

OREGON BOARD OF CHIROPRACTIC EXAMINERS



GUIDE TO PRACTICE & POLICY QUESTIONS

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X-RAY SERVICES BY CHIROPRACTIC PHYSICIAN

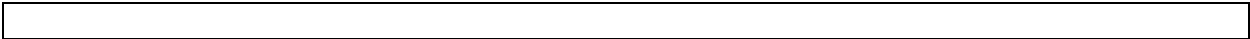
A chiropractic clinic may take X-rays for another chiropractic physician or doctor. While this does not create a patient relationship with the doctor or other appropriately licensed person taking the films, the chiropractic clinic still has the obligation to abide by the x-ray rules found in OAR 811-030-0020 and OAR 811-030-0030 (addressing shielding, contraindications such as pregnancy, diagnostic quality etc.).

In order to request films, the ordering doctor should include the relevant diagnoses, area of clinical interest, birth date, etc. so that the clinic taking the films has a "double check" that ensures the proper films are taken. It is not necessary for the clinic taking the films to review the entire patient file to determine whether the views ordered are in fact clinically necessary.

It is highly recommended all chiropractic physicians with x-ray equipment review OAR 811-030-0020 and OAR 811-030-0030, which also includes these record keeping requirements:

- The operator shall maintain a record on each exposure of each patient containing the patient's name, the date, the operator's name or initials, the type of exposure and the radiation factors of time, mA, kVp and target film distance, including those exposures resulting in the necessity of repeat exposure for better diagnostic information such as patient motion or poor technical factors. For computerized and automated systems the recording of technique factors is not necessary as long as the equipment is calibrated and maintained. OAR 333-106-045 requires the facility to determine the typical patient exposure for their most common radiographic examinations, i.e. technique chart.
- Each film shall be properly identified by date of exposure, location of X-ray department, patient's name or number, patient's age, right or left marker and postural position marker and indication of the position of the patient.


(3/18/10)



SECTION III

NEW & UPDATED Board Policies

The following policies are either new or updated to a new format.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: March 30, 2023</p> <p>Date approved/ratified: March 30, 2023</p> |
| <p>Additional Acronym or Initials for Degree, Diplomate Status, or Certification</p> | |

Issue: Whether chiropractic licensees are permitted to use acronyms of additional education or training certification/degree.

Policy:

A licensed chiropractic physician who has completed education or training resulting in diplomate status, certification, or a degree may use the associated initials or acronyms in compliance with the advertising rule OAR 811-015-0045, the Doctor's Title Act ORS 676.110, and cannot be untruthful, improper, misleading, or deceptive, per ORS 684.100(1)(i)(j).

As Applicable to CAs:

A certified chiropractic assistant who has completed education or training resulting in diplomate status, certification, or a degree may use the associated initials or acronyms in compliance with the advertising rule OAR 811-015-0045, the Doctor's Title Act ORS 676.110, and cannot be untruthful, improper, misleading, or deceptive, per ORS 684.100(1)(i)(j).

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| Animal Chiropractic Policy | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to provide chiropractic care to animals.

Policy:

Yes, under the following conditions:

- Active Oregon chiropractic license;
- Successfully completed post-graduate animal chiropractic program; and
- Current written referral from an active licensed treating veterinarian.

As applicable to CAs:

Not within the scope of certified chiropractic assistants.



Oregon Board of
Chiropractic
Examiners

Effective Date:
September 26, 2024

Date approved/ratified:
September 26, 2024

Allergy and Food Sensitivity Testing Policy

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform allergy and food sensitivity testing.

Policy:

Allergy and food sensitivity testing are within the scope of practice for licensed chiropractic physicians in Oregon, as ordering diagnostic testing and performing venipuncture are already within scope.

As Applicable to CAs:

Allergy and food sensitivity testing are not within the scope of practice for certified chiropractic physician assistants in Oregon.



Oregon Board of
Chiropractic
Examiners

Effective Date:
November 21, 2024

Date approved/ratified:
November 21, 2024

Applied Spinal Biomechanical Engineering (ASBE) Policy

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform Applied Spinal Biomechanical Engineering (ASBE).

Policy:

It is within the scope of practice for Oregon chiropractic physicians as investigational per the Examinations, Tests, Substances, Devices and Procedures (ETSDP) Committee. A practitioner must comply with the investigational status rules and informed consent and must register use of this technique with the OBCE. Patients must be informed that the use of this technique is considered investigational and written, informed consent must be obtained prior to use.

As Applicable to CAs:

ASBE is outside the scope for certified chiropractic assistants.



Oregon Board of
Chiropractic
Examiners

Effective Date:
March 30, 2023

Date approved/ratified:
March 30, 2023

Auriculotherapy Policy


Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform auriculotherapy.

Policy:

Auriculotherapy is within the scope of practice. The application is utilized to stimulate the points of the ear but must not penetrate the skin.

As Applicable to CAs:


Certified chiropractic assistants, with appropriate training, may apply treatment to the ear points under the supervision and direction of an Oregon licensed chiropractic physician.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 18, 2023</p> <p>Date approved/ratified: January 18, 2023</p> |
| <p>Biofeedback Policy</p> | |

Issue: Whether Oregon chiropractic licensees are able to use biofeedback devices for diagnostic and/or therapeutic purposes.

Policy: Yes, chiropractic physicians may use biofeedback devices with Premarket Approval (PMA) or 510(k) Clearance by the FDA for applicable diagnostic and/or therapeutic purposes as applicable to the scope of chiropractic practice. For example, biofeedback for purposes of neuromuscular evaluation, rehabilitation, and reeducation is within the scope of practice.

As Applicable to CAs: An appropriately trained certified chiropractic assistant may utilize biofeedback devices with Premarket Approval (PMA) or 510(k) Clearance by the FDA at the direction of the attending chiropractic physician for therapeutic purposes within the scope of chiropractic practice. An appropriately trained certified chiropractic assistant may operate a biofeedback device and record findings for diagnostic purposes but may not interpret or provide an assessment of those findings.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| <p>Birth Certificate Policy</p> | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to sign birth certificates.

Policy:


Yes, for chiropractic physicians under the following conditions:

- Active Oregon license;
- Have appropriate Board approved specialty certification in Obstetrics; and
- Must have attended and managed the birth.

As applicable to CAs:

Not within the scope of certified chiropractic assistants.

ORS 432.005(26) “Physician” means a person authorized to practice medicine, chiropractic or naturopathic medicine under the laws of this state or under the laws of Washington, Idaho or California, a physician assistant licensed under ORS 677.505 to 677.525 or a nurse practitioner licensed under ORS 678.375 to 678.390.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 18, 2023</p> <p>Date approved/ratified: November 21, 2024</p> |
| <p>Breast Thermography Policy</p> | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform breast thermography.

Policy:

Breast thermography is within the scope of practice for Oregon chiropractic licensees who have been adequately trained and certified by a recognized organization as a clinical thermographer or a board certified clinical thermographer or diplomate from a recognized organization. However, the interpretation of the thermal images should only be made by a licensed chiropractic physician or other health care provider who is licensed to diagnose and hold credentials as a board certified clinical thermographer or diplomate from a recognized organization. Any chiropractic clinic providing breast thermography imaging must use the attached informed consent form. This is in addition to verbal communication with the patient to ensure their understanding of these informed consent provisions.

In January 2021, the FDA stated that breast thermography is not an alternative to mammography and has not been shown to be effective as a “stand-alone” test for either breast cancer screening or diagnosis in detecting early-stage breast cancer. Mammography is the most effective primary screening method for detecting breast cancer in its early, most treatable stages. Therefore, providers shall inform patients that clinical breast thermography should only be considered as adjunctive to mammography and other standard breast diagnostic imaging or examination rather than being considered an alternative.

Regardless of the result from breast thermography exam, chiropractic physicians must refer the patient for further imaging.

As Applicable to CAs:

Oregon certified chiropractic assistants who have been adequately trained as a clinical thermographer technician or who have completed an equivalent training program may perform thermographic thermal imaging.

