



## STATE OF WISCONSIN

Department of Safety and Professional Services  
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**Governor Scott Walker      Secretary Dave Ross**

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**CHIROPRACTIC EXAMINING BOARD  
TELECONFERENCE MEETING  
Room 121A, 1400 E. Washington Avenue, Madison  
Contact: Tom Ryan (608) 261-2378  
July 16, 2013**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.*

### **TELECONFERENCE AGENDA**

**1:00 p.m.**

#### **OPEN SESSION – CALL TO ORDER – ROLL CALL**

**A. Adoption of Agenda**

**B. Legislation/Administrative Rule Matters – Discussion and Consideration**

- 1) 2013-15 Budget Provision Affecting Chiropractic Examining Board Practical Exam
- 2) Effect of Budget Provision on License Applicants, Examinees, Examiners and Others
- 3) Changes Affecting Qualifying Examinations
- 4) Ratifying of Licenses

- C. Items Added After Preparation of Agenda:
- 1) Introductions, Announcements and Recognition
  - 2) Presentation of Petition(s) for Summary Suspension
  - 3) Presentation of Proposed Stipulations, Final Decisions and Orders
  - 4) Presentation of Final Decisions
  - 5) Disciplinary Matters
  - 6) Education and Examining Matters
  - 7) Credentialing Matters
  - 8) Preceptor Approvals
  - 9) Class 1 Hearings
  - 10) Practice Matters
  - 11) Legislation/Administrative Rule Matters
  - 12) Liaison Report(s)
  - 13) Informational Item(s)
  - 14) Speaking Engagement(s), Travel or Public Relation Request(s)
- D. Public Comments

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.;; consider closing disciplinary investigation with administrative warning (s.19.85(1)(b), Stats. And 440.205, Stats., to consider individual histories or disciplinary data (s.19.85 (1)(f), Stats.;; and, to confer with legal counsel (s. 19.85(1)(g), Stats.)**

F. Deliberation of Items Received After Preparation of Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Class 1 Hearings
- 5) Monitoring Matters
- 6) Professional Assistance Procedure (PAP) Matters
- 7) Petition(s) for Summary Suspensions
- 8) Petition(s) for Extension of Time
- 9) Proposed Stipulation, Final Decisions and Orders
- 10) Administrative Warnings
- 11) Proposed Decisions
- 12) Matters Relating to Costs
- 13) Motions
- 14) Petition(s) for Rehearing
- 15) Formal Complaints
- 16) Case Closings
- 17) Appearances from Requests Received or Renewed

G. Consulting with Legal Counsel

**RECONVEVE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

Vote on Items Considered or Deliberated on in Closed Session, if Voting is Appropriate

**ADJOURNMENT**

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**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Joshua Archiquette</b>		2) Date When Request Submitted:  <b>7/12/13</b> <small>Items will be considered late if submitted after 4:30 p.m. and less than 8 work days before the meeting.</small>	
3) Name of Board, Committee, Council, Sections:  <b>Chiropractic Examining Board</b>			
4) Meeting Date:  <b>7/16/13</b>	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Legislation/Administrative Rule Matters 2013-15 Budget Provision Affecting CHI Exam Board Practical Exam</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:  <b>Discussion and Consideration of 2013 Assembly Bill 40</b>			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)			
Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

## **FREQUENTLY ASKED QUESTIONS**

### **NBCE Part IV Examination**

#### **What does a score of 375 mean?**

An NBCE score of 375 means that an individual has passed the overall examination at 75%.

$$475 = 95\%$$

$$438 = 87.6\%$$

**SECTION 2215.** 440.47 of the statutes is renumbered 202.17, and 202.17 (1), (2), (3) and (5), as renumbered, are amended to read:

202.17 (1) **PUBLIC RECORDS.** Except as provided in ss. ~~440.43 202.13~~ (5) and ~~440.44 202.14~~ (10), registration statements, applications, reports, contracts, and agreements of charitable organizations, fund-raising counsel, professional fund-raisers, and unpaid solicitors and all other documents and information retained by or filed with the department under this subchapter are available for inspection or copying under s. 19.35 (1).

(2) **FISCAL RECORDS; INSPECTION; RETENTION.** All charitable organizations, fund-raising counsels, professional fund-raisers, and unpaid solicitors shall keep true records concerning activities regulated by this subchapter in a form that will enable them accurately to provide the information required by this subchapter. Upon demand, those records shall be made available to the department for inspection and copying. The records shall be retained by the charitable organization, fund-raising counsel, professional fund-raiser, or unpaid solicitor for at least 3 years after the end of the fiscal year to which they relate.

(3) **EXCHANGE OF INFORMATION.** The department may exchange with the appropriate authority of any other state or of the United States information with respect to charitable organizations, fund-raising counsel, professional fund-raisers, unpaid solicitors, and commercial coventurers.

(5) **SUBSTITUTE SERVICE UPON DEPARTMENT OF FINANCIAL INSTITUTIONS.** A charitable organization, fund-raising counsel, professional fund-raiser, or commercial coventurer that has its principal place of business outside of this state or is organized under laws other than the laws of this state and that is subject to this subchapter shall be considered to have irrevocably appointed the department of financial institutions as its agent for the service of process or notice directed to the charitable organization, fund-raising counsel, professional fund-raiser, or commercial coventurer or to any of its partners, principal officers, or directors in an action or proceeding brought under this subchapter. Service of process or notice upon the department of financial institutions shall be made by personally delivering to and leaving with the department of financial institutions a copy of the process or notice. That service shall be sufficient service if the department of financial institutions immediately sends notice of the service and a copy of the process or notice to the charitable organization, fund-raising counsel, professional fund-raiser, commercial coventurer, or other person to whom it is directed by registered mail, with return receipt requested, at the last address known to the department of financial institutions.

