonable cause or excusable neglect may submit a request for an exemption in writing to the board, accompanied by a statement explaining the reasonable cause or excusable neglect. If an exemption is granted, the board may prescribe an alternative method of compliance to the continuing education requirements as determined appropriate by the board for the individual situation.

(e) In this section, "reasonable cause or excusable neglect" includes

(1) chronic illness;

(2) retirement; or

(3) a hardship, as individually determined by the board.

**Authority:** AS 08.01.100  
AS 08.20.055

AS 08.20.167

AS 08.20.170

**ARTICLE 4.  
UTILIZATION REVIEW.**

**Section**

**400. Utilization review committee**

**410. Term of appointments to utilization review committee**

**420. Conduct of utilization review**

**430. Professional standards and guidelines**

**12 AAC 16.400. UTILIZATION REVIEW COMMITTEE.** (a) For the purposes of AS 08.20.185, the board may appoint a utilization review committee that is advisory to the board.

(b) A utilization review committee appointed by the board will consist of four individuals. Three members of the utilization review committee must be chiropractic physicians licensed under AS 08.20, and one member must be a public member who meets the requirements of AS 08.01.025.

(c) A member of a utilization review committee may not review a case if the member is in a direct business relationship with the chiropractic physician, insurer, or patient in the case being reviewed.

(d) In this section, a "direct business relationship" includes an employer-employee relationship, doctor-patient relationship, and a legal contractual relationship.

**Authority:** AS 08.20.055

AS 08.20.185

**12 AAC 16.410. TERM OF APPOINTMENTS TO UTILIZATION REVIEW COMMITTEE.** (a) Members of the utilization review committee are appointed for staggered terms of two years.

(b) Repealed 1/29/2009.

(c) A member of the utilization review committee may be removed by the board for cause.

(d) A member of the utilization review committee may not serve on the committee for more than four consecutive years. The member may not be reappointed until two years have elapsed since the member last served on the committee.

**Authority:** AS 08.20.055

AS 08.20.185

**12 AAC 16.420. CONDUCT OF UTILIZATION REVIEW.** (a) A patient, patient's representative, insurer, or the patient's chiropractic physician may file a request for utilization review with the board by submitting to the department

(1) a written request for review of the care provided, fees charged, or services rendered by a licensee to a patient;  
(2) the utilization review fee established in 12 AAC 02.150; and  
(3) if the utilization review committee requires a patient's treatment records for review, a completed release, on a form provided by the department, signed by the patient.

(b) A licensee's acceptance of or request for payment for treatment given to a patient constitutes the licensee's consent to submit to the utilization review committee the information required in (c) of this section.

(c) A licensee involved in a case submitted to the utilization review committee shall submit to the utilization review committee all necessary records and other information concerning the patient's treatment.

(d) The utilization review committee shall conduct a utilization review for each request for utilization review submitted to it in accordance with guidelines established by the board. Except as provided in (f) of this section, the utilization review committee shall report its findings to the board and furnish a copy of its findings to the patient, licensee, and third-party payor involved in the case.

(e) The findings of the utilization review committee must include a determination of whether the

(1) licensee provided or ordered appropriate treatment or services; and  
(2) fees charged are a reasonable and appropriate cost of treatment; in determining the reasonableness and appropriateness of costs, the committee may consider, among other appropriate factors, charges by health care providers other than chiropractic physicians for the same or similar services.

(f) If the utilization review committee determines that reasonable cause exists to believe the licensee has violated a provision of AS 08.20 or this chapter for which a licensee may be disciplined, the utilization review committee may not report its finding to the board, but instead shall refer the matter to the department's investigative section. The utilization review committee shall provide all information gathered in connection with the utilization review to the department's investigative section.

(g) Repealed 1/6/2002.

**Authority:** AS 08.20.055 AS 08.20.185

**12 AAC 16.430. PROFESSIONAL STANDARDS AND GUIDELINES.** (a) When making a determination as to whether a licensee provided reasonable and appropriate treatment or services or charged reasonable and appropriate costs of treatment to a patient, the utilization review committee appointed under 12 AAC 16.400 may rely on the guidelines, standards, or recommendations of the following organizations accepted by the board:

- (1) Alaska Worker's Compensation Board;
- (2) American Chiropractic Association;
- (3) Canadian Chiropractic Association;
- (4) Council on Chiropractic Education;
- (5) Croft Guidelines published by the Spine Research Institute of San Diego;
- (6) Federation of Chiropractic Licensing Boards;
- (7) repealed 9/7/2012;
- (8) International Chiropractors Association;
- (9) National Board of Chiropractic Examiners;
- (10) World Chiropractic Alliance;
- (11) World Federation of Chiropractic;
- (12) a successor organization to an organization specified in this subsection.

(b) The utilization review committee shall take into consideration the differences between the standards and guidelines of the organizations listed in (a) of this section when making a determination as to whether the care provided by the licensee was provided in a manner required of a reasonably competent practitioner acting under the same or similar circumstances.