Informed Consent

Any chiropractic clinic providing breast thermography imaging must use the attached informed consent form. This is in addition to verbal communication with the patient to ensure their understanding of these informed consent provisions, the investigational status and that this is adjunctive to other standard diagnostic imaging or examination.

Clinic or Entity Name: _____

Address: _____

City/State/Zip: _____

Phone Number: (_____) _____

Informed Consent for Breast Thermography

Please read each section carefully and initial.

The Oregon Board of Chiropractic Examiners (OBCE) has determined that breast thermography is investigational. Investigational means further study is warranted, evidence is equivocal or insufficient, the patient should evaluate their own risk, and this is not considered standard by the chiropractic profession. Standard means taught in a chiropractic college or otherwise accepted in the chiropractic profession.

_____ I understand that breast thermography is a procedure utilizing a digital thermal imaging camera to visualize and obtain an image of the infrared radiation (heat) coming from the surface of the skin.

_____ I understand that breast thermography is not intended as a replacement of breast mammography and that according to the current recommended protocol, clinical examination and mammogram are considered the standard breast cancer screen. Thermography is not a stand-alone diagnostic tool, meaning it is not approved to be used by itself for screening.

_____ I understand that breast thermography and mammography do not provide the same information on breast tissues and therefore provide different values on breast tissue assessment (thermography looking for physiological changes and mammography looking for anatomical changes).

_____ I understand that breast thermography may be used as an adjunctive screen in addition to mammography, MRI, and clinical exam to detect early stages of breast abnormalities.

_____ I understand that the procedure does not use radiation or compression.

_____ I understand that the physician and/or technician providing breast thermography at (clinic) _____ are not diagnosing or treating breast abnormalities. Follow-up care relating to treatment must be done with a properly trained and licensed professional.

_____ I have been given a pre-imaging instruction form to follow and I agree that I have complied with the preparation protocol prior to the procedure.

_____ I understand that I will disrobe from the waist up during the exam and I will be imaged with an electronic thermographic camera.

_____ I understand that a clinical breast examination may be necessary at the end of my imaging session by a licensed professional to verify any abnormal findings.


_____ I understand that the results of the breast thermography examination will be made available to my physicians and others I designate for further diagnosis and analysis.

_____ I understand that if an abnormal finding is discovered, I will comply with any diagnostic or referral recommendation.

_____ I understand the purpose, outcome, benefits, and risk factors of breast thermography and consent to examination by (*clinic*) _____.

Print Name _____

Signature _____ Date _____

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|---|---|
|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: September 23, 2023</p> <p>Date approved/ratified: September 23, 2023</p> |
| <p>Certification of Special Competency in Obstetrics</p> | |


Issue: To determine the procedures for issuing certification of special competency in obstetrics per OAR 811-015-0030(4)(a)-(d).

Policy:

A chiropractic physician licensed in Oregon who wishes to practice obstetrics must apply to and receive from the OBCE a certification of special competency in obstetrics.

Procedures:


1. Request must be sent by email to OBCE to start the process. OBCE staff will confirm completion of the 200 hours and examination.
2. An obstetrics initiation letter will then be sent electronically to the applicant along with instructions on the requirements within OAR 811-015-0030.
3. The licensed applicant will submit a proposed rotation plan with all required documentation. Staff will add the proposed plan to the next board meeting for review and approval.
4. OBCE staff will notify the licensed applicant of rotation plan status.
5. The licensed applicant will submit proof of completed rotation(s) to OBCE staff. OBCE board will review for certification approval in due course.
6. Final letter of certification approval will be sent electronically to licensed applicant.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: September 17, 2020</p> <p>Date approved/ratified: September 17, 2020</p> |
| <p>Chiropractic Assistant Continuing Education Course Instruction</p> | |

Policy:

An individual or entity may conduct certified chiropractic assistant continuing education courses, provided they meet any of the following:

- (a) A professional degree in a healthcare related field or a license from a health professional regulatory board;
- (b) Three years of experience as a certified chiropractic assistant in the State of Oregon;
- (c) A degree or certification for college-level courses that supports job duties of a certified chiropractic assistant; or
- (d) Are a company or entity that offers continuing education to health care providers.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: September 17, 2020</p> <p>Date approved/ratified: September 17, 2020</p> |
| <p>Chiropractic Assistant Initial Course Instruction</p> | |

Policy:


An individual or entity may conduct initial certified chiropractic assistant training, provided they meet any of the following:

- (a) A professional degree in a healthcare related field or a license from a health professional regulatory board. The practical training must be in physiotherapy, electrotherapy and hydrotherapy administered by a health care provider licensed to independently provide those therapies; or
- (b) Are a company or entity that offers continuing education to health care providers.

PROCEDURES

Links detailing the initial training requirements are below:

http://www.oregon.gov/obce/Documents/Guidelines_for_DC_Training_CA.pdf
https://www.oregon.gov/obce/Documents/CA_InitialTrainingSyllabus.pdf

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| <p>Clinical Nutrition Counseling Policy</p> | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensee to provide clinical nutritional counseling.

Policy:

Yes, any active Oregon licensed chiropractic physician may provide clinical nutritional counseling.

As applicable to CAs:

Certified chiropractic assistants may assist with clinical nutrition counseling at the direction of the supervising licensed chiropractic physician.



Oregon Board of
Chiropractic
Examiners

Effective Date:
January 20, 2022

Date approved/ratified:
January 20, 2022

Colonic Therapy Policy


Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform colonic therapy.

Policy:

Yes, any active Oregon licensed chiropractic physician may perform colonic therapy.

As applicable to CAs:

Not within the scope of certified chiropractic assistants.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 18, 2023</p> <p>Date approved/ratified: January 18, 2023</p> |
| <p>Commercial Motor Vehicle (CMV) Driver Medical Examinations</p> | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform the Federal Motor Carrier Safety Administration (FMCSA) Driver of a Commercial Motor Vehicle (CMV) Medical Examination when they are a FMCSA National Registry Certified Medical Examiner (CME).

Policy: In order to be certified, chiropractic physicians must complete a National Registry of Certified Medical Examiners (NRCME) training course from a Federal Motor Carrier Safety Administration (FMCSA) accredited National Registry Training Organization and pass the FMCSA Medical Examiner Certification Test.

Oregon chiropractic CMEs may perform the CMV driver medical examination on interstate and intrastate drivers. The medical examination for a driver of a CMV must be performed in a state in which the chiropractic physician has a license to practice.

A CMV driver licensed in any state may obtain a valid driver of a CMV Medical Examination from an Oregon licensed chiropractic CME so long as the medical examination is performed in Oregon.¹

As Applicable to CAs:

Oregon certified chiropractic assistants are not eligible to become Certified Medical Examiners.

A certified chiropractic assistant can perform portions of the tests included in the CMV driver medical examination that are within the scope of their practice and that are within the purview of the requirements of the CMV driver medical examination.

¹ The states of Washington, Michigan, and New York have concluded these examinations are outside their state's chiropractic scope of practice. As such, chiropractic physicians licensed in these states are not eligible to be a Certified Medical Examiner in the National Registry.



Oregon Board of
Chiropractic
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Effective Date:
January 20, 2022

Date approved/ratified:
January 20, 2022

Compensation for Patient Referrals Policy

Issue: Whether it is allowed for Oregon chiropractic licensees to offer or receive compensation for patient referrals.

Policy:

Compensation offered or received in excess of a token or de minimis gift over the course of a year is prohibited. Offering or receiving compensation per referral versus a one time may be considered an inappropriate inducement for patient referrals.

As applicable to CAs:

Same as above.

See 42 USC Sec. 1320a-7a(a)(5); 42 USC Sec. 1320a-7a(i)(6); 42 USC Sec. 1320a-7b(b); OAR 811-035-0015(28).



