

1 Arkansas State Board of Chiropractic ) Repeal Regulation q.  
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3 Examiners ) C. Professional Conduct  
4 ) 2. Unprofessional Acts (q)  
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(q) Direct contact with prospective patients by in-person or live telephone communication, either by the licensee, agent and/or representative of the licensee, the purpose of which being to solicit professional employment from a prospective patient with whom the chiropractic physician has no family or prior professional relationship when a significant communication and/or contact is the chiropractic pecuniary gain.

(1) Notwithstanding the foregoing prohibition, a licensee, agent and/or representative of the licensee may, thirty (30) days after an accident, contact a prospective patient who has been involved in the accident, provided that at the time of contact (a) a statement is made describing how the licensee obtained the information prompting the communication, and (b) the communication complies with all other applicable rules, including licensee advertising.

(2) (i) A licensee, agent and/or representative chiropractic physician shall not solicit professional employment from a prospective patient by written or recorded communication or by in-person or telephone contact even when not otherwise prohibited in this rule above paragraph if: (1) the prospective patient has made known to the chiropractic physician a desire not to be

1 solicited by the licensee chiropractor; or (2) the solicitation  
2 involves coercion, duress or harassment, fraud, overreaching,  
3 intimidation, or undue influence, or (3) the prospective patient  
4 is known to the licensee to be treated by another licensee,  
5 except where the prospective patient has initiated the contact.

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7 **Comments:** This regulation is designed to protect the public from  
8 undue influence as well as protecting the tranquility and privacy of  
9 the home and of personal injury victims and their families against  
10 intrusive, unsolicited contacts by licensees or their agents.

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13 Dated this 10<sup>TH</sup> day of July, 2002  
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