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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 2. HEALING ARTS [500 - 4999.129] (*Division 2 enacted by Stats. 1937, Ch. 399.*)

CHAPTER 2. Chiropractors [1000 - 1058] (*Chapter 2 enacted by Stats. 1937, Ch. 399.*)

ARTICLE 1. General [1000 - 1007] (*Heading of Article 1 added by Stats. 1970, Ch. 1110.*)

1000. (a) The law governing practitioners of chiropractic is found in an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," adopted by the electors November 7, 1922.

(b) The State Board of Chiropractic Examiners is within the Department of Consumer Affairs.

(c) Notwithstanding any other law, the powers and duties of the State Board of Chiropractic Examiners, as set forth in this article and under the act creating the board, shall be subject to review by the appropriate policy committees of the Legislature. The review shall be performed as if this chapter were scheduled to be repealed as of January 1, 2027.

(Amended by Stats. 2022, Ch. 623, Sec. 1. (SB 1434) Effective January 1, 2023.)

1001. In each year, the State Board of Chiropractic Examiners shall compile and may thereafter publish and sell a complete directory of all persons within the state who hold unforfeited and unrevoked certificates to practice chiropractic, and whose certificate in any manner authorizes the treatment of human beings for diseases, injuries, deformities, or any other physical or mental conditions.

The directory shall contain:

(a) The following information concerning each such person:

- (1) The name, address, telephone number, and email of such person.
- (2) The names and symbols indicating their title.
- (3) The school, attendance at which qualified them for examination or admission to practice.
- (4) The date of the issuance of their certificate.

(b) The annual report of the board for the prior year.

(c) Information relating to other laws of this state and the United States which the board determines to be of interest to persons licensed to practice chiropractic.

(d) Copies of opinions of the Attorney General relating to the practice of chiropractic.

(e) A copy of the provisions of this chapter and a copy of the act cited in Section 1000.

The board may require the persons designated in this section to furnish such information as it may deem necessary to enable it to compile the directory. Every person so designated shall report immediately each and every change of residence or contact information, giving both their old and new address or contact information, as applicable.

The directory shall be evidence of the right of the persons named in it to practice unless their certificate to practice chiropractic has been canceled, suspended, or revoked. The board may collect from each person who voluntarily subscribes to or purchases a copy of the directory the cost of publication and distribution thereof, except that one copy of the directory shall be distributed without charge to each certificate holder of the board.

(Amended by Stats. 2022, Ch. 623, Sec. 2. (SB 1434) Effective January 1, 2023.)

1002. Whenever any person has engaged in or is about to engage in any acts or practices which constitute or will constitute an offense against the Chiropractic Act or its rules or regulations, the superior court of any county, on application of the State Board of Chiropractic Examiners, or on application of 10 or more persons licensed under the Chiropractic Act may issue an injunction or other appropriate order restraining that conduct. Proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure.

(Added by Stats. 1989, Ch. 288, Sec. 1.)

1003. (a) Except as otherwise allowed by law, the employment of runners, cappers, steerers, or other persons to procure patients constitutes unprofessional conduct.

(b) A licensee of the State Board of Chiropractic Examiners shall have his or her license to practice revoked for a period of 10 years upon a second conviction for violating any of the following provisions or upon being convicted of more than one count of violating any of the following provisions in a single case: Section 650 of this code, Section 750 or 1871.4 of the Insurance Code, or Section 549 or 550 of the Penal Code. After the expiration of this 10-year period, an application for license reinstatement may be made pursuant to subdivision (c) of Section 10 of the Chiropractic Act.

(Added by Stats. 2000, Ch. 867, Sec. 5. Approved in Proposition 44 at the March 5, 2002, election.)

1004. The State Board of Chiropractic Examiners shall investigate any licensee against whom an information or indictment has been filed that alleges a violation of Section 550 of the Penal Code or Section 1871.4 of the Insurance Code, if the district attorney does not otherwise object to initiating an investigation.

(Added by Stats. 2000, Ch. 867, Sec. 6. Approved in Proposition 44 at the March 5, 2002, election.)

1005. The provisions of Sections 12.5, 23.9, 29.5, 30, 31, 35, 104, 114, 115, 119, 121, 121.5, 125, 125.6, 136, 137, 140, 141, 143, 163.5, 461, 462, 475, 480, 484, 485, 487, 489, 490, 490.5, 491, 494, 495, 496, 498, 499, 510, 511, 512, 701, 702, 703, 704, 710, 716, 730.5, 731, and 851 are applicable to persons licensed by the State Board of Chiropractic Examiners under the Chiropractic Act.

(Added by Stats. 2004, Ch. 695, Sec. 2. Effective January 1, 2005.)

1006. (a) By January 1, 2027, the State Board of Chiropractic Examiners shall submit a report to the appropriate policy and fiscal committees of the Legislature that contains, but is not limited to, an update on the status of the State Board of Chiropractic Examiners' license fee structure and whether the board needs to consider plans for restructuring its license fees.

