



# Ohio Legislative Service Commission

## Bill Analysis

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### Sub. H.B. 276

131st General Assembly  
(As Reported by H. Health and Aging)

**Reps.** Schuring, Dever, Sprague, Schaffer, Hackett, Duffey, Perales, T. Johnson, Stinziano, Antani, DeVitis, Blessing, K. Smith, Antonio, Barnes, Brown

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## BILL SUMMARY

- Authorizes a chiropractor to administer, sell, distribute, recommend, or provide advice regarding nutrition-related items and therapies, nonprescription drugs, and medical goods and devices.

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## CONTENT AND OPERATION

### Expanded scope of practice

The bill authorizes a chiropractor to administer, sell, distribute, recommend, or provide advice regarding certain products to restore or maintain the health of the chiropractor's patients, so long as the product is prepackaged for use by consumers and labeled in accordance with state and federal law. The products are vitamins, minerals, phytonutrients, antioxidants, enzymes, glandular extracts, botanical substances, herbal therapies, homeopathic remedies, drugs that are available without a prescription, and durable and nondurable medical goods and devices other than home medical equipment.<sup>1</sup> A chiropractor is prohibited by the bill from delegating this authority to an individual who is not licensed or otherwise specifically authorized by the Revised Code to engage in the activity.<sup>2</sup>

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<sup>1</sup> R.C. 4734.15(A)(2)(a) and (b).

<sup>2</sup> R.C. 4734.15(A)(2)(c).

The bill provides that its expanded authority does not affect the authority of any other health care professional, including a licensed dietitian, to engage in any of the same activities.<sup>3</sup>

Current law specifies that the practice of chiropractic does not permit a chiropractor to prescribe or administer drugs for treatment. The bill maintains the prohibition against a chiropractor *prescribing* a "drug," but limits the prohibition of *administering* drugs to those not described in the bill, including any "dangerous drug" (rather than all drugs).<sup>4</sup> "Dangerous drug" generally means a prescription drug, while "drug" includes any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals, as well as nonfood articles intended to affect the structure or any function of the body of humans or animals.<sup>5</sup> Therefore, a chiropractor continues to be prohibited from prescribing drugs and administering dangerous drugs, but may administer the drugs described in the bill.

### Authorized titles

The bill corrects a reference to one of the titles that may be used by a licensed chiropractor by replacing the term "chiropractic" with "chiropractor."<sup>6</sup>

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## HISTORY

ACTION	DATE
Introduced	06-24-15
Reported, H. Health & Aging	04-20-16

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<sup>3</sup> R.C. 4734.15(A)(2)(d).

<sup>4</sup> R.C. 4734.15(A)(3).

<sup>5</sup> R.C. 4729.01, not in the bill.

<sup>6</sup> R.C. 4734.15(C). *See* Sub. H.B. 506 of the 123rd General Assembly.

