BOARDS AND COMMISSIONS

BOARD OF CHIROPRACTIC EXAMINERS

(Amendment)

201 KAR 21:001. Definitions for 201 KAR Chapter 21.

RELATES TO: KRS 312.015, 312.200

STATUTORY AUTHORITY: KRS 312.019(9)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 312.019(9) authorizes the Kentucky Board of Chiropractic Examiners to promulgate administrative regulations consistent with KRS Chapter 312, regulating the practice of chiropractic. This administrative regulation establishes the definitions for 201 KAR Chapter 21.

Section 1. Definitions.

(1) "Accepted standards" means those standards of review, care, skill, and treatment that are recognized by a reasonably prudent chiropractor as being acceptable under similar conditions and circumstances.

(2) "Accredited chiropractic college or university" means an institution [~~a chiropractic college or university~~] fully accredited by the Council on Chiropractic Education, Councils on Chiropractic Education International, or their respective [~~its~~] successors. [~~and that:~~

~~(a) Maintains a standard and reputability approved by the board pursuant to 201 KAR 21:055; and~~

~~(b) Meets all educational standards for preceptorship programs as established by the Council on Chiropractic Education.~~]

(3) “Adjacent tissues” means all structures and joints contained within the upper and lower extremity.

(4) “Advertisement of free or discounted services” means any advertisement or solicitation, by any medium, offering free or discounted examinations, consultation, treatment, goods, or other services.

(5) “Appropriate chiropractic treatment” means a determination made of treatment and other services performed which, by virtue of a substantiated and properly diagnosed condition, appear to be of a type consistent with that diagnosis.

(6) “Bill for treatment” means all services provided to a patient, regardless of the monetary consideration paid to the chiropractor.

(7) “Board” is defined by KRS 312.015(1).

(8) “Clinical program” means any undergraduate program offered at an accredited chiropractic college or university that is providing training in the final six (6) months prior to the student doctor receiving a degree in chiropractic under the supervision of a preceptor.

(9) “Clinical training” means a structured and supervised educational experience in which an individual acquires and demonstrates competency in the application of medical or health-related knowledge, skills, and judgment through direct or simulated interaction with patients, clinical materials, or healthcare environments, consistent with the standards of the chiropractic profession.

(10)[~~(8)~~] “Committee” means the peer review committee established by KRS 312.200.

(11)[~~(9)~~] “Complaint” means an allegation alleging misconduct that might constitute a violation of KRS Chapter 312 or 201 KAR Chapter 21.

(12)[~~(10)~~] “Complete notice of right of rescission” means a conspicuous statement, of not less

than ten (10) point font in any advertisement of free or discounted services that reads substantially as follows: "You have the right to rescind, within seventy-two (72) hours, any obligation to pay for services performed in addition to this free or discounted service."

(13)[~~(11)~~] "Conviction" means a finding of guilt resulting from a plea of guilty or nolo contendere, the decision of a court, or the finding of a jury, irrespective of a pronouncement of judgment, or the sentence being deferred or suspended.

(14)[~~(12)~~] "Hearing officer" is defined by KRS 13B.010(7).

(15)[~~(13)~~] "Licensee" means a person who performs chiropractic and who is licensed under KRS 312.015 through 312.991 and 201 KAR Chapter 21, as a chiropractor.

(16)[~~(14)~~] "Notice of rescission" means notice by the consumer rescinding any agreement to pay for unadvertised additional services performed or to be performed in addition to the free or discounted service.

(17)[~~(15)~~] "Ownership or operation of a chiropractic facility" as established in KRS 312.145(3), means continued, ongoing ownership by a licensee, or in the event of the death or permanent disability of the licensee, ownership or operation of the facility by the licensee's spouse, heirs, successors, or assigns as can be designated by or in the licensee's estate, for up to twelve (12) months.

(18)[~~(16)~~] "Patient" means an individual who receives treatment from a chiropractor.

(19)[~~(17)~~] "Peer review" is defined by KRS 312.015(4).

(20)[~~(18)~~] "Preceptor" means a licensed doctor of chiropractic[~~,~~] who serves in a supervisory capacity over an undergraduate chiropractic student's clinical training, and practices in a location that is registered as an independent business entity.[~~,after approval of the board, pursuant to 201 KAR 21:085, and an accredited chiropractic college or university, provides an opportunity for an~~

~~undergraduate intern to work in the doctor's office.~~]

(21)[~~(19)~~] "Promotional items" means small tangible items such as pens, magnets, pads, cups, and similar. These are not considered advertising unless the item contains an offer for free or discounted services.

(22)[~~(20)~~] "Properly utilized services" means appropriate treatment services rendered, including the frequency and duration of those services and that are substantiated as being necessary and reasonable by clinical records and reports prepared by the treating chiropractor.

(23)[~~(21)~~] "Seventy-two (72) hour right of rescission" means the right of a consumer to rescind within seventy-two (72) hours any agreement to pay for services if performed the same day in addition to the advertised free or discounted service at an additional unadvertised cost, or any agreement entered into on the same date to submit to a series, or course of treatments at an additional unadvertised cost.

(24) "Student doctor" means an individual studying at an accredited chiropractic college or university and who is in the final academic year prior to receiving a degree in chiropractic.

(25)~~(22)~~] "Unconscionable fees" means charges or bills for treatment submitted for services performed that are unreasonable charges for those services as compared to the usual and customary charges by a chiropractor or by a health care provider other than a chiropractor for the same or similar services in the locality where the services were performed.

[~~(23) "Undergraduate intern" means an individual studying at an accredited chiropractic college or university and who is in the final academic year prior to receiving a degree in chiropractic.~~]

(26)[~~(24)~~] "Unlawful solicitation" means offering money or something of value to a potential patient or patient in exchange to seek treatment from the licensee.

201 KAR 21:001
APPROVED BY AGENCY:



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Dr. Shannon Johnson
Chair, Board of Chiropractic Examiners

Date: November 6, 2026