(b) The report to the Legislature under subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(Amended by Stats. 2022, Ch. 623, Sec. 3. (SB 1434) Effective January 1, 2023.)

1006.5. Notwithstanding any other law, the amount of regulatory fees necessary to carry out the responsibilities required by the Chiropractic Initiative Act and this chapter are, unless a lower fee is adopted by the board by regulation, fixed in the following schedule:

(a) Fee to apply for a license to practice chiropractic: three hundred forty-five dollars (\$345).

(b) Fee for initial license to practice chiropractic: one hundred thirty-seven dollars (\$137).

(c) The fee to renew an active or inactive license to practice chiropractic shall be three hundred thirty-six dollars (\$336) and may be increased to not more than five hundred dollars (\$500) and, if a lower fee is fixed by the board, shall be an amount sufficient to support the functions of the board in the administration of the Chiropractic Initiative Act and this chapter.

(d) Fee to apply for approval as a continuing education provider: two hundred ninety-one dollars (\$291).

(e) Biennial continuing education provider renewal fee: one hundred eighteen dollars (\$118).

(f) Fee to apply for approval of a continuing education course: one hundred sixteen dollars (\$116) per hour of instruction.

(g) Fee to apply for a satellite office certificate: sixty-nine dollars (\$69).

(h) Fee to renew a satellite office certificate: fifty dollars (\$50).

(i) Fee to apply for a license to practice chiropractic pursuant to Section 9 of the Chiropractic Initiative Act: two hundred eighty-three dollars (\$283).

(j) Fee to apply for a certificate of registration of a chiropractic corporation: one hundred seventy-one dollars (\$171).

(k) Fee to renew a certificate of registration of a chiropractic corporation: sixty-two dollars (\$62).

(l) Fee to file a chiropractic corporation special report: ninety-eight dollars (\$98).

(m) Fee to apply for approval as a referral service: two hundred seventy-nine dollars (\$279).

- (n) Fee for an endorsed verification of licensure: eighty-three dollars (\$83).
- (o) Fee for replacement of a lost or destroyed license: seventy-one dollars (\$71).
- (p) Fee for replacement of a satellite office certificate: seventy-one dollars (\$71).
- (q) Fee for replacement of a certificate of registration of a chiropractic corporation: seventy dollars (\$70).
- (r) Fee to restore a forfeited or canceled license to practice chiropractic: double the annual renewal fee specified in subdivision (c).
- (s) Fee to apply for approval to serve as a preceptor: seventy-two dollars (\$72).
- (t) Fee to petition for reinstatement of a revoked license: four thousand one hundred eighty-five dollars (\$4,185).
- (u) Fee to petition for early termination of probation: three thousand one hundred ninety-five dollars (\$3,195).
- (v) Fee to petition for reduction of penalty: three thousand one hundred ninety-five dollars (\$3,195).

(Amended by Stats. 2022, Ch. 623, Sec. 4. (SB 1434) Effective January 1, 2023.)

1007. (a) Except as otherwise provided in subdivision (c), the board shall require a licensee to provide a separate disclosure that includes the licensee's probation status, the length of the probation, the probation end date, all practice restrictions placed on the licensee by the board, the board's telephone number, and an explanation of how the patient can find further information on the licensee's probation on the licensee's profile page on the board's online license information internet website, to a patient or the patient's guardian or health care surrogate before the patient's first visit following the probationary order while the licensee is on probation pursuant to a probationary order.

(b) A licensee required to provide a disclosure pursuant to subdivision (a) shall obtain from the patient, or the patient's guardian or health care surrogate, a separate, signed copy of that disclosure.

(c) A licensee shall not be required to provide a disclosure pursuant to subdivision (a) if any of the following applies:

(1) The patient is unconscious or otherwise unable to comprehend the disclosure and sign the copy of the disclosure pursuant to subdivision (b) and a guardian or health care surrogate is unavailable to comprehend the disclosure and sign the copy.

(2) The visit occurs in an emergency room.

(3) The licensee does not have a direct treatment relationship with the patient.

(d) The board shall provide the following information, with respect to licensees on probation and licensees practicing under probationary licenses, in plain view on the licensee's profile page on the board's online license information internet website.

(1) For probation imposed pursuant to a stipulated settlement, the causes alleged in the operative accusation along with a designation identifying those causes by which the licensee has expressly admitted guilt and a statement that acceptance of the settlement is not an admission of guilt.

(2) For probation imposed by an adjudicated decision of the board, the causes for probation stated in the final probationary order.

(3) For a licensee granted a probationary license, the causes by which the probationary license was imposed.

(4) The length of the probation and end date.

(5) All practice restrictions placed on the license by the board.

(e) "Board" for purposes of this section means the State Board of Chiropractic Examiners.

(Amended by Stats. 2022, Ch. 623, Sec. 5. (SB 1434) Effective January 1, 2023.)