



NEWSLETTER

October 2013

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IMPORTANT NEWS



Anything the Board mails or emails you is important. Please take the time to thoroughly read everything the Board sends you.

Records Release

The Board continues to receive complaints from patients whose doctor won't release their records. Regardless of account balance, liens, complaints, etc., providing copies of patient records upon receipt of a signed written request is required by law (See Ohio Revised Code Section 3701.74 on the web at: <http://codes.ohio.gov/orc/3701.74>)

You are permitted to charge a fee for costs for copies and all services related to those copies. Ohio Revised Code Section 3701.741 outlines the fees you may charge and can be found on the web at <http://codes.ohio.gov/orc/3701.741>.

Keep the Board Updated

You are required by law to advise the Board of all address changes within 30 days of the change. If you have any change to your contact information, please visit our website and file your change electronically with our new online address change form.

www.chirobd.ohio.gov

Can Chiropractic Physicians Practice on Animals?

Yes, so long as the animal is treated by referral of an Ohio licensed veterinarian. Treating a medical condition of an animal is the practice of veterinary medicine and the veterinarian must maintain medical supervision for the animal.



There are criminal penalties for practicing on animals without an appropriate referral. If you have any questions about practicing on animals, please contact the Ohio Veterinary Medical Licensing Board at: info@ovmlb.state.oh.us

Social Advertising

If you market services via social websites such as Groupon and Living Social, please read an important article about fee splitting on Page 4.



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CONTINUING EDUCATION NEWS

Chiropractic CE Requirements

36 hours each biennium of which 1.5 hours must be on the topic of ethics and/or professionalism.

If you actively practice in Ohio whatsoever: You must earn 24 hours of in state CE from programs posted on the Board's website CE list. The remaining 12 hours may be earned in state, out of state or via electronic learning so long as the sponsor and topic are acceptable.

If you do not actively practice in Ohio: You may earn all required 36 hours in state, out of state, or via electronic learning so long as the sponsor and topic are acceptable.

Acupuncture CE Requirements

12 hours each biennium. You may earn the hours in state, out of state or via electronic learning so long as the sponsor and topic are acceptable.

Keep in Mind

- ❖ Practice management companies are not approved CE sponsors.
- ❖ For profit businesses are not approved CE sponsors.
- ❖ Vendors/sales reps are not approved CE sponsors or providers.
- ❖ Practice management is not an acceptable CE topic.
- ❖ Training conducted in your office is not acceptable CE (unless formally sponsored by an approved sponsor and meets the Board's CE requirements).
- ❖ Reading journals or publications is not acceptable.
- ❖ Double check the sponsorship and claims made by CE providers – some providers are a scam.

What is Acceptable CE?

- ☑ Any program posted on the Board's website.
- ☑ Any out of state program or electronic learning program for which both of the following apply:

1. The Program is Sponsored by:

- Chiropractic College
- Hospital
- Non-profit Association
- Academic Health Institution

2. The Program is on One or More of These Topics:

- Clinical Diagnosis & Examination Procedures
- Diagnostic Imaging
- Neurology
- Nutrition
- Public Health, Hygiene, Sanitation
- Manipulation and Adjusting Procedures
- Physiological Therapeutics
- Orthopedics
- Acupuncture
- Electrodiagnostics
- Emergency Procedures
- Principles and Practice
- Philosophy
- Laboratory Procedures
- Anatomy
- Physiology
- Rehabilitative Procedures/Exercise
- Ethics/Boundaries
- Staff Development and Training*
- Documentation
- Risk Management
- Ethics/Professionalism
- Laws and Rules of the Board
- * May not include marketing, patient retention strategies, etc.

CE Deadline

The renewal deadline for all chiropractic and acupuncture licenses is March 31, 2014. You have until this date to earn your required CE hours in order to renew your license.

RULES UPDATE

New Prepayment Plan Rule

Effective October 6, 2013 the Board enacted a Prepayment Plan rule (4734-9-11). If you offer or plan to offer prepayment for chiropractic and/or acupuncture services, please review the rule.

Also effective October 6, 2013, the Board amended the Signage and Display of License Rule (4734-9-03) and the Professional Ethics Rule (4734-9-08).

