

**\*\*\*DRAFT - NOT FOR FILING\*\*\***

**4734-9-09 Fee splitting prohibited.**

(A) A chiropractic physician shall not divide fees, charges, income, or collections or have 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, as described in RC section 4734.17.

The following situations are exceptions to the above rule:

- (1) A chiropractic physician may have an agreement with his clinic, firm, partner, or associate to provide for the payment of money, over a reasonable period of time after his or her death, to the estate or to one or more specified persons;
- (2) A chiropractic physician or chiropractic organization may include non- chiropractic physician employees in a retirement plan, even though the plan is based in whole or in part on a profit-sharing arrangement.

(B) A chiropractic physician may not predicate the payment of financial consideration to any individual or entity who solicits potential patients on behalf of the licensee's practice, that is based wholly on the number of patient referrals obtained, unless that individual is a doctor of chiropractic employed by the chiropractic physician.