Oregon Board of
Chiropractic
Examiners

Effective Date:
September 28, 2023


Date approved/ratified:
September 28, 2023

Cosmetology and Cosmetic Procedures Policy

Issue: Whether it is within the scope of practice for Oregon licensed chiropractic physicians to perform cosmetology and cosmetic procedures.

Policy: Cosmetology and cosmetic procedures are not within the scope of Oregon licensed chiropractic physicians.

As Applicable to CAs: Certified chiropractic assistants are unable to perform cosmetology and cosmetic procedures.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: November 21, 2024</p> <p>Date approved/ratified: November 21, 2024</p> |
| <p>Cupping Policy</p> | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform cupping.

Policy:

Cupping is within the scope of practice for Oregon chiropractic physicians. Cupping is defined as using a cup-like device on the skin to create suction, using heat or mechanical means, for therapeutic purposes.

Wet cupping is not included within this policy and is considered outside the scope of practice for Oregon chiropractic licensees.

As Applicable to CAs:

Performing cupping is outside the scope of certified chiropractic assistants.



Oregon Board of
Chiropractic
Examiners

Effective Date:
September 28, 2023

Date approved/ratified:
September 28, 2023

Darkfield Microscopy and Live Policy

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to utilize darkfield microscopy and live cell analysis.

Policy:

Darkfield microscopy is allowed within the scope of chiropractic. The purpose of using a darkfield filter on a standard microscope in a clinical setting is to analyze live blood. Live cell analysis is within the scope of Oregon chiropractic licensees.

As Applicable to CAs:

Certified chiropractic assistants are not allowed to perform darkfield microscopy or live cell analysis.



Oregon Board of
Chiropractic
Examiners

Effective Date:
January 18, 2023

Date approved/ratified:
January 18, 2023

Death Certificate Policy

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to sign Death Certificates.

Policy: Pursuant to ORS 432 Vital Statistics (2021)², chiropractic physicians, who have treated a decedent within the 12 months preceding death, may sign the death certificate. The physician must follow current protocols and use proper forms, per the statute cited above, when submitting a death certificate.

As Applicable to CAs: Non-applicable. Certified chiropractic assistants are not permitted to sign death certificates.

² https://www.oregonlegislature.gov/bills_laws/ors/ors432.html



Oregon Board of
Chiropractic
Examiners

Effective Date:
January 20, 2022

Date approved/ratified:
January 20, 2022

Device-Assisted Range of Motion Measurement and Muscle Testing Policy

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform device-assisted range of motion or muscle testing.

Policy:

Yes, any active Oregon licensed chiropractic physician may perform device-assisted range of motion or muscle testing.

As applicable to CAs:

A certified chiropractic assistant may perform device-assisted range of motion measurement but may not interpret the findings. They may not perform manual or device-assisted muscle testing.



Oregon Board of
Chiropractic
Examiners

Effective Date:
January 20, 2022

Date approved/ratified:
January 20, 2022

Diagnostic Imaging Policy

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform, order, and interpret diagnostic imaging studies.

Policy:

Perform

Any active Oregon licensed chiropractic physician may perform diagnostic imaging procedures.

Order

Any active Oregon licensed chiropractic physician may order any type of diagnostic imaging modality that is clinically indicated.

Interpret

Every diagnostic imaging procedure must be accompanied by a formal interpretation report.

Any active Oregon licensed chiropractic physician may interpret any type of diagnostic imaging modality for which they are appropriately trained.

Interpretation may be referred to another qualified licensed professional. Referral for a second opinion does not establish a doctor/patient relationship.

Integration

All available diagnostic images must be integrated into a patient's evaluation and management plan.

As applicable to CAs:

A certified chiropractic assistant may not perform, order, or interpret any diagnostic imaging solely under their CA scope. A certified chiropractic assistant may take radiographs with appropriate certification and radiographic technician license under the order of the supervising licensed chiropractic physician.



Oregon Board of
Chiropractic
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Effective Date:
January 20, 2022

Date approved/ratified:
January 20, 2022

Disabled Person Parking Permits Policy

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to qualify a person for a disabled person parking permit.

Policy:

Yes, any active Oregon licensed chiropractic physician may qualify an established patient for a disabled person parking permit.

As applicable to CAs:

Not within the scope of certified chiropractic assistants.



Oregon Board of
Chiropractic
Examiners

Effective Date:
January 20, 2022

Date approved/ratified:
January 20, 2022

Durable Medical Equipment Policy


Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to recommend, order, or provide durable medical equipment.

Policy:

Yes, it is within the scope of an Oregon licensed chiropractic physician to recommend, order, or provide durable medical equipment.

As applicable to CAs:

Certified chiropractic assistants may not recommend or order durable medical equipment. They may, however, provide instruction on use, if properly trained to do so and under the direction and supervision of a licensed chiropractic physician.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| <p>Electrodiagnostic Testing Policy</p> | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform, order, or interpret electrodiagnostic testing.

Policy:

Perform

Any active Oregon licensed chiropractic physician may perform electrodiagnostic testing which requires appropriate training and certification.

Order

Any active Oregon licensed chiropractic physician may order any type of electrodiagnostic testing that is clinically indicated.

Interpret

Every electrodiagnostic testing procedure must be accompanied by a formal interpretation report. Any active Oregon licensed chiropractic physician may interpret any type of electrodiagnostic testing procedure for which they are appropriately trained.

Interpretation may be referred to another qualified licensed professional. Referral for a second opinion does not establish a doctor/patient relationship.

Integration

All available electrodiagnostic tests must be integrated into the patient's evaluation and management plan.

As applicable to CAs:

A certified chiropractic assistant may not perform, order, or interpret any electrodiagnostic testing solely under their CA scope. A certified chiropractic assistant may perform electrodiagnostic testing procedures with appropriate certification and training under the order of the supervising licensed chiropractic physician.



Oregon Board of
Chiropractic
Examiners

Effective Date:
October 15, 2021

Date approved/ratified:
September 16, 2021

Electroencephalogram (EEG) Test Policy

Issue: Whether it is within the scope of practice for Oregon licensed chiropractic physicians to interpret electroencephalogram (EEG) tests.

Policy:

For Oregon licensed chiropractic physicians who are appropriately trained in interpreting EEG techniques and testing, and provide proof of said training to the OBCE, it is within the scope of practice for that trained physician to interpret EEGs.

If the chiropractic physician is screening for a psychological or psychiatric component of an EEG, that screening and analysis is outside the scope of practice for Oregon licensed chiropractic physicians and the physician should refer the patient out for appropriate testing by another type of healthcare professional.



Oregon Board of
Chiropractic
Examiners

Effective Date:
January 20, 2022

Date approved/ratified:
January 20, 2022

Electronic Health Records and Signatures Policy

Issue: What are the timeline requirements for documentation and signatures for chart notes/SOAP, including paper and electronic health records.

Policy:

The timeline requirements are as follows:

- Documentation (dictation, handwritten notes, electronic chart entry, etc.) completed within 72 hours of a patient's visit.

- Electronic signature within 30 days.

Documentation is required for treatment of any and all patients including family members, spouses, and employees.



Oregon Board of
Chiropractic
Examiners

Effective Date:
January 20, 2022

Date approved/ratified:
January 20, 2022

Electrotherapy Devices and Treatments Policy

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to use electrotherapy devices and treatments.

Policy: Electrotherapy devices and treatments fall under the heading of “physiotherapy” which is within scope of Oregon licensed chiropractic physicians.

Rectal electrotherapy treatment by chiropractic physicians requires additional training for certification pursuant to OAR 811-015-0030.

As applicable to CAs:

Certified chiropractic assistants may not order electrotherapy devices or treatments. They may not perform intra-orificial electrotherapy. Certified chiropractic assistants, with appropriate training, may utilize electrotherapy devices and treatments under the supervision and direction of an Oregon licensed chiropractic physician.



Oregon Board of
Chiropractic
Examiners

Effective Date:
January 20, 2022

Date approved/ratified:
January 20, 2022

Emergency First Aid/Medicine Policy

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to administer emergency first aid/medicine.