To review these rules or any other Board rule, please visit our website at www.chirobd.ohio.gov and click on *Laws and Rules* then click on *OAC 4734*. This link will take you to the LAWriter® website. Each chapter of the Board's laws and rules will be listed. To search for a rule, choose the appropriate chapter. For example, the rules listed above can be found in Chapter 4734-9 Discipline.

Rules Changes - We want to hear from you!

When you receive an email from the Board regarding a rules change, we want to hear your thoughts and views. In fact, we are required to solicit your feedback. Whether you receive an email from the Board or learn of a rules change from visiting our website, please take the time to review the proposed changes and follow the procedures outlined to submit your comments and feedback.

Keep Up to Date on Rules Actions

To receive notifications about rules activities, please update your email address to:



OSCB.ChiroBd@chr.state.oh.us

All rules activities are posted on our website.

Please visit the Board's website frequently. Important announcements are posted on the front page.

www.chirobd.ohio.gov

UPCOMING RULES CHANGES

As required by law, the Board must review each of its rules every five years to determine if the rule should continue as is or be amended or rescinded.

The following rules are up for review and ***proposed for amendment:***

Board Relationship with CCE
Site Visitation Procedures (Chiropractic Colleges)

Initial Approval of Chiropractic Educational Institutions or Programs

Revocation of Approval of Chiropractic Programs

Application for Licensure*

Licensure by Endorsement

Pre-Chiropractic Educational Requirements

Preceptorships

Documentation and Recordkeeping

Advertising and Solicitation

Billing Practices

*While not up for five year review, the Board is proposing to amend the Application for Licensure rule to mirror proposed changes to the Licensure by Endorsement Rule.

The rule on Terminating the Doctor Patient Relationship is also up for review. The Board is proposing to rescind the rule and draft it as two new rules:

1. Notice of Leaving, Selling or Retiring from Practice
2. Dismissing a Patient from a Chiropractic Practice

To keep up to date on rules changes, please visit the Board's website at www.chirobd.ohio.gov and click on *Proposed Laws & Rules Changes* under the *Laws and Rules* link. **Visit this link frequently to keep up to date on stakeholder comment opportunities and Public Rules Hearings notifications.**

Social Advertising and Fee Splitting

Board Rule 4734-9-09 prohibits dividing fees, charges, income, or collections or having any arrangement to share fees, charges, income or collections with any other person, except those which reflect services performed or result from lawful ownership of a business organization. (See Ohio Revised Code 4734.17 for a description of the authorized business entities through which services may be offered.)

If you advertise through Groupon, Living Social, or similar marketing vendors you may be violating the Board's fee splitting rule.

Fee splitting examples:

- Paying for advertising or marketing services by sharing a specified portion of your professional fees collected from a consumer with the vendor providing the advertising or marketing services;
- Advertising or marketing services via social coupons if you allow the social site to:
 1. collect your professional fees from the consumer;
 2. retain a defined percentage or portion of the revenue collected as payment for the coupon marketing services provided, and;
 3. remit to you the remainder of the amount collected.

Fee splitting is a complicated topic that not only may violate the Board's law, but may also violate federal law. If you have questions or concerns about fee splitting, please consult with legal counsel. The Board cannot provide legal advice or legal guidance to licensees.

OSCB

**License Renewal Deadline is
March 31, 2014
Renewal Applications will be
Available by February 1, 2014**

Consumer Complaints

The Board receives numerous complaints regarding licensee misconduct. Although most complaints are resolved without disciplinary action, there are many things you can do to avoid having a complaint filed against you:

Improve Interpersonal and Communication Skills

Establish a good rapport with your patients. Train your staff to be conscientious to each patient's needs.

Ensure Patients Understand Forms

Ensure that your patients fully understand each form they sign. Take time to explain each form *before* the patient signs it.

Resolve Financial Conflict

Many patients are surprised or confused by their bill. Inform your patients of your fees upfront and take the time to answer and explain any billing inquiries.

Education

Explain all techniques and procedures. Many healthcare consumers have misconceptions about chiropractic.

Solicitation

Ensure your solicitation practices conform to the Board's laws and rules. Many consumers complain about misleading advertisements and solicitations.

Documentation

Document each patient encounter clearly and legibly. Familiarize yourself with the CPT codes you utilize to ensure proper coding.

QUESTIONS?

CONTACT US AT:

oscb.chirobd@chr.state.oh.us