**Authority:** AS 08.20.055 AS 08.20.185

## **ARTICLE 5. GENERAL PROVISIONS.**

### **Section**

- 900. Violations**
- 920. Minimum professional standards**
- 930. Lewd or immoral conduct with patients prohibited**
- 980. "Misrepresentation" defined**
- 990. Definitions**

**12 AAC 16.900. VIOLATIONS.** It is the duty of all members of the board to report to the department instances

of alleged violations of AS 08.20.100. The department shall inform a new licensee in the state that it is his or her duty to report to the board all known instances of suspected unlicensed practice of chiropractic.

**Authority:** AS 08.20.055 AS 08.20.100

**12 AAC 16.920. MINIMUM PROFESSIONAL STANDARDS.** (a) Chiropractic care that may adversely affect the health and welfare of the public constitutes conduct that does not conform to minimum professional standards established under AS 08.20.170(a)(5) and this section. Conduct that does not conform to minimum professional standards in this chapter includes

- (1) failing to use sufficient knowledge, skills, or judgment in the practice of chiropractic;
  - (2) failing to perform patient care within the chiropractor's scope of competence, which are necessary to prevent substantial risk or harm to a patient;
  - (3) engaging in patient care outside the scope of chiropractic practice;
  - (4) engaging in patient care outside the scope of the chiropractor's training and expertise;
  - (5) violating established protocols in the delivery of chiropractic treatment or care;
  - (6) violating the confidentiality of information or knowledge concerning a patient;
  - (7) physically or verbally abusing a patient;
  - (8) failing to maintain a record for a patient that accurately reflects the chiropractic problems and interventions for the patient;
  - (9) falsifying a patient's records;
  - (10) intentionally making an incorrect entry in a patient's chart;
  - (11) discrimination in the provision of chiropractic care on the basis of race, religion, color, national origin, ancestry, or sex;
  - (12) exploiting a patient for financial gain or offering, giving, soliciting, or receiving fees for referral of a patient;
  - (13) knowingly violating laws regulating health insurance, including those laws established in AS 21.36.360;
  - (14) using unsanitary or unsafe equipment;
  - (15) failing to adhere to the Code of Ethics of the American Chiropractic Association, as revised as of September 2007, adopted by reference;
  - (16) failing to provide copies of complete patient records in the licensee's custody and control within 30 days after receipt of a written request for the records from the patient or patient's guardian.
- (b) A licensee shall evaluate patient care on an individual basis and make a reasonable judgment on the course of treatment for each patient.

**Authority:** AS 08.20.055 AS 08.20.100 AS 08.20.170

**Editor's note:** A copy of the Code of Ethics of the American Chiropractic Association, September 2007 edition, adopted by reference in 12 AAC 16.920(a) is available for inspection at the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, State Office Building, 9th Floor, 333 Willoughby Avenue, Juneau, Alaska, or may be obtained from the American Chiropractic Association, 1701 Clarendon Boulevard, Arlington, VA 22209; telephone: (703)276-8800; website at <http://www.acatoday.org>.

**12 AAC 16.930. LEWD OR IMMORAL CONDUCT WITH PATIENTS PROHIBITED.** (a) A licensee may not engage in lewd or immoral conduct in connection with the delivery of professional services to a patient or solicit sexual contact or a romantic relationship with a patient.

- (b) It is a defense to a disciplinary action alleging a violation of this section that
- (1) at the time of, or immediately preceding, the contact the patient was the licensee's spouse, or was in a dating, courtship, or engagement relationship with the licensee; or
  - (2) the licensee terminated the doctor-patient professional relationship with the former patient more than six months before the contact occurred.
- (c) It is not a defense to a disciplinary action alleging a violation of this section that the contact occurred
- (1) with the consent of the patient;
  - (2) outside professional treatment sessions; or
  - (3) off of the premises regularly used by the licensee for the professional treatment of patients.
- (d) As used in AS 08.20.170(a)(8) and this section, "lewd or immoral conduct" includes sexual misconduct, sexual contact, or attempted sexual contact, with a patient outside the scope of generally accepted methods of examination or treatment of the patient during the time the patient is receiving professional treatment from the licensee.
- (e) As used in this section,
- (1) "attempted sexual contact" means engaging in conduct that constitutes a substantial step towards sexual contact;
  - (2) "sexual contact"
    - (A) means touching, directly or through clothing, a patient's genitals, anus, or female breast, or causing the patient to touch, directly or through clothing, the licensee's or patient's genitals, anus, or female breast;
    - (B) includes sexual penetration;
    - (C) does not include acts

(i) that may reasonably be construed to be normal caretaker responsibilities for a child, interactions with a child, or affection for a child; or

(ii) performed for the purpose of administering a recognized and lawful form of chiropractic examination or treatment that is reasonably adapted to promoting the physical or mental health of the person being treated;

