

Chapter Chir 4 PRACTICE

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Note: Chapter Chir 4 as it existed on December 31, 1984 was repealed and a new chapter Chir 4 was created effective January 1, 1985.

Chir 4.01 Authority. This chapter is adopted under authority in ss. 15.08 (5) (b), 227.11 and ch. 446, Stats., to interpret the statutory definition of chiropractic practice specified in s. 446.01 (2), Stats.

History: Cr. Register, December, 1984, No. 348, eff. 1-1-85; correction made under s. 13.93 (2m) (b) 7., Stats., Register, March, 1990, No. 411.

Chir 4.02 Definitions. As used in this chapter,

(1) "Chiropractic science" means that body of systematic and organized knowledge relating primarily to the identification, location, removal or reduction of any interference to nervous system integrity or nerve energy expression and the resulting change in biomechanical or physiological homeostasis. It is based on the major premise that disease or abnormal function may be caused by abnormal nerve impulse transmission or expression due to biochemical factors, compression, traction, pressure or irritation upon nerves as a result of bony segments, especially of the spine or contiguous structures, either deviating from normal juxtaposition or function which irritates nerves, their receptors or effectors.

(2) "Instrument" means a device employed or applied in accordance with the principles and techniques of chiropractic science, which is used in the practice of chiropractic to diagnose, analyze, treat or prevent the cause of departure from complete health and proper condition of the human.

History: Cr. Register, December, 1984, No. 348, eff. 1-1-85; renum. to be (1) and cr. (2), Register, January, 1992, No. 433, eff. 2-1-92.

Chir 4.03 Practice. The practice of chiropractic is the application of chiropractic science in the adjustment of the spinal column, skeletal articulations and adjacent tissue which includes diagnosis and analysis to determine the existence of spinal subluxations and associated nerve energy expression and the use of procedures and instruments preparatory and complementary to treatment of the spinal column, skeletal articulations and adjacent tissue. Diagnosis and analysis may include physical examination, specimen analysis, drawing of blood, blood-analysis and the use of x-ray and other instruments.

History: Cr. Register, December, 1984, No. 348, eff. 1-1-85.

Chir 4.04 X-ray. (1) X-ray may be used only for diagnostic or analytical purposes in the practice of chiropractic.

Note: The requirements of ch. DHS 157 apply to licensees who use x-ray equipment.

(2) A chiropractor may not use the following forms of x-ray:

- (a) X-ray procedures that require introduction of drugs, clinical dyes or radioactive substances;
- (b) Therapeutic x-ray.

(3) A chiropractor may delegate the operation of x-ray equipment only to a chiropractic radiological technician certified under ch. 446, Stats. A chiropractic radiological technician shall operate x-ray equipment under the direct supervision and direction of a licensee. The chiropractor shall maintain records or ensure the chiropractor's employer maintains records that verify the chiropractic radiological technician is certified under ch. 446, Stats.

Note: A list of board-approved programs is available upon request from the Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

History: Cr. Register, December, 1984, No. 348, eff. 1-1-85; renum. (2) to be (3), cr. (2), Register, October, 1989, No. 406, eff. 11-1-89; am. (3), Register, January, 1995, No. 469, eff. 2-1-95; **CR 17-010: am. (3) Register July 2018 No. 751, eff. 8-1-18.**

Chir 4.05 Prohibited practice. (1) SCOPE OF PRACTICE.

A person who holds a license to practice chiropractic may engage in the practice of chiropractic, as described in s. Chir 4.03. A license to practice chiropractic does not authorize the license holder to engage in practice beyond the scope of chiropractic practice, as described in s. Chir 4.03. Practice beyond the scope of chiropractic includes, but is not limited to, the following:

(a) Obstetrics and abortions, except nothing in this paragraph may be construed to prevent the practice of chiropractic as described in s. Chir 4.03 during a patient's pregnancy.

(b) Invasive procedures, such as:

- 1. Surgery.
- 2. Subcutaneous administration of substances.
- 3. Acupuncture by needle insertion or invasive laser application. This subdivision shall not be construed to prohibit any of the following:

- a. The use of cold laser therapy by a licensed chiropractor.
- b. The practice of acupuncture by a licensed chiropractor who is also an acupuncturist certified under ch. 451, Stats., at the same location where he or she practices chiropractic.