Policy: Yes, it is within scope for Oregon licensed chiropractic physicians and certified chiropractic assistants to administer emergency first aid/medicine, including but not limited to:

- AED machine
- Basic First Aid procedures
- CPR
- Emergency use of oxygen*
- Epi-pen**
- Naloxone


This policy is addressing use only but not access or prescription rights and requires proper training for use.

* Please review “Emergency Oxygen Use” Policy

** Oregon licensed chiropractic physicians are authorized to use Epi-Pens in appropriate clinical situations but are not authorized to prescribe them.

As applicable to CAs:

Same as above.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: September 16, 2021</p> <p>Date approved/ratified: September 16, 2021</p> |
| <p>Emotional Support Animals</p> | |

Issue: Whether Oregon licensed chiropractic physicians can write an approval or reference letter for an emotional support animal (ESA).

Policy:

It is outside the scope of practice for an Oregon licensed chiropractic physician to write letters in support of obtaining an emotional support animal's registration or use. Because chiropractic physicians are not licensed mental health professionals, it is outside the scope of chiropractic physicians to diagnose the conditions allowing for the registration or use of ESAs.

Please see the following sources:

Oregon Board of Licensed Professional Counselors and Therapists (Fall 2018, page 2):

https://www.oregon.gov/OBLPCT/Documents/Newsletter_Fall_18.pdf

ESA Registration of America: <https://www.esaregistration.org/esa-letter/>



Oregon Board of
Chiropractic
Examiners

Effective Date:
March 30, 2023

Date approved/ratified:
March 30, 2023

Extracorporeal Shockwave Therapy (EST) Policy

Issue: Whether it is within scope of practice for Oregon chiropractic licensees to perform shockwave therapy, also called extracorporeal shockwave therapy (EST).


Policy:

Oregon licensed chiropractic physicians who have been properly trained are permitted to perform EST for the use of treatment of conditions within the scope of practice.

EST uses focused soundwaves to help chronic injuries heal by increasing circulation, decreasing inflammation, and stimulating a healing response over the treated area.

As Applicable to CAs:

Certified chiropractic assistants, with appropriate training, may perform EST under the supervision and direction of an Oregon licensed chiropractic physician.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: May 12, 2017</p> <p>Date approved/ratified: January 25, 2018</p> |
| <p>Federal Aviation Administration (FAA) BasicMed Medical Examination</p> | |

Issues:


1. Whether Oregon Doctors of Chiropractic are considered “physicians;” and
2. Do DCs have the privilege and experience to conduct the “BasicMed” FAA Medical examination?
3. Is any additional training required in order for DCs to perform the FAA BasicMed Medical examination?

Policy:

Doctors of Chiropractic, duly licensed and active in Oregon, are considered state-licensed physicians under ORS 684.010(3). The “BasicMed” FAA Medical examination is within the training and scope of practice for Doctors of Chiropractic within Oregon.

The Board does not make a statement as to whether the FAA should allow Oregon DCs to perform these exams as the Board does not make FAA rules and does not interpret those rules.

In order to perform the FAA BasicMed Medical examination, the Board requires DCs to take and successfully pass the Certified Medical Examiner training, be certified and listed on the National Registry of Certified Medical Examiners, and take an additional 2 hours of PACE approved training.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| Gynecological/Genitourinary Examination and Diagnosis Policy | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform gynecological and/or genitourinary examinations.

Policy:


Yes, so long as the licensee has an active Oregon chiropractic physician license. The examination procedures that are allowed include, but are not limited to:

- PAP Smear
- STI testing
- Routine screening examinations
- GU examinations

This policy does not address obstetrics or proctology. Please see relevant rules and laws regarding obstetric and proctology certification.

As applicable to CAs:

Not within the scope of certified chiropractic assistants.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 16, 2020</p> <p>Date approved/ratified: January 16, 2020</p> |
| <p>Hemp and Marijuana Derived Products</p> | |

Policy:

The purpose of this policy is to provide licensees with guidance regarding the use and recommendation of hemp and marijuana derived products.

Authority:

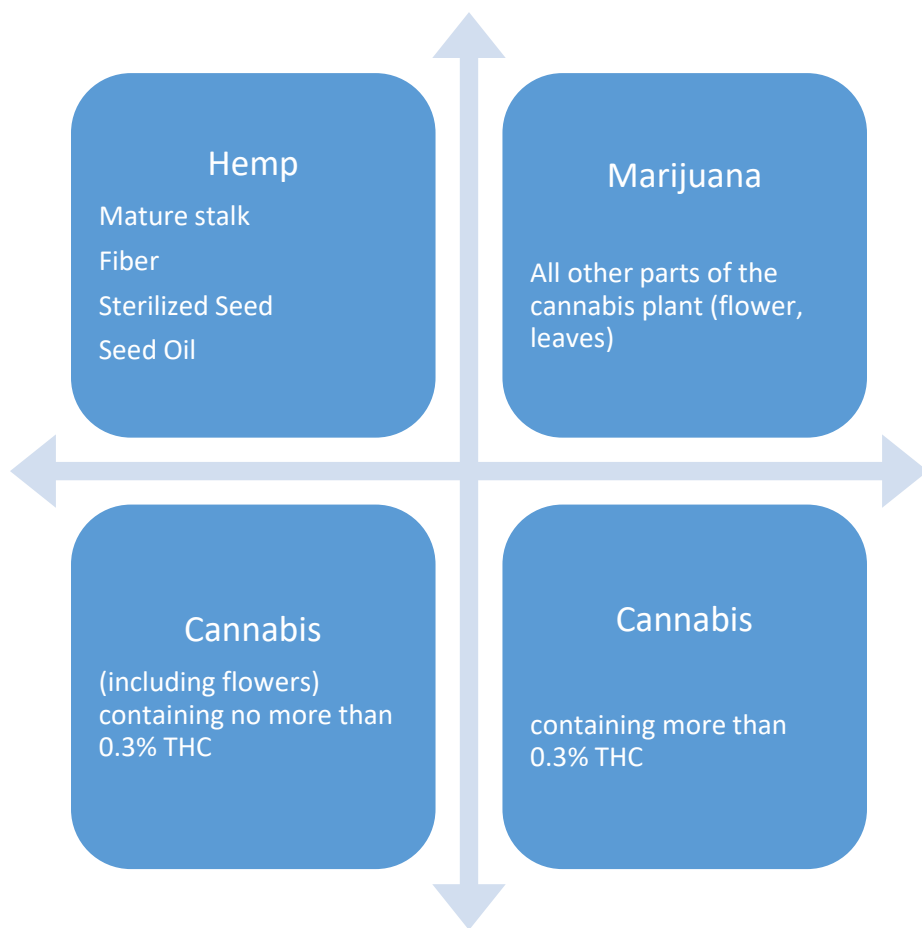
- 1) ORS 475B, OAR 603, and OAR 333
- 2) ORS 475B and OAR 845-025 regulate recreational marijuana
- 3) ORS 571 details the requirements for the sale and use of CBD products
- 4) ORS 614 details the regulations around recreational marijuana.
- 5) ORS 676.150 details health professionals' duty to report
- 6) ORS 684 details the scope of practice for chiropractic physicians
- 7) OAR 811-015-0010, Clinical Justification
- 8) OAR 811-015-0070 Scope of Practice Regarding Examinations, Test, Substances, Devices, and Procedures
- 9) Oregon Retail Sale of Cannabidiol (CBD) Products FAQ:
https://www.oregon.gov/pharmacy/Imports/Cannabidiol_CBD_Informational_6.2019.pdf
- 10) FDA Regulation of Cannabis and Cannabis-Derived Products, Including Cannabidiol (CBD) <https://www.fda.gov/news-events/public-health-focus/fda-regulation-cannabis-and-cannabis-derived-products-including-cannabidiol-cbd> (last visited October 31, 2019)
- 11) FDA and Marijuana: Questions and Answers
https://www.fda.gov/newsevents/publichealthfocus/ucm421168.htm#dietary_supplements (last visited December 26, 2018)
- 12) Statement from FDA Commissioner Scott Gottlieb, M.D., on signing the Agriculture Improvement Act of and the agency's regulation of products containing cannabis and cannabis-derived compounds,
<https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm628988.htm> (last visited December 26, 2018)

Definitions:

“Industrial hemp” has the meaning as defined by ORS 571.300 (2017). By definition, such products contain an average tetrahydrocannabinol (THC) concentration that does not exceed 0.3 percent on a dry weight basis.