(3) "sexual misconduct" means behavior, a gesture, or an expression that may reasonably be interpreted as seductive, sexually suggestive, or sexually demeaning to a patient; "sexual misconduct" includes

(A) encouraging the patient to masturbate in the presence of the licensee or masturbation by the licensee while the patient is present;

(B) offering to provide to a patient controlled substances or other drugs in exchange for sexual contact;

(C) disrobing or draping practice that is seductive, sexually suggestive, or sexually demeaning to a patient, such as deliberately watching a patient dress or undress or failing to provide privacy for disrobing;

(D) making a comment about or to the patient that is seductive, sexually suggestive, or sexually demeaning to a patient, including

(i) sexual comment about a patient's body or underclothing;

(ii) sexualized or sexually demeaning comment to a patient;

(iii) demeaning or degrading comments to the patient about the patient's sexual orientation, regardless of whether the patient is homosexual, heterosexual, or bisexual;

(iv) comments about potential sexual performance of the patient during an examination or consultation, except when the examination or consultation is pertinent to the issue of sexual function or dysfunction;

(v) requesting details of sexual history or sexual likes or dislikes of the patient if the details are not clinically indicated for the type of examination or consultation;

(E) initiation by the licensee of conversation with a patient regarding the sexual problems, preferences, or fantasies of the licensee;

(F) using the doctor-patient professional relationship with the patient to solicit sexual contact or a romantic relationship with the patient or another;

(G) kissing a patient in a romantic or sexual manner;

(4) "sexual penetration"

(A) means genital intercourse, cunnilingus, fellatio, anal intercourse, or an intrusion, however slight, of an object or any part of a person's body into the genitals or anus of another person's body; each party to any of the acts defined as "sexual penetration" is considered to be engaged in sexual penetration;

(B) does not include acts performed for the purpose of administering a recognized and lawful form of chiropractic examination or treatment that is reasonably adapted to promoting the physical health of the person being treated.

**Authority:** AS 08.20.055

AS 08.20.170

**12 AAC 16.980. "MISREPRESENTATION" DEFINED.** In AS 08.20.170, "misrepresentation" means

(1) the use of any advertising in which untruthful, exaggerated, improper, misleading or deceptive statements are made;

(2) impersonation of another practitioner;

(3) advertising or holding oneself out to have the ability to treat diseases or other abnormal conditions of the human body by any secret formula, method, or procedure;

(4) knowingly permitting or allowing another person to use a licensee's license or certificate in the practice of any system or mode of treating the sick or afflicted.

**Authority:** AS 08.20.055

AS 08.20.170(d)

**12 AAC 16.990. DEFINITIONS.** (a) In this chapter, unless the context requires otherwise,

(1) "appropriate treatment or services" means treatment or services performed, because of a substantiated and properly diagnosed condition, that is consistent with that diagnosis as reviewed by the peer review committee appointed under 12 AAC 16.400;

(2) "board" means the Board of Chiropractic Examiners;

(3) "department" means the Department of Commerce, Community, and Economic Development;

(4) "licensee" means a chiropractic physician licensed under AS 08.20;

(5) "reasonable and appropriate cost of treatment" means that charges submitted for services performed are necessary and reasonable charges in the judgment of the peer review committee appointed under 12 AAC 16.400;

(6) "criminal history record information" has the meaning given in AS 12.62.900;

(7) "general supervision" means the directing of the authorized activities by a licensed chiropractic physician and does not require the physical presence of the supervisor when directing those activities;

(8) "personal supervision" means that the licensed chiropractic physician is physically present at the same office location where the services are being furnished.

(b) In AS 08.20.900,

(1) "prescription drug" means a drug that

(A) under federal law, before being dispensed or delivered, is required to be labeled with either of the following statements:

(i) "Caution: Federal law prohibits dispensing without prescription";

(ii) "Caution: Federal law restricts this drug to use by, or on the order of, a licensed veterinarian"; or

(B) is required by an applicable federal or state law or regulation to be dispensed only under a prescription drug order or is restricted to use by practitioners only;

(2) "surgery"

(A) means the use of a scalpel, sharp cutting instrument, laser, electrical current, or other device to incise or remove living tissue;

(B) does not include venipuncture or the removal of foreign objects from external tissue.

**Authority:** AS 08.20.055

AS 08.20.900

## **APPENDIX A**

### **Notice on Superiority Advertising**

At the request of the Federal Trade Commission and with the concurrence of the Alaska Attorney General, the Board of Chiropractic Examiners has repealed two provisions of the Alaska Administrative Code, effective August 31, 1986.

One of the repealed paragraphs, 12 AAC 16.910(b)(2), prohibited the advertising of techniques or modalities to infer or imply superiority of treatment or diagnosis by their use. The other repealed paragraph, 12 AAC 16.910(b)(4), prohibited print advertising claiming superiority over or greater skill than other practitioners. These provisions were both repealed so that the advertising practices previously prohibited would no longer be considered “misrepresentation” and therefore would be allowed.