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Clinic Ownership Issues Clarified

By Paul Lambert, FCA General Counsel

Florida licensed chiropractic physicians are prohibited by Florida Statute 460.4167 from working for a practice that they do not own or is not owned by another chiropractor, allopath or osteopath. A chiropractor may work for a clinic owned by non-physicians only if it is licensed as a clinic by the Florida Agency for Health Care Administration AND has an allopath or osteopath as the medical director AND offers multidisciplinary services.

Medical practices owned in whole or in part by non-health care providers are required to be licensed as a clinic by the Florida Agency for Health Care Administration. Practices wholly owned by physicians are exempt from clinic licensure. We are receiving reports that unscrupulous non-physicians desiring to operate a medical practice are using enabling chiropractors to feign ownership and claim that clinic licensure exemption. Usually, those phony "chiropractic owned" clinics are PIP clinics.

Any chiropractors "fronting ownership" of practices that are really owned or operated by non-physicians may be committing felonies and can lose their licenses to practice chiropractic. In some cases, the chiropractors purportedly allow their names to appear on "phony" corporate documents pretending to be the "real owners."

PIP insurers are asking chiropractors for proof of ownership of these practices. Fraud investigations will ensue.

Chiropractors finding themselves in this situation should immediately seek counsel about divesting any ownership appearances and termination of employment.

For more information about Florida Statute 460.4167, contact Paul Watson Lambert, FCA General Counsel, at 850/577-9028.