



Board of Chiropractic Examiners

Updated Regulations Now In Effect

The South Carolina Board of Chiropractic Examiners is pleased to announce that its updated Regulations - 25-1 through 25-9 -, as printed in the South Carolina State Register, became effective on June 28, 2013.

The Board is grateful to previous and current Board Members, the Board's administrative staff and LLR's legal and legislative teams for their efforts in making this happen. The task was not a simple one and required time, energy, travel, dedication and inspiring dialogue.

It is important that you review the updated regulations for your knowledge. The Board's purpose, as stated in S.C. Code of Regs. R. **25-1**, is **"to protect the health, safety and welfare of the public."** Abiding by the Board's Regulations will ensure ethical and professional conduct while providing all three to the public and the profession.

Highlights from the updated regulations include:

25-4 Volunteer Licensure under Special Circumstances

(Determines jurisdiction and satisfies 25-1)

Provides for Practice Mobility

Care for the Needy and Indigent

State of Emergency Care

Special Event License – Team Travel and "Hands-on Seminars"

25-5 Professional Practices

Expired Licenses 25-5-A-3

Continuing Education 25-5-B

Failure to meet Continuing Education Requirements 25-5-G

Manipulation under Anesthesia (MUA) 25-5-H

25-6 Professional Conduct

X-ray and Patient Records Release 25-6-B-1

Closure of or departure from a Chiropractic Practice 25-6-C

Terminate Patient Relationship 25-6-D

25-9 Disciplinary Actions and Procedures

Initial Complaints – Alleged Professional Misconduct 25-9-A-1

Learn More About Your Board

The South Carolina Board consists of nine members - eight licensed chiropractors, and one consumer member. The Board will begin meeting four times per year in 2014. The meetings are open to the public, with the exception of executive sessions where legal advice is given in matters such as complaints, disciplinary issues and application hearings, and closed for lawful purposes as provided under South Carolina's Open Meetings Act. The minutes from Board meetings can be found on the Board's website at www.llr.state.sc.us/pol/chiropractors.

2014 Board Meetings Dates

February 27, 2014

May 22, 2014

August 15, 2014

November 7, 2014

All meetings start at 9 a.m. and are held at 110 Centerview Drive, Kingstree Building, Columbia, South Carolina, 29210.

It's Almost Time to Renew Your License!

Renewals will begin in July 2014. If licenses are not renewed, they will expire on September 30, 2014. It is illegal to practice as a chiropractor with an expired license.

Notification to renew your license will be mailed in June 2014. If you have an address change, please notify the Board or you may go online to update your address. It is your responsibility to update your address with the Board office.

To renew, you must first complete the required thirty-six (36) continuing education (CEU) hours. During the renewal period, you will be asked a series of questions including whether you have been arrested, convicted or received a Board sanction since your last renewal. Failure to answer truthfully may subject your license to disciplinary action. Renewing the license online is the fastest way to renew your license.

Frequently Asked Questions:

Q. Does South Carolina accept Part IV of the National Board of Chiropractic Examiners (NBCE) examination?

Yes.

Q. Is South Carolina an insurance equality state?

No. However, S.C. Code Ann. § 38-71-210 states that if an insurer offers a policy containing a provision for medical expense benefits that does not provide payment for chiropractic services, it shall offer an optional rider or endorsement if it is specifically requested by the insured or subscriber under an individual policy, or an insured under a master policy. Such rider shall define the procedures for which benefits will be paid. Additional costs to the insured must be reasonably related to the benefits provided.

Q. May a chiropractor practice acupuncture?

Acupuncture is regulated by the Board of Medical Examiners. Information concerning the practice of acupuncture and requirements to obtain certification to practice acupuncture may be obtained through the Board of Medical Examiners.

Q. How long does the licensing process take?

- A.** The process is contingent upon the applicant requesting all required documents to be sent directly to the Board and upon receipt of the documents in the Board office. It could take several days or weeks to receive. Once all required documents are received, the license can be issued. However, if there are issues that require Board review, applicants are scheduled to appear before the full Board at its next scheduled Board meeting. Applications that require additional documents, such as background information or court documents, may take longer to approve.

Q. Upon receipt of my application will the Board issue a temporary license to practice while my application is pending?

- A. No.** The Board does not issue temporary licenses.

Q. What regulations does the Board have on advertising?

Advertising must be consistent, i.e. if a service is offered free or advertised as free, it must be free to the consumer/patient, and free from insurance billing.

Best practices:

1. If coupons are given out or advertised, they should be time sensitive, and the expiration date should be clearly noted on the coupon.
2. A disclaimer should be clearly stated that the service is not available to Medicare, Medicaid or government employees (state or federal).
3. If service is offered for free, i.e. free spinal adjustment, the chiropractor cannot later bill insurance company or receive cash payment.
4. You cannot advertise yourself as a specialist, i.e. Sports Chiropractic, if you are not a specialist.
5. You cannot advertise as a specialist in spinal adjustment or the best chiropractor, i.e. spinal adjuster.
6. If monetary coupons are offered, or a monetary discount is offered, for chiropractic service, the amount must be claimed as income by the chiropractor.

Advertising and marketing professional services as a chiropractor subjects providers to limitations dictated by state law and statute. The Board plans to focus attention on marketing violations during the coming year. As you review your marketing, ask yourself these questions:

- Does my advertising use the words “specialize,” “specialist” “best of (the name of your town),” or “top” chiropractor, or in any way infer that my skillset is superior to those of my fellow chiropractors? Unless you are a specialty practitioner recognized by the South Carolina Board of Examiners, you are not entitled to use this terminology. Consider the verbiage “practice with emphasis on” if you want to highlight a type of methodology or condition.
- Does my advertising fail to mention that I am a chiropractor, whether stating that in the format of “DC” after my name or the word “chiropractor” in my description of what I do? Remember, advertising or marketing which can be reviewed for violations includes YouTube videos and radio and/or television broadcasts. Merely using the term “Doctor” or “Dr.” before your name is insufficient.
- Does my road signage include the word chiropractor, chiropractic, or indicate by name that chiropractic services are being offered? If you are the owner of a multi-disciplinary facility, your signage should indicate the availability of chiropractic services by name.
- Does my website or marketing use terminology that the public may not recognize as chiropractic, such as “upper cervical care?” Do I in any other way define myself as a chiropractic provider?
- Do I offer unlimited care at a fixed fee?
- Do I market with terminology such as “no x-rays?” Since the use of x-ray has long been considered an important part of chiropractic analysis, the blanket omission of this diagnostic tool when there is clinical indication for its use may be considered an unprofessional act.
- Do I advertise free or discounted x-ray services without the explanation of clinical need?
- Do I offer discounted services without a disclaimer that they are not available to government healthcare programs? An appropriate disclaimer may be worded as: “These services are not available to Medicare, Medicaid, or state or federal employees.”

This is by no means an exhaustive list of advertising cautions. As a South Carolina licensed chiropractor, you have a responsibility to have knowledge of the rules and regulations governing your profession. Evaluate your advertising, and if you are using a third-party web or marketing company, don’t assume they know the rules for complaint content. You are responsible for your marketing.



Meet the Board

First Row

Left to Right: Dr. Ralph Roles, Vice Chair, Dr. Harvey Garcia, Board Chair, Veronica Reynolds, Executive Director

Second Row

Left to Right: Dr. Joseph Carew, Dr. Richard Heavner, Dr. Brian Hughes, Dr. John McGinnis, Dr. David Mruz, Dr. Jeanne McDaniel-Green, and E.J. Mercer, Esquire