“Marijuana” and “cannabinoid products” have the meaning defined in ORS 475B.015 (2017).

“Cannabinoid,” “cannabinoid product,” “cannabinoid concentrate,” “cannabinoid extract,” “cannabinoid tincture,” and other similar terms have the definitions specified by OAR 845-025-1015 (2019) and ORS 475B.791.



Regulatory Oversight

| | Medical Marijuana | Recreational Marijuana | Industrial Hemp |
|----------------|-------------------|--|---|
| Product | Marijuana | Marijuana products and CBD products derived from marijuana or industrial hemp containing $\geq 0.3\%$ THC. | CBD products containing $\leq 0.3\%$ THC derived from industrial hemp.. |

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|-----------------------------|--|--|--|
| Location of Sales | Designated growers or OHA regulated medical marijuana dispensaries. | Licensed OLCC recreational marijuana dispensaries. | Any retail location. |
| Restriction on Sales | Must have a medical marijuana card. Individuals with a qualifying medical condition and a recommendation for medical marijuana from an attending physician may apply for a medical marijuana card. | Must be >21 years of age or older. Source of CBD must be labeled – hemp or marijuana. | None. Unless the product is used for the sale of inhalant delivery systems and their components, then must be 21 years of age or older. |
| Regulatory Body | Oregon Health Authority (OHA) | Oregon Liquor Control Commission (OLCC) | Oregon Department of Agriculture (ODA) |

*Please note that these regulatory bodies above may have specific statutory or rule requirements for sale of products. Please contact those agencies directly for further information.

All hemp items sold at retail in Oregon must comply with the product testing required for like-marijuana items (solvents, pesticides, etc.).

Procedures:

1. Medical Use of Cannabidiol (CBD).

As of the date of the enactment of this policy, the U.S. Food and Drug Administration (FDA) continues to ban the use of CBD in food products and restricts its use as a dietary supplement. Based “on the evidence, FDA has concluded that THC and CBD products are excluded from the dietary supplement definition under sections 201(ff)(3)(B)(i) and (ii) of the FD&C Act, respectively. Under those provisions, if a substance (such as THC or CBD) is an active ingredient in a drug product that has been approved...or has been authorized for investigation as a new drug for which substantial clinical investigations have been instituted and for which the existence of such investigations has been made public, then products containing that substance are outside the definition of a dietary supplement. FDA is not aware of any evidence that would call into question its current conclusions that THC and CBD products are excluded from the dietary supplement definition under sections 201(ff)(3)(B)(i) and (ii) of the FD&C Act.”

The FDA has also issued warning letters to companies selling CBD products claiming that they prevent/treat diseases like cancer, diabetes, psychiatric disorders, etc. Examples: “soothing tincture for chronic pain,” “CBD can successfully reduce anxiety symptoms,” “For many, CBD holds the answers to treating depression.”

2. Clinical Justification.

The Board’s existing rules require that the chiropractic physician utilize clinical rationale and justification that, “within accepted standards and understood by a group of peers, must be shown for all opinions, diagnostic, and therapeutic procedures. Accepted standards mean skills and treatment which are recognized as being reasonable, prudent. and acceptable under similar conditions and circumstances.”

3. Scope of Practice.

In considering the inclusion of new substances in the practice of chiropractic, the Board may take into account all relevant factors and practices, including, but not limited to: the practices generally and currently followed and accepted by persons licensed to practice chiropractic in the state, the teachings at chiropractic schools accredited by the Council on Chiropractic Education or its successor at any time since 1974, relevant technical reports published in recognized journals, and the desirability of reasonable experimentation in the furtherance of the chiropractic arts.

A chiropractic physician may utilize substances that are supported in peer reviewed literature, which has clinical rationale, valid outcome assessments measures, is consistent with generally recognized contraindications to chiropractic procedures, and where the potential benefit outweighs the potential risk to the patient.

4. Current Conclusions.

As chiropractic physicians do not have prescription rights within Oregon statute, there is no statutory authority to allow chiropractic physicians to recommend or prescribe marijuana, CBD, hemp, or products derived from these substances.


To dispense, use, or sell topical products derived from marijuana or hemp, licensees must abide by the laws and rules established by the OHA, OLCC, and ODA, as applicable. This is an explanation of OBCE's position and licensees act at their own risk with regard to federal prohibitions/requirements.

According to the FDA, under the FD&C Act, it is illegal to market and sell CBD as a dietary supplement.

https://www.oregon.gov/pharmacy/Imports/Cannabidiol_CBD_Informational_6.2019.pdf

Additionally, chiropractic physicians cannot sell recreational marijuana unless properly licensed through the OLCC to do so.

(<https://www.oregon.gov/olcc/marijuana/Pages/FAQs-Licensing-General.aspx>.)

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|  | <p>Oregon Board of Chiropractic Examiners</p> <p>Effective Date: May 24, 2023</p> <p>Date approved/ratified: May 24, 2023</p> |
| <p>Hyperbaric Oxygen Therapy and Emergency Oxygen Administration</p> | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform hyperbaric oxygen therapy and emergency oxygen administration.

Policy:

Chiropractic physicians may administer emergency oxygen to an individual as part of a first aid response provided the person administering the oxygen has completed approved training on the use of oxygen. Approved training consists of instruction and certification comparable to the American Red Cross course “Administering Emergency Oxygen.”

A chiropractic physician may utilize oxygen concentrated at a percentage lower than 100%, as it does not require a prescription. The OBCE does not prohibit chiropractic physicians from using oxygen concentration devices (hyperbaric oxygen therapy).

The Oregon Board of Pharmacy considers 100% oxygen a prescription drug. Therefore, 100% oxygen administration is outside the chiropractic scope of practice, and chiropractic physicians may not prescribe oxygen for therapeutic purposes. An exception to the administration of 100% oxygen is made for emergencies as described above.

As Applicable to CAs:

Certified chiropractic assistants, with the training detailed above, may administer emergency oxygen under the supervision and direction of an Oregon licensed chiropractic physician.

Certified chiropractic assistants may provide hyperbaric oxygen therapy under the supervision and direction of an Oregon licensed chiropractic physician.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: September 28, 2023</p> <p>Date approved/ratified: September 28, 2023</p> |
| <p>Independent Medical Examination (IME) Policy</p> | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform Independent Medical Examinations (IMEs).

Policy: Oregon licensed chiropractic physicians may perform IMEs. A limited doctor-patient relationship is established and exists between the patient and the chiropractic physician, regardless of whether the doctor is the examining or treating doctor.ⁱ

As Applicable to CAs:

Certified chiropractic assistants may participate in performing IMEs consistent with their certification. The examination must be conducted by chiropractic physicians or other panel professionals contracted for the evaluation.

¹ The doctor/patient relationship between examiner and the examinee is limited to the examination, the opinion, and the review of the patient history and medical records provided; and does not include ongoing treatment monitoring. The examiner shall make important health information, diagnosis and treatment recommendations available to the patient, treating doctor, and patient's legal counselor or guardian via the independent report. Upon receipt of a signed written request from the patient or patient's legal guardian, a copy of the examination report shall be made available as indicated in the request to the patient and/or any other party designated by the patient.

When participating in a panel examination (an examination conducted with more than one health professional representing other disciplines) the independent chiropractic examiner should review the dictated medical opinion of other panel members for its accuracy and completeness, and when necessary to clarify biomechanical or chiropractic reasoning. If there are differing opinions preventing consensus, the independent chiropractic examiner should supplement the medical opinion (report) with their independent chiropractic opinion.

