

ALABAMA STATE BOARD OF CHIROPRACTIC EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: The Alabama State Board of Chiropractic Examiners

RULE NO. & TITLE:

- (1) **Rule 190-X-1-.08 Voting**
- (2) **Rule 190-X-2-.10 Display of License**
- (3) **Rule 190-X-4-.01 Complaints**
- (4) **Rule 190-X-5-.08 Exploitation of Patients For Financial Gain**

INTENDED ACTION: The Alabama State Board of Chiropractic Examiners proposes to amend the rules as listed above.

SUBSTANCE OF PROPOSED ACTIONS:

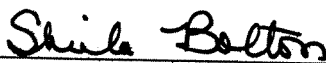
- (1) The Alabama State Board of Chiropractic Examiners proposes to amend this rule to delete irrelevant language.
- (2) The Alabama State Board of Chiropractic Examiners proposes to amend this rule to delete irrelevant language.
- (3) The Alabama State Board of Chiropractic Examiners proposes to amend this to correct language regarding complaint form.
- (4) The Alabama State Board of Chiropractic Examiners proposes to amend this rule to reflect statutory authority.

TIME, PLACE AND MANNER FOR PRESENTING VIEWS: Written or oral comments may be submitted to the Alabama State Board of Chiropractic Examiners, 126 Chilton Place, Clanton, AL 35045, 205-755-8000.

FINAL DATE FOR COMMENT & COMPLETION OF NOTICE: December 13, 2013.

CONTACT PERSON AND ADDRESS:

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Sheila Bolton
Executive Director

Alabama State Board of Chiropractic Examiners
Proposed Amended Rule

190-X-5-.08 Exploitation Of Patients For Financial Gain.

(1) Statement of Policy. The over utilization of chiropractic services or practice by exercising influence on a patient in such a manner as to exploit the patient or a third party payor for the financial gain of a licensee or a third party is hereby found and declared to constitute ~~immoral~~ or unprofessional conduct in violation of Code of Ala. 1975, §34-24-166(3).

(2) Definition of Over utilization, Generally. Over utilization of chiropractic services or practice is defined as services or practices rendered, or goods or appliances sold by a chiropractic physician to a patient for financial gain of the chiropractic physician or a third party which are excessive in quality or quantity to the justified needs of the patient or are excessive in price.

(3) Over utilization, Specifically. Over utilization occurs when:

(a) The physician's written chiropractic records do not justify or substantiate the quantity or number of chiropractic services, or practices rendered, or goods or appliances sold by a chiropractic physician to a patient;

(b) A claim or claims for chiropractic services, practices, goods or appliances is submitted to that patient or third party payor which represents multiple charges for one specific chiropractic diagnostic service or treatment practice, good or appliance.

(c) A charge or claim for chiropractic services, practices, goods or appliances exceeds the usual and customary charges for such services, practices, goods or appliances to the extent that the charge or claim is unconscionable.

(d) A charge or claim is submitted to the patient or to a third party payor for services, practices, goods or appliances which were not rendered or supplied.

(e) A chiropractic doctor renders any chiropractic services, practices, goods or appliances for which a fee may be charged after such time as a patient has requested but has not been provided with a written itemized statement of any chiropractic services, practices, goods or appliances to be rendered during a particular office visit, and the corresponding fees that will be charges for such services.

(4) A chiropractor shall not engage in the following:

(a) Routinely waive co payments or deductibles for the purpose of financial gain; or

(b) Waive co payments or deductibles for the purpose of enticing or encouraging individuals to become patients.

Alabama State Board of Chiropractic Examiners
Proposed Amended Rule

Effective: 3/6/90, (4) 11/2005, amended 6/06, (1)amended 01/13, (1) amended 10/2013

Author: Board of Chiropractic Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-144, 34-24-165, 34-24-166(2).

History: Filed September 30, 1982. **Amended:** Filed January 29, 1990. **Amended:** Filed January 23, 2006; effective February 27, 2006. **Amended:** Filed August 24, 2006; effective September 28, 2006. **Amended:** Filed March 12, 2013; effective April 16, 2013.