Offered by:
SEN. FASANO, 34th Dist.

"AN ACT CONCERNING THE PRACTICE OF ACUPUNCTURE."

After the last section, add the following and renumber sections and internal references accordingly:

"Sec. 501. (NEW) (Effective October 1, 2009) Any allopathic or osteopathic physician, licensed under the provisions of chapter 370 of the general statutes; chiropractor, licensed under the provisions of chapter 372 of the general statutes; or natureopath, licensed under the provisions of chapter 373 of the general statutes, shall provide a discharge summary to a patient upon the performance of a procedure, adjustment or manipulation for the treatment of vertebral subluxations or malpositioned articulations. For purposes of this section, "discharge summary" means the provision of written notification to a patient of the risks associated with such procedure, adjustment or manipulation, including, but not limited to, risk of stroke, permanent disability or death and instructions upon the occurrence of medical conditions incident to those risks."
Sec. 502. Section 20-29 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2009):

The Board of Chiropractic Examiners may take any of the actions set forth in section 19a-17 for any of the following reasons: The employment of fraud or deception in obtaining a license, habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate the user for the performance of professional duties, violation of any provisions of this chapter or regulations adopted [hereunder] pursuant to this chapter, engaging in fraud or material deception in the course of professional services or activities, failure to provide a written discharge summary upon the performance of a procedure, manipulation or treatment pursuant to section 501 of this act, physical or mental illness, emotional disorder or loss of motor skill, including but not limited to, deterioration through the aging process, illegal, incompetent or negligent conduct in the practice of chiropractic, or failure to maintain professional liability insurance or other indemnity against liability for professional malpractice as provided in subsection (a) of section 20-28b. Any practitioner against whom any of the foregoing grounds for action under said section 19a-17 are presented to said board shall be furnished with a copy of the complaint and shall have a hearing before said board. The hearing shall be conducted in accordance with the regulations established by the Commissioner of Public Health. Said board may, at any time within two years of such action, by a majority vote, rescind such action. The Commissioner of Public Health may order a license holder to submit to a reasonable physical or mental examination if his physical or mental capacity to practice safely is the subject of an investigation. Said commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17.

Sec. 503. Section 20-29 of the general statutes, as amended by section 2 of public act 08-109, is repealed and the following is substituted in lieu thereof (Effective January 1, 2010):
The Board of Chiropractic Examiners may take any of the actions set forth in section 19a-17 for any of the following reasons: The employment of fraud or deception in obtaining a license, habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate the user for the performance of professional duties, violation of any provisions of this chapter or regulations adopted hereunder pursuant to this chapter, engaging in fraud or material deception in the course of professional services or activities, failure to provide a written discharge summary upon the performance of a procedure, manipulation or treatment pursuant to section 1 of this act, physical or mental illness, emotional disorder or loss of motor skill, including, but not limited to, deterioration through the aging process, illegal, incompetent or negligent conduct in the practice of chiropractic, failure to maintain professional liability insurance or other indemnity against liability for professional malpractice as provided in subsection (a) of section 20-28b, or failure to provide information to the Department of Public Health required to complete a health care provider profile, as set forth in section 20-13j.

Any practitioner against whom any of the foregoing grounds for action under said section 19a-17 are presented to said board shall be furnished with a copy of the complaint and shall have a hearing before said board. The hearing shall be conducted in accordance with the regulations established by the Commissioner of Public Health. Said board may, at any time within two years of such action, by a majority vote, rescind such action. The Commissioner of Public Health may order a license holder to submit to a reasonable physical or mental examination if his physical or mental capacity to practice safely is the subject of an investigation. Said commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17.

Sec. 504. Section 20-40 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2009):

Said department may refuse to grant a license to practice natureopathy or may take any of the actions set forth in section 19a-17
for any of the following reasons: The employment of fraud or material
deception in obtaining a license, habitual intemperance in the use of
ardent spirits, narcotics or stimulants to such an extent as to
incapacitate the user for the performance of professional duties,
violations of the provisions of this chapter or regulations adopted
[hereunder] pursuant to this chapter, engaging in fraud or material
deception in the course of professional services or activities, failure to
provide a written discharge summary upon the performance of a
procedure, manipulation or treatment pursuant to section 1 of this act,
physical or mental illness, emotional disorder or loss of motor skill,
including but not limited to, deterioration through the aging process,
illegal, incompetent or negligent conduct in his practice, or failure to
maintain professional liability insurance or other indemnity against
liability for professional malpractice as provided in subsection (a) of
section 20-39a. Any applicant for a license to practice natureopathy or
any practitioner against whom any of the foregoing grounds for
refusing a license or action under said section 19a-17 are presented to
said board shall be furnished with a copy of the complaint and shall
have a hearing before said board in accordance with the regulations
adopted by the Commissioner of Public Health. The Commissioner of
Public Health may order a license holder to submit to a reasonable
physical or mental examination if his physical or mental capacity to
practice safely is the subject of an investigation. Said commissioner
may petition the superior court for the judicial district of Hartford to
enforce such order or any action taken pursuant to section 19a-17.

Sec. 505. Section 20-40 of the general statutes, as amended by section
3 of public act 08-109, is repealed and the following is substituted in
lieu thereof (Effective January 1, 2010):

Said department may refuse to grant a license to practice
natureopathy or may take any of the actions set forth in section 19a-17
for any of the following reasons: The employment of fraud or material
deception in obtaining a license, habitual intemperance in the use of
ardent spirits, narcotics or stimulants to such an extent as to
incapacitate the user for the performance of professional duties,
violations of the provisions of this chapter or regulations adopted [hereunder] pursuant to this chapter, engaging in fraud or material deception in the course of professional services or activities, failure to provide a written discharge summary upon the performance of a procedure, manipulation or treatment pursuant to section 1 of this act, physical or mental illness, emotional disorder or loss of motor skill, including, but not limited to, deterioration through the aging process, illegal, incompetent or negligent conduct in his practice, failure to maintain professional liability insurance or other indemnity against liability for professional malpractice as provided in subsection (a) of section 20-39a, or failure to provide information to the Department of Public Health required to complete a health care provider profile, as set forth in section 20-13j. Any applicant for a license to practice natureopathy or any practitioner against whom any of the foregoing grounds for refusing a license or action under said section 19a-17 are presented to said board shall be furnished with a copy of the complaint and shall have a hearing before said board in accordance with the regulations adopted by the Commissioner of Public Health. The Commissioner of Public Health may order a license holder to submit to a reasonable physical or mental examination if his physical or mental capacity to practice safely is the subject of an investigation. Said commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17."