

# Alabama State Board of Chiropractic Examiners

## Proposed Amended Rule

### **190-X-5-.07 Trust Accounting Procedures For Pre-Payment**

**Plans.** ~~A chiropractor who offers any treatment plan over five hundred dollars (\$500.00) which includes payment of fees for services, goods or appliances to be performed or supplied in the future i.e. prior to the furnishing or supplying of any services, goods or appliances shall comply with all of the following requirements.~~

~~———— (a) ———— Hold all funds in a separate federally insured checking account at a financial institution located in this State. No personal funds of any chiropractor or chiropractic practice shall ever be deposited in this separate account except for maintenance fees, such as service charges on the account.~~

~~———— (b) ———— Designate the separate account, as well as deposit slips and checks drawn thereon as "Trust Account".~~

(c) Maintain for each patient ~~from whom funds are deposited into the referenced account~~ a signed and witnessed statement which explains fully and completely the services, goods or appliances to be provided and the terms and conditions of payment. This statement shall include provisions for an accounting to the patient upon request as well as provisions for the return of all unearned fees in the event the patient chiropractic relationship is terminated.

(d) ~~Funds may only be transferred to the chiropractor after the service, goods or appliance is performed or supplied and only in the amounts authorized in the statement referenced above.~~

(e) The treatment plan shall include an accurate description of the services, goods or appliances to be performed or supplied as well as the period of time in which the referenced services, goods or appliances will be performed or supplied.

(f) Complete records of such account funds shall be maintained for ~~seven (7)~~ five (5) years after the performance or supplying of the services goods or appliances or from the termination of treatment. In addition, records shall include a ledger of all funds received and payments made which must be patient specific.

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**Statutory Authority:** Code of Ala. 1975, §§34-24-144, 34-24-165, 34-24-166(2) .

Amended (a) (b) (c) (d) (f) 10/2016

**History:** Filed September 30, 1982. **Amended:** Filed February 16, 1984. **Amended:** Filed June 4, 1997; effective July 9, 1997. **Amended:** Filed January 23, 1998; effective February 27, 1998. **Amended:** Filed August 24, 2006; effective September 28, 2006. **Repealed and New Rule:** Filed March 12, 2008; effective April 16, 2008.