In any setting, the Clinical Justification Administrative Rule (OAR 811-015-0010) governs the conduct of all chiropractic physicians performing or participating in clinical examinations.

Independent Medical Examination (IME) Policy
09/2023

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|  The seal of the Oregon Board of Chiropractic Examiners is circular. It features a central emblem with a sun rising over a body of water, flanked by mountains and a ship. The text "OREGON BOARD OF CHIROPRACTIC EXAMINERS" is written around the perimeter, and the year "1915" is at the bottom. Oregon Board of Chiropractic Examiners | Effective Date: July 26, 2018 Date approved/ratified: September 26, 2024 |
| Instrument Assisted Soft Tissue Mobilization (IASTM) | |

ISSUES

Whether Instrument Assisted Soft Tissue Mobilization (IASTM) is within the scope of practice for Oregon licensed chiropractic physicians and certified chiropractic assistants.

POLICY

IASTM is within the scope of practice of Oregon licensed chiropractic physicians.

As Applied to CAs:

Certified chiropractic assistants may perform IASTM provided that they have obtained and can provide proof of hands-on training in these modalities and perform them under the direct supervision of a licensed chiropractic physician.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: July 26, 2018</p> <p>Date approved/ratified: October 4, 2018</p> |
| <p>Iontophoresis and Phonophoresis</p> | |

Issues:

1. Whether chiropractic physicians and certified chiropractic assistants may perform iontophoresis and phonophoresis?
2. If so, whether the use of lidocaine, salicylates, and dexamethasone is within the scope of practice for both types of practitioners?

Policy:

Iontophoresis and phonophoresis – procedures where a health practitioner uses an over-the-counter (OTC) topical substance with ultrasound or low voltage galvanic current – is within the chiropractic physician’s scope of practice. (04/11/1996)

Certified chiropractic assistants may perform iontophoresis and/or phonophoresis under the chiropractic physician’s supervision as a form of physiotherapy. (11/20/2008)

Use of OTC salicylates and lidocaine substances in phono-or iontophoresis is allowed within the scope of chiropractic practice. (04/11/1996) (09/17/2015)

Use of dexamethasone, in prepackaged dosages, by chiropractic physicians and certified chiropractic assistants for iontophoresis purposes is within the scope of practice for each type of practitioner. Chart notes should reflect the practitioner performing iontophoresis and the use of dexamethasone and the specific plan/order regarding how it is administered. (07/26/2018)

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| Laboratory Studies Policy | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform, order, and interpret laboratory studies.

Policy:

Perform

Any active Oregon licensed chiropractic physician may perform laboratory studies with a current facility certificate or waiver issued by Clinical Laboratory Improvement Amendments (CLIA).

Order

Any active Oregon licensed chiropractic physician may order any type of laboratory testing that is clinically indicated.

Interpret

Every laboratory testing procedure must be accompanied by an interpretation report.

Any active Oregon licensed chiropractic physician may interpret any type of laboratory testing procedure for which they are appropriately trained.

Interpretation may be referred to another qualified licensed professional. Referral for a second opinion does not establish a doctor/patient relationship.


Integration

All available laboratory test results must be integrated into a patient's evaluation and management plan.

As applicable to CAs:

A certified chiropractic assistant may not perform, order, or interpret any laboratory testing solely under their CA scope. A certified chiropractic assistant may perform laboratory testing procedures with appropriate certification and training under the order of the supervising licensed chiropractic physician.

Laboratory Studies Policy
01/2022

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| <i>Laser Therapy Policy</i> | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform laser therapy.

Policy: Oregon licensed chiropractic physicians are permitted the use of Class I-III laser therapy and non-surgical Class IVⁱⁱ therapeutic laser therapy.

As Applicable to CAs: Certified chiropractic assistants, who have been adequately trained, are permitted to use Class I-III laser therapy and non-surgical Class IV therapeutic laser therapy.

¹ Class III laser therapy (a.k.a. low-level laser therapy, LLLT, or cold laser) is a non-invasive light source treatment that generates a single wavelength of light. An output power of less than 0.5 Watts is classed as Class III. Class III laser therapy is delivered via direct contact with the skin using infrared diodes emitting a pulsed laser beam of low

intensity light. The mechanism for Class III laser therapy includes speeding wound healing, stimulating tissue repair, reducing swelling and edema, and reducing acute and chronic pain.

Class IV therapeutic laser therapy (a.k.a. deep tissue laser therapy or high-power laser therapy) uses hand-held devices proving energy levels ranging from 0.5 up to 7.5 Watts and delivered without contact with the skin. These devices are not to be confused with class IV surgical lasers. Class IV therapeutic laser can provide topical heating aimed at elevating tissue temperature for relief of pain associated with a number of musculoskeletal conditions.

¹ Insurance carriers may have certain coverage limitations but these are governed under rules and laws beyond the jurisdiction of the Oregon Board of Chiropractic Examiners.

Laser Therapy Policy
03/2023

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 25, 2018</p> <p>Date amended: January 23, 2019</p> |
| <p>Licensees on Active Military Duty Policy and Procedure</p> | |

Policy:


Deferral of renewal fees and continuing education requirements for licensees on active military duty who are deployed for 1 month or longer. Licensees who are not deployed, yet considered on active military duty, are required to pay annual renewal fees and abide by all renewal terms, including continuing education requirements.

Procedures:

1. When contacted by licensee of a deployment for military service, regarding renewal and continuing education requirements, staff will inform the military member that the renewal fee and CE requirements will be deferred until licensee returns from deployment but only if deployed at a length of one month or longer.
2. Staff will request that licensee submit official documentation of deployment to the OBCE.
3. Staff will inform licensee that they must contact the OBCE prior to returning to Active practice.
4. Staff will request required CE and the appropriate fees prior to renewing licensee's license.
5. If licensee returns mid-year they will be required to renew again on their regular renewal month. The costs will be prorated for the number of months remaining in the current renewal period.
6. If not deployed but on active military duty, licensee is required to pay annual renewal fees and abide by all renewal terms, including CE requirements.

7. If deployed or non-deployed active military duty licensee fails to pay renewal fees, ORS 408.450 applies.
8. Thirteen (13) months after failure to pay, the license is moved to dormant status; the license may be restored to original status pursuant to the procedure within ORS 408.450.

Licensees on Active Military Duty Policy and Procedure
01/2019

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: February 5, 2022</p> <p>Date approved/ratified: February 5, 2022</p> |
| <p>Local Anesthetics: Topical/Injectable (Lidocaine)</p> | |

Policy:

It is within the scope or practice for an Oregon licensed chiropractic physician to purchase, possess, prescribe, or utilize local anesthetics per the following criteria:

Criteria:

- Topical Lidocaine in liquid, gel, or patch at 2% to 5% (over-the-counter) to be used on the epidermis and mucus membranes, for the purpose of local anesthesia.
- Injectable Lidocaine (Xylocaine) to be used in connection with minor surgery as per ORS 684.010(5) in the following concentrations:
 - 1% without epinephrine
 - 1% with 1:100,000 epinephrine (for use in highly vascular areas for the control of bleeding)
 - 2% without epinephrine for use in patients with higher tolerance to 1%

Local Anesthetics: Topical/Injectable (Lidocaine) Policy
02/2022

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| Lifestyle Management Policy | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to provide, counsel, or coach patients on lifestyle management.

Policy:

Any active licensed Oregon chiropractic physician may provide lifestyle management coaching/counseling within the chiropractic standard of care with an established patient. Utilizing lifestyle management with complex pathological conditions (*e.g.* endocrine, rheumatological, psychological, auto-immune, infectious) may necessitate communication with a patient's appropriate other healthcare provider(s). Lifestyle management is not intended to replace standard medical care.

Lifestyle management includes, but is not limited to:

- Sleep hygiene, stress management, meditation, diet, and exercise education;
- Health risk reduction;
- Drug and alcohol cessation;
- Social engagement/social drivers of health;
- Injury prevention;
- Personal safety; and
- Weight management.


