

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1993

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

THIRD SPECIAL SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

CHAPTER 884**S.P. 959 - L.D. 2428****An Act to Certify Nonprofessionals Working in
Chiropractic Offices****Be it enacted by the People of the State of Maine
as follows:****Sec. 1. 32 MRSA c. 9, sub-c. IV** is enacted to
read:**SUBCHAPTER IV****CHIROPRACTIC ASSISTANTS****§555. Assistants**

This chapter does not prohibit an individual from rendering ancillary diagnostic or therapeutic services as used in chiropractic practice, other than the adjustive or manipulative techniques, if those services are rendered under the supervision and control of a licensed chiropractor as long as that person has successfully completed a training program recognized by the board. "Supervision and control" may not be construed as requiring the personal presence of the supervising and controlling chiropractor at the place where those services are rendered, unless physical presence is necessary to provide patient care of the same quality as provided by the chiropractor. This chapter does not prohibit a chiropractor from delegating to an employee certain activities relating to the care and treatment being performed by custom and usage when those activities are under the direct control of and in the person presence of the chiropractor. The chiropractor delegating those activities, either to an employee, program graduate or to a participant in an approved training program, is legally liable for those activities performed by such a person and that person is deemed to be the chiropractor's agent.

§556. Certificates of qualification and registration

An individual may not render any ancillary services under section 555 until that person has applied for and obtained a certificate of qualification or a temporary certificate issued by the board and a certificate of registration that must be renewed biennially. The board shall adopt rules regarding the training and certification of individuals permitted to render any ancillary services under section 555.

§557. Termination of certificate

The sanctions of section 454 apply to individuals who render any ancillary services under section 555 and who:

1. **Misrepresentation.** Profess to be or permit themselves to be represented as licensed chiropractors;

2. **Nonsupervision.** Perform other than at the direction and under the supervision of a chiropractor licensed by the board; or

3. **Inadequate training.** Perform a task that they have not been trained or are not clinically competent to perform.

§558. Fees

The board shall establish by rule an application fee not to exceed \$25 and a biennial registration renewal fee not to exceed \$50.

Sec. 2. Report. The Board of Chiropractic Examination and Registration by January 1, 1993 shall submit a report to the joint standing committee of the Legislature having jurisdiction over business legislation matters and the Executive Director of the Legislative Council concerning the training program for chiropractic assistance required by the Maine Revised Statutes, Title 32, section 555.

Sec. 3. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

1992-93

**PROFESSIONAL AND FINANCIAL
REGULATION, DEPARTMENT OF****Board of Chiropractic Examination
and Registration**

Positions	(0.5)
Personal Services	\$7,900
All Other	6,000

Provides for the allocation of funds for the salary, fringe benefits and operating costs of a part-time Clerk Typist II position and for other costs associated with the certification of chiropractic assistants.

**DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
TOTAL**

\$13,900

Effective January 5, 1993.