

Notice to Chiropractors: "Chiropractic Physician" term no longer permitted

The Kansas State Board of Healing Arts has issued an official policy statement, based upon the District Court's interpretation of statutes, mandating that chiropractors shall no longer advertise or represent themselves as "chiropractic physicians."

On August 15, 2008, the Board rescinded its December 1991 resolution which permitted chiropractors to be referred to as "chiropractic physicians." This decision is in accordance with Shawnee County District Court's ruling in 91-CV-388 which prohibits the term "chiropractic physicians" based upon statutory law. For a copy of the ruling, please contact the Shawnee County District Court.

Applicable Statutes

Within the statutes the Kansas State Board of Healing Arts enforces, the term "physician" is similarly defined in five separate statutes. These statutes are as follows:

1. KSA 65-28a02(3) (physician assistant) defines physician as follows:
"Physician" means any person licensed by the state board of healing arts to practice medicine and surgery.
2. KSA 65-2901(f) (physical therapy) defines physician as:
"Physician" means a person licensed to practice medicine and surgery.
3. KSA 65-5402(g) (occupational therapy) defines physician as:
"Physician" means a person licensed to practice medicine and surgery.
4. KSA 65-5502(e) (respiratory therapy) defines physician as:
"Physician" means a person who is licensed by the board to practice medicine and surgery.
5. KSA 65-7002(a)(10) (naturopathy) defines physician as:
"Physician" means a person licensed to practice medicine and surgery.

The definition of "physician" in these statutes indicates a licensee can be considered a physician only if he/she is licensed to practice medicine *and* surgery. Chiropractors cannot conduct surgery, therefore, based upon interpretation of above laws by the District Court, cannot be referred to as "chiropractic physicians."

Discontinue Term

In accordance with this determination, the Kansas State Board of Healing Arts reminds all chiropractors to immediately discontinue all references to and advertisements with the term "chiropractic physicians." The Board of Healing Arts has the authority to take disciplinary action if violations are found.

Compliance

The Board will be reviewing these matters on a case-by-case basis and will be utilizing the newly adopted disciplinary guidelines if a complaint is received in this area. The Board may utilize cautionary statements and decisions as well as other disciplinary action if anyone is found to be out of compliance with this mandate.