Lifestyle management does not include:

- Psychological/psychiatric disorder counseling;
- Diagnosing anxiety, depression, and other psychological conditions; or
- Prescription medication management.

As applicable to CAs:

Certified chiropractic assistants may assist with lifestyle management under the direction of the supervising licensed chiropractic physician.

Lifestyle Management Policy
01/2022

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| Magnet Therapy Policy | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform magnet therapyⁱ.

Policy:

Magnet therapy is within the scope of practice for licensed chiropractic physicians in Oregon.

As Applicable to CAs:

Magnet therapy is within the scope of practice for certified chiropractic physician assistants in Oregon.

¹ The term “magnet therapy” usually refers to the use of static magnets placed directly on the body, generally over regions of pain. Static magnets are either attached to the body by tape or encapsulated in specially designed products such as belts, wraps, bracelets, insoles, wrist and knee bands, back and neck braces, or mattress pads. Static magnets are also sometimes known as permanent magnets.

Magnet Therapy Policy
03/2023

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| Manipulation Under Anesthesia Policy | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform manipulation under anesthesia.

Policy:


Yes, under the following conditions:

- Active Oregon chiropractic license;
- Successfully completed post-graduate training program; and
- Privileges at an appropriate facility.

As applicable to CAs:

Not within the scope of certified chiropractic assistants.

Manipulation Under Anesthesia Policy
01/2022


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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| Mechanical Traction Policy | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to use mechanical traction devices.

Policy: Mechanical traction falls under the heading of “physiotherapy” which is within scope of Oregon licensed chiropractic physicians.

As applicable to CAs:

CAs may not order mechanical traction. CAs may not perform or order manual traction. Certified chiropractic assistants, with appropriate training, may perform mechanical traction under the supervision and direction of an Oregon licensed chiropractic physician.

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| <p>Media Press Release Policy and Procedures</p> | |

Policy:

To determine the procedures for issuing and removing media press releases on the OBCE website.

Procedures:


1. Issuance.

At any time, the OBCE may issue media press releases regarding cases or other situations involving risks to public safety.

2. Retention and Removal.

If a press release is issued pursuant to a case, the release will remain on the OBCE website for 90 days after completion of the requirements within the final and/or stipulated order but not to exceed 10 years.

If a press release is issued pursuant to some other situation or purpose, the release will remain on the OBCE website for no longer than 10 years.

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| Minor Surgery Procedures and Devices Policy | |

Issue: Whether the following procedures or devices are within the scope of practice for Oregon chiropractic licensees who are certified in minor surgery.

Policy: For Oregon chiropractic physicians who are certified in minor surgery, allowed procedures and/or devices include but are not limited to the following:

- Electrolysis,
- EPI Touch Alex Hair Removal Device,
- Fissurectomies, and
- Injections only relevant to use for minor surgical procedures, which do not include administering antibiotics, steroids, or Botox.

As Applicable to CAs: Certified chiropractic assistants are not permitted to perform any of the above.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| Myofascial Therapy and Massage Policy | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to provide myofascial therapy and massage.

Policy:

Yes, it is within the scope of an Oregon licensed chiropractic physician.

As applicable to CAs:

Yes, under the following conditions:

- Active CA certification;
- CA has completed adequate training and proven competency to safely perform myofascial massage as determined by the supervising chiropractic physician; and
- It is performed at the direction and under the direct supervision of licensed chiropractic physician.

See ORS 684.010(2)(a). Physiotherapy as defined by statute encompasses myofascial therapy and massage.

Myofascial Therapy and Massage Policy
01/2022

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|  The seal of the Oregon Board of Chiropractic Examiners is circular. It features a central image of a landscape with a sun, mountains, and a body of water. The text "OREGON BOARD OF CHIROPRACTIC EXAMINERS" is written around the perimeter, and the year "1919" is at the bottom. <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| <p>Nasal Specific Procedure Policy</p> | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform nasal specific procedure.


Policy:

Yes, any active Oregon licensed chiropractic physician may perform nasal specific procedure.

As applicable to CAs:

Not within the scope of certified chiropractic assistants.

Nasal Specific Procedure Policy
01/2022

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: October 4, 2018</p> <p>Date approved/ratified: October 4, 2018</p> |
| <p>Needle Electromyography (EMG)</p> | |

Issue:

Whether performing Needle EMG is within the scope of practice for chiropractic physicians.

Policy:

Chiropractic physicians are allowed to perform diagnostic Needle EMG on an individual basis, to be reviewed by the Board, depending on undergraduate, graduate, and post-graduate studies, training, and work.

Needle Electromyography (EMG)
10/2018

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| Out of Scope Policy | |

Issue: In addition to limits imposed by the chiropractic scope of practice pursuant to ORS 684.010(2), are there other treatments/modalities/practices that are outside the scope of practice for Oregon licensed chiropractic physicians and certified chiropractic assistants?

Policy: The following treatments/modalities/practices are outside the scope of practice for Oregon licensed chiropractic physicians and certified chiropractic assistants:

- Acupuncture
- Acupuncture as anesthesia
- CBD/Hemp products*
- HCG products
- Hypnotherapy
- Injections – joint, trigger points, nutrition
- Oxygen except for emergency purposes
- Prescription strength Ethyl Chloride
- Psychological diagnoses/management (as found in current DSM)
- Recommending stop or alteration of use of prescription
- Toftness technique
- Vaccinations other than during a declared state of emergency or otherwise authorized by Oregon Health Authority

This list will be regularly updated.

*Please review the “Hemp and Marijuana Derived Products Policy” for deeper understanding on this topic.

Out of Scope Policy
01/2022

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| Pre-Participation Physicals Policy | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform and sign pre-participation physicals.

Policy:

Yes, under the following conditions:

- Active Oregon license; and
- Successfully completed clinical training in detecting cardiopulmonary diseases and defects.

As applicable to CAs:

Certified chiropractic assistants are only allowed to conduct portions of the pre-participation physical examination that are allowed within their duties as described in rule and law.

This policy does not address CDL, FAA, and “Return to Play” examinations. See separate individual policies.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| <p>Prescription Medication Modification Policy</p> | |


Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to alter or discontinue prescription medications.

Policy: Recommendations to alter or discontinue a prescription medication are not within the scope of chiropractic practice.

Referring to qualified licensed healthcare professionals for consideration of starting/stopping/altering dosages of prescription medications is within chiropractic scope of practice.

As applicable to CAs:

Certified chiropractic assistants may not refer, recommend, alter, or discontinue prescription medications.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: March 30, 2023</p> <p>Date approved/ratified: March 30, 2023</p> |
| <p>Primary Care Services and Portal of Entry Policy</p> | |

Issue: Whether Oregon chiropractic licensees are considered attending physicians, primary care service providers, and portal of entry providers.

Policy:

A chiropractic physician may provide primary care services that are within the scope of practice. Chiropractic physicians are portal of entry providers; as such, patients do not need a referralⁱⁱⁱ to seek care.

Chiropractic physicians may, but are not limited to, independently:

- perform a diagnostic evaluation that includes but is not limited to any components of a history and physical examination;
- perform and order appropriate diagnostic tests, including but not limited to lab work, imaging studies, and other special tests;
- create a differential diagnosis list;
- formulate diagnoses;
- provide treatment that is within the chiropractic scope of practice for acute and chronic conditions;
- order or provide preventative health services, health maintenance, and disease screening; and
- act as attending physician, refer, coordinate care, and co-manage care with other appropriate health care providers.

As Applicable to CAs:

Certified chiropractic assistants (CAs) are not attending physicians, primary care service providers, or portal of entry providers. A CA's scope of practice allows support to the chiropractic physician for primary care services that fall under OAR 811-010-0110.

¹ Insurance carriers may have certain coverage limitations, but these are governed under rules and laws beyond the jurisdiction of the Oregon Board of Chiropractic Examiners.

