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16 CA ADC § 2038

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

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Title 16. Professional and Vocational Regulations

Division 20. Veterinary Medical Board

Article 4. Practice (Refs &amp; Annos)

16 CCR § 2038

**§ 2038. Musculoskeletal Manipulation.**

(a) The term musculoskeletal manipulation (MSM) is the system of application of mechanical forces applied manually through the hands or through any mechanical device to enhance physical performance, prevent, cure, or relieve impaired or altered function of related components of the musculoskeletal system of animals. MSM when performed upon animals constitutes the practice of veterinary medicine.

(b) MSM may only be performed by the following persons:

(1) A veterinarian who has examined the animal patient and has sufficient knowledge to make a diagnosis of the medical condition of the animal, has assumed responsibility for making clinical judgments regarding the health of the animal and the need for medical treatment, including a determination that MSM will not be harmful to the animal patient, discussed with the owner of the animal or the owner's authorized representative a course of treatment, and is readily available or has made arrangements for follow-up evaluation in the event of adverse reactions or failure of the treatment regimen. The veterinarian shall obtain as part of the patient's permanent record, a signed acknowledgment from the owner of the patient or his or her authorized representative that MSM is considered to be an alternative (nonstandard) veterinary therapy.

(2) A California licensed doctor of chiropractic ("chiropractor") working under the direct supervision of a veterinarian. A chiropractor shall be deemed to be working under the direct supervision of a veterinarian where the following protocol has been followed:

(A) The supervising veterinarian shall comply with the provisions of subsection (b)(1) prior to authorizing a chiropractor to complete an initial examination of and/or perform treatment upon an animal patient.

(B) After the chiropractor has completed an initial examination of and/or treatment upon the animal patient, the chiropractor shall consult with the supervising veterinarian to confirm that MSM care is appropriate, and to coordinate complementary treatment, to assure proper patient care.

(C) At the time a chiropractor is performing MSM on an animal patient in an animal hospital setting, the supervising veterinarian shall be on the premises. At the time a chiropractor is performing MSM on an animal patient in a range setting, the supervising veterinarian shall be in the general vicinity of the treatment area.

(D) The supervising veterinarian shall be responsible to ensure that accurate and complete records of MSM treatments are maintained in the patient's veterinary medical record.

(c) Where the supervising veterinarian has ceased the relationship with a chiropractor who is performing MSM treatment upon an animal patient, the chiropractor shall immediately terminate such treatment.

(d)(1) A chiropractor who fails to conform with the provisions of this section when performing MSM upon an animal shall be deemed to be engaged in the unlicensed practice of veterinary medicine.

(2) A veterinarian who fails to conform with the provisions of this section when authorizing a chiropractor to evaluate or perform MSM treatments upon an animal shall be deemed to have engaged in unprofessional conduct.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Sections 4825, 4826 and 4883, Business and Professions Code.

**HISTORY**