State of South Dakota  
NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

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HOUSE BILL NO. 1217

Introduced by: Representatives Munsterman, Bolin, Deutsch, and Hunhoff (Jean) and Senators Sutton, Soholt, Solano, and Tidemann

FOR AN ACT ENTITLED, An Act to provide for the employment of chiropractors by corporations under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 36-5 be amended by adding a NEW SECTION to read:

Except as provided in chapters 47-11A and 47-11F, a corporation may not practice chiropractic. A corporation is not engaged in chiropractic and is not in violation of § 36-5-2 by entering into an employment agreement with a chiropractor licensed pursuant to this chapter if the agreement or the relationship it creates does not:

(1) In any manner, directly or indirectly, supplant, diminish, or regulate the chiropractor's independent judgment concerning the practice of chiropractic or the diagnosis and treatment of any patient;

(2) Result in profit to the corporation from the practice of chiropractic itself, such as by the corporation charging a greater fee for a chiropractor's services than that which the chiropractor would otherwise reasonably charge as an independent practitioner, except that the corporation may make additional charges reasonably associated with
the services rendered such as facility, equipment or administrative charges; and

(3) Remain in effect for a period of more than three years, after which it may be renewed by both parties annually.

Section 2. That § 47-11A-15 be amended to read:

47-11A-15. Except as provided in section 1 of this Act, chapter 47-11F, and this chapter, corporations may not engage in the practice of chiropractic. Professional service corporations organized and operated in accordance with the provisions of this chapter shall not be deemed lay agencies within the meaning of the canons of professional ethics.