

SENATE BILL NO. 202

INTRODUCED BY E. BUTCHER

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A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING LICENSED CHIROPRACTORS TO PRACTICE ANIMAL CHIROPRACTICS; REQUIRING A CHIROPRACTOR WHO WISHES TO PROVIDE CHIROPRACTIC SERVICES TO ANIMALS TO COMPLETE A RECOGNIZED ANIMAL CHIROPRACTIC CERTIFICATION PROGRAM; REQUIRING A CHIROPRACTOR TO INFORM THE BOARD OF CHIROPRACTORS AND THE BOARD OF VETERINARY MEDICINE OF THE CHIROPRACTOR'S INTENT TO PRACTICE ANIMAL CHIROPRACTIC SERVICES; AMENDING SECTIONS 37-12-104 AND 37-18-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-12-104, MCA, is amended to read:

"37-12-104. Rights and limitations governing practice. (1) Chiropractors licensed under this chapter ~~shall~~ have the right to practice that science defined as chiropractic under 37-12-101 in accordance with the method, thought, and practice of chiropractors, and they ~~shall~~ must be permitted to use the prefix "Dr." or "Doctor" as a title but ~~shall~~ may not in any way imply that they are medical doctors, osteopaths, or surgeons. ~~They~~ Chiropractors ~~shall~~ may not prescribe for or administer to any person or animal any medicine or drugs or practice medicine or surgery or osteopathy, except that the use of antiseptics for purposes of sanitation and hygiene and to prevent infection and contagion ~~shall be~~ is permitted.

(2) Licensed chiropractors may diagnose, palpate, and treat the human body by the application of manipulative, manual, mechanical, and dietetic methods, including chiropractic physiotherapy, the use of supportive appliances, analytical instruments, and diagnostic x-ray in accordance with guidelines promulgated or approved by state or federal health regulatory agencies.

(3) (a) Licensed chiropractors may diagnose, palpate, and treat animals by the application of manipulative, manual, mechanical, and dietetic methods, including chiropractic physiotherapy, the use of supportive appliances, analytical instruments, and diagnostic x-ray in accordance with guidelines promulgated or approved by state or federal health regulatory agencies.

(b) Before providing chiropractic services to animals, a licensed chiropractor shall complete a



1 recognized animal chiropractic certification program. A chiropractor shall notify the board and the board
 2 of veterinary medicine, provided for in 2-15-1852, of the chiropractor's intent to practice animal
 3 chiropractic services and provide the board with appropriate information showing certification in animal
 4 chiropractic services.

5 (c) This subsection (3) may not be construed to allow a chiropractor to prescribe medication or
 6 practice veterinary medicine as defined in 37-18-102."

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8 **Section 2.** Section 37-18-102, MCA, is amended to read:

9 **"37-18-102. Veterinary medicine defined.** (1) A person is considered to be practicing veterinary
 10 medicine when ~~he~~ the person does any of the following:

11 (a) represents ~~himself as~~ to the public that the person is practicing veterinary medicine or is
 12 engaged in the practice of ~~practices~~ veterinary medicine in any of its branches, either directly or indirectly;

13 (b) uses words, titles, or letters in this connection or on a display or advertisement or under
 14 circumstances ~~so as~~ in order to induce the belief that the person using ~~them~~ the words, titles, or letters
 15 is engaged in the practice of veterinary medicine. This use is prima facie evidence of the intention to
 16 represent ~~oneself as engaged in the practice of~~ to the public that the person is practicing veterinary
 17 medicine in any of its branches.

18 (c) except as provided in 37-12-104(3), diagnoses, prescribes, or administers a drug, medicine,
 19 appliance, application, or treatment of whatever nature or performs a surgical operation or manipulation
 20 for the prevention, cure, or relief of a pain, deformity, wound, fracture, bodily injury, physical condition,
 21 or disease of animals;

22 (d) instructs, demonstrates, or solicits by a notice, sign, or other indication, with contract either
 23 express or implied, or otherwise, with or without the necessary instruments, for the administration of
 24 biologics or medicines or animal disease cures for the prevention and treatment of disease of animals and
 25 remedies for the treatment of internal parasites in animals;

26 (e) performs a manual or laboratory procedure on livestock for the diagnosis of pregnancy, sterility,
 27 or infertility for remuneration or hire;

28 (f) performs acupuncture, ova or embryo transfer, or dentistry on animals;

29 (g) instructs others, except those covered under the provisions of 37-18-104(4), for
 30 compensation, in any manner on how to perform any acts ~~which~~ that constitute the practice of veterinary

1 medicine.

2 (2) ~~Nothing in subsection~~ Subsection (1)(e) ~~of this section shall~~ may not in any way be construed
3 to prohibit the pregnancy testing by any person of ~~his~~ the person's own farm animals or by ~~his~~ the
4 person's employees regularly employed in the conduct of ~~his~~ the person's business or by other persons
5 whose services are rendered gratuitously.

6 (3) ~~Nothing in this~~ This section ~~shall~~ may not be construed as modifying, amending, altering, or
7 repealing any part of 37-18-104."

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9 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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