Primary Care Services and Portal of Entry Policy
03/2023

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 16, 2020</p> <p>Date approved/ratified: January 16, 2020</p> |
| <p>Radiographic Mensuration Analysis Policy</p> | |

Issue:

Can a non-DACBR (Diplomate of the American Chiropractic Board of Radiology) chiropractic physician perform radiographic mensuration analysis?

Policy:

Yes, chiropractic physicians licensed in the State of Oregon can perform radiographic mensuration analysis.

Chiropractic physicians are trained to do these types of measurements, no matter whether they are DACBR certified or not. How the physician goes about determining the measurements is up to that practicing physician's best clinical skill and judgment.


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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| Referral to Other Providers or Facilities Policy | |

Issue: Whether Oregon chiropractic licensees are allowed to refer for additional diagnostic or management services.

Policy: Oregon licensed chiropractic physicians are authorized to provide a timely referral for any evaluation and/or case management to appropriate and licensed healthcare provider or facility. Referral should be based on individual patient needs and clinical justification.

As applicable to CAs:

Certified chiropractic assistants may not make referrals, unless under emergency medical circumstances.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: May 24, 2023</p> <p>Date approved/ratified: May 24, 2023</p> |
| Spinal (Postural) Screening Policy | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to perform, order, and interpret spinal (postural) screening.

Policy: Yes, Oregon licensed chiropractic physicians may perform, order, and interpret spinal (postural) screening and have the same responsibilities for documentation, patient care, and appropriate urgent or emergent referral, given a spinal (postural) screen is a non-diagnostic exam, which does not include any treatment.

Spinal (postural) screening forms a doctor-patient relationship and is subject to the standard of care.

As Applicable to CAs: Certified chiropractic assistants (CAs) may perform components of a spinal (postural) screen, outlined below, when ordered and supervised by a chiropractic physician as established under a CA certification.

The components of spinal (postural) screening CAs must perform, if not already performed by the supervising chiropractic physician, are:

- Observation of the presence and absence of indicators for urgent or emergent referral as established by the clinic's spinal screen referral policy to ensure patient safety.
- Documentation of spinal (postural) screening findings in a manner consistent with documentation rules.


- Maintenance of all responsibilities otherwise of a CA, given a spinal (postural) screen establishes a doctor-patient relationship with the supervising chiropractic physician and is subject to the standard of care.

CAs may perform a preliminary and non-diagnostic observation of static posture during a spinal (postural) screen.

CAs may not order or interpret spinal (postural) screening consistent with their limitation in duties performed.

Components that are potentially included during a spinal screen that may not be performed by a CA are the following:

- Imaging, lab work, special tests, and any component of a physical examination (outside of vitals, height, weight, and a preliminary and non-diagnostic observation of static posture).

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: November 21, 2024</p> <p>Date approved/ratified: November 21, 2024</p> |
| Substances & Supplements Policy | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to use, apply, sell, or recommend specific substances and supplements to their patients in clinical practice.

Policy:

It is within the scope of practice for Oregon chiropractic licensees to use, apply, or recommend specific substances and supplements to their patients in clinical practice, as indicated in the attached list.

However, the attached list of substances and supplements is not exhaustive nor static. New substances and supplements can be proposed to the OBCE for investigation by the Examinations, Tests, Substances, Devices and Procedures (ETSDP) Committee. It is recommended that Oregon chiropractic licensees regularly review any updates and changes to the list of substances and supplements as it may affect their clinical practice.

While licensees may sell supplements and other goods, pyramid schemes are illegal in Oregon pursuant to ORS 646.608.

As Applicable to CAs:

Refer to the specific substance or supplement for exact direction.


Within Scope:

- Aloe vera gel (for oral consumption or topical use)
- Botanicals (non-prescription)
- Clinical nutrition

- Colloidal Silver – Chiropractic physicians may not create their own colloidal silver for ingestion purposes and/or retail. Chiropractic physicians creating their own solutions may only use these for topical use. Topical uses of silver as taught and utilized in chiropractic colleges is within the Oregon chiropractic scope of practice. Also allowed are multi-mineral formulations which include small doses of colloidal silver below the allowable EPA limits.
- Fluori-Methane – topical anesthetic in minor surgery only
- Herbs
- Nutritional supplements
- Over-the-counter substances or supplements – includes homeopathics and non-prescription drugs
- Vitamins

Not Within Scope:

- Ethyl Chloride
- Human Chorionic Gonadotropin (HCG)
- Intradermal
- Ivermectin (prescription needed for oral human use)

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|  | <p>Oregon Board of Chiropractic Examiners</p> <p>Effective Date: March 29, 2020</p> <p>Date approved/ratified: March 29, 2020</p> |
| Telehealth Policy and Procedure | |

Policy:

OAR 811-015-0066, Telehealth Rule, allows Oregon licensed chiropractic physicians to utilize telehealth (electronic and telecommunication technologies) for the distance delivery of health care services and clinical information designed to improve the health status of a patient, and to enhance delivery of the health care services and clinical information.

The Board has determined that this rule applies to both existing and new patients. Chiropractic physicians can utilize telehealth for initial consultations and examinations provided that the following criteria and procedures are met, pursuant to all relevant administrative rules and statutes. Practitioners may want to seek guidance from their medical malpractice carriers and various coding authorities as to billing and other requirements.

PROCEDURES

1. Document telehealth visit start time.
2. Establish and document the reason for visit.
3. Establish and document primary complaint(s).
4. Ascertain if, after #2 and #3 above, a telehealth visit is possible. If so, go to #5.
5. Take and document personal, family, and medical histories.
6. Perform visual evaluations and document:
 - a. patients self-report height, weight, blood pressure, and pulse, if possible;
 - b. nutritional/dietary assessment;
 - c. postural analysis;
 - d. range of motion; and
 - e. any contraindications to providing services via telehealth.
7. Document and provide patient a provisional diagnosis.
8. Document and provide patient a report of findings.
9. Document and provide patient a PARQ and obtain consent to provide care/treatment.
10. Document and provide patient clinical recommendations.
11. Document telehealth visit end time.

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|  <p>Oregon Board of Chiropractic Examiners</p> | <p>Effective Date: January 20, 2022</p> <p>Date approved/ratified: January 20, 2022</p> |
| Termination of Patient Care Policy | |

Issue: What is the proper procedure for terminating patient care?

Policy:

Termination of patient care (terminating doctor/patient relationship) may occur for any reason, so long as it does not violate current state or federal law. Should the licensed chiropractic physician choose to terminate care, the following procedure must be followed:

- Patient must be notified of termination of care (verbal or written) within a reasonable time frame;
- Document the reason for termination in the patient's chart; and
- Refer patient to appropriate other providers when necessary.

The patient has the right to access or obtain a copy of their medical record when requested and regardless of any balances due.

As applicable to CAs:

Terminating patient care is within the scope of certified chiropractic assistants at the direction of the supervising licensed chiropractic physician.



Oregon Board of Chiropractic Examiners


Effective Date:
February 5, 2022

Date approved/ratified:
February 5, 2022

Topical Salicylates

Policy:

It is within the scope of practice for an Oregon licensed chiropractic physician to purchase, possess, prescribe, or use in their practice, over-the-counter Trolamine Salicylates, in liquid, gel, or patch form, to be used for the control of pain/discomfort and in any over-the-counter combination or amalgamation of legal over-the-counter products.

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|  Oregon Board of Chiropractic Examiners | Effective Date: November 21, 2024 Date approved/ratified: November 21, 2024 |
| Treatment of Family Members Policy | |

Issue: Whether it is within the scope of practice for Oregon chiropractic licensees to treat family members.

Policy:

It is within the scope of practice for Oregon chiropractic physicians to treat family members. Treating family members establishes a physician-patient relationship requiring chart notes and records.

There may be legal concerns in treating family members as to liability. Discussion with independent legal counsel may be appropriate.

As Applicable to CAs:

Treating family members is outside the scope of certified chiropractic assistants unless supervised by a chiropractic physician.

Treatment of Family Members Policy
11/2024