(c) Colonic irrigation.

(d) The prescribing, dispensing, delivery or administration of drugs as defined in s. 450.01 (10), Stats., except nothing in this paragraph may be construed to prevent the sale of vitamins, herbs or nutritional supplements consistent with the provisions of ch. Chir 12.

(2) TECHNIQUES, ANCILLARY PROCEDURES OR INSTRUMENTS.

The use of techniques, ancillary procedures or instruments which are unsafe or ineffective, including but not limited to the following or their substantially similar counterparts, are prohibited in the practice of chiropractic:

- (a) Acuclips.
- (b) Pfeiffer technique.

Note: The Pfeiffer technique is the application of magnets to the surface or near vicinity of the human body, either alone or in conjunction with the use of other devices, as a purported basis of a chiropractic diagnosis which depends on the measurement or observation of changes to the functioning or structure of the human body resulting from the application of the magnetic force.

(c) Hair analysis if it is used as the only determinant for recommending chiropractic treatment or nutritional supplementation.

(d) Therapeutic ultrasound and galvanic therapy may be used by a licensee only if:

- 1. The licensee has completed the physiologic therapeutics portion of the examinations of the national board of examiners; or,
- 2. The licensee has completed a course of instruction in therapeutic ultrasound and galvanic therapy approved by the board, submits proof of completion to the board and receives acknowledgement of submittal; and,

3. The use of therapeutic ultrasound and galvanic therapy is limited to neurological and musculoskeletal conditions that are

amenable to treatment, are not contra-indicated, and are within the scope of chiropractic practice as described in s. 446.01 (2) (a) and (b), Stats.

Note: A list of courses of instruction in therapeutic ultrasound and galvanic therapy approved by the board is available upon request from the Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(e) The use of any device in the practice of chiropractic to diagnose, analyze, treat or prevent the cause of departure from complete health and proper condition of the human, which is not employed or applied in accordance with the principles and techniques of chiropractic science is prohibited. Such devices include, but are not limited to:

1. The following electro-diagnostic devices: EAV, VEGATEST, BIOTRON 1000, ACCUPATH 1000, VI-TEL 618, INTERRO System, PRO-PHYLE, or substantially similar counterparts of any of these devices.

(f) Any practice system, analysis, method or protocol which does not include the competent assessment, evaluation or diagnosis of the condition to be treated before beginning treatment of the patient.

(g) Any practice system, analysis, method or protocol which relies upon diagnostic methods that are not generally recognized

or accepted within the profession or which do not have scientific validity.

(h) Any practice system, analysis, method or protocol which is represented as a means of attaining spiritual growth, spiritual comfort or spiritual well-being.

History: Cr. Register, December, 1984, No. 348, eff. 1-1-85; r. and recr. Register, October, 1989, No. 406, eff. 11-1-89; cr. (2) (e), Register, January, 1992, No. 433, eff. 2-1-92; am. (2) (b), Register, May, 1992, No. 437, eff. 6-1-92; cr. (2) (f), (g), (h), Register, February 1995, No. 470, eff. 3-1-95; am. (2) (f) to (h), Register, July, 1999, No. 523, eff. 8-1-99; am. (1) (a), (b) 1., 2., 3., (c), (2) (a) and (b), Register, September, 1999, No. 525, eff. 10-1-99; CR 03-082: am. (1) (b) 3. Register July 2004 No. 583, eff. 8-1-04; CR 06-051: am. (1) (d) Register November 2006 No. 611, eff. 12-1-06; 2017 Wis. Act 180: renum. (1) (b) 3. to (1) (b) 3. (intro.), cr. (1) (b) 3. a., b., Register April 2018 No. 748, eff. 5-1-18.

Chir 4.07 Suspension. During a period in which a licensee is suspended under s. 446.03, Stats., unless the board specifies otherwise in its final order or a subsequent order, the licensee may not do any of the following:

- (1) Perform any of the functions in s. Chir 4.03.
- (2) Have any professional contact with patients.
- (3) Be present in any chiropractic office, other than to receive care.

History: Cr. Register, March, 2000, No. 531, eff. 4-1-00.