**SECTION 2216.** 440.475 of the statutes is repealed.

**SECTION 2217.** 440.48 of the statutes is renumbered 202.18, and 202.18 (1) (b), (c) 1. and 2. (intro.) and a., (d) and (e), as renumbered, are amended to read:

202.18 (1) (b) Upon finding that a person has violated this subchapter or the applicable rules promulgated under s. 202.095 or this subchapter, the court may make any necessary order or judgment, including but not limited to injunctions, restitution, and, notwithstanding s. 814.04, award of reasonable attorney fees and costs of investigation and litigation, and, except as provided in par. (c), may impose a forfeiture of not less than \$100 nor more than \$10,000 for each violation.

(c) 1. A person who violates s. ~~440.47 202.17~~ (4) (b) may be required to forfeit not more than \$5,000, unless the person establishes reasonable cause for the violation.

2. (intro.) A person who, with intent to avoid, prevent, or interfere with a civil investigation under this subsection, does any of the following may be required to forfeit not more than \$5,000:

a. Alters or by any other means falsifies, removes from any place, conceals, withholds, destroys, or mutilates any documentary material in the possession, custody, or control of a person subject to notice of the taking of testimony or examination of documents under s. ~~440.47 202.17~~ (4).

(d) A charitable organization, fund-raising counsel, professional fund-raiser, commercial coventurer, or any other person who violates the terms of an injunction or other order entered under this subsection may be required to forfeit, in addition to all other remedies, not less than \$1,000 nor more than \$10,000 for each violation. The department of justice may recover the forfeiture in a civil action. Each separate violation of an order entered under this subsection is a separate offense, except that each day of a violation through continuing failure to obey an order is a separate offense.

(e) No charitable organization may indemnify an officer, employee, or director for any costs, fees, restitution, or forfeitures assessed against that individual by the court under par. (b), (c), or (d) unless the court determines that the individual acted in good faith and reasonably believed the conduct was in or not opposed to the best interests of the charitable organization.

**SECTION 2228e.** 446.02 (3) (a) of the statutes is repealed.

**SECTION 2228p.** 446.02 (3) (b) of the statutes is repealed and recreated to read:

446.02 (3) (b) Parts I, II, III, and IV of the examination administered by the National Board of Chiropractic Examiners. An applicant successfully completes Part III of that examination if the applicant scores at least 438 on that part. An applicant successfully completes Part IV of that examination if the applicant scores at least 475 on that part.

a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated, and all orders issued, by the department of safety and professional services that the secretary of administration determines relate to the awarding and administration of diesel truck idling reduction grants under section 101.45 of the statutes, as affected by this act, and that are in effect on the effective date of this paragraph shall remain in effect until their specified expiration date or until amended or repealed by the department of administration.

(g) *Pending matters.* Any matter pending with the department of safety and professional services on the effective date of this paragraph that the secretary of administration determines relates to the awarding and administration of diesel truck idling reduction grants under section 101.45 of the statutes, as affected by this act, is transferred to the department of administration and all materials submitted to or actions taken by the department of safety and professional services with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(7) TRANSFER OF PETROLEUM STORAGE REMEDIAL ACTION PROGRAM.

(a) *Assets and liabilities.* The assets and liabilities of the department of safety and professional services that the secretary of administration determines to be primarily related to activities under sections 101.143, 101.1435, and 101.144, 2011 stats., become the assets and liabilities of the department of natural resources on the effective date of this paragraph.

(b) *Employee transfer.* All incumbent employees who hold positions in the department of safety and professional services performing duties that the secretary of administration determines to be primarily related to sections 101.143, 101.1435, and 101.144, 2011 stats., and the full-time equivalent positions held by those employees, are transferred to the department of natural resources on the effective date of this paragraph.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of natural resources that they enjoyed in the department of safety and professional services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of safety and professional services that the secretary of administration determines to be primarily related to activities under sections 101.143, 101.1435, and 101.144, 2011 stats., is transferred to the department of natural resources.

(e) *Contracts.* All contracts that were entered into by the department of safety and professional services that the secretary of administration determines to be primarily related to sections 101.143, 101.1435, and 101.144, 2011 stats., and that are in effect on the effective date of this paragraph remain in effect and are transferred to the department of natural resources. The department of natural resources shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of natural resources to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated, and all orders issued, by the department of safety and professional services that the secretary of administration determines to be primarily related to sections 101.143, 101.1435, and 101.144, 2011 stats., and that are in effect on the effective date of this paragraph, shall remain in effect until their specified expiration date or until amended or repealed by the department of natural resources.

(g) *Pending matters.* Any matter pending with the department of safety and professional services on the effective date of this paragraph that the secretary of administration determines to be related to section 101.143, 101.1435, or 101.144, 2011 stats., is transferred to the department of natural resources, and all materials submitted to or actions taken by the department of safety and professional services with respect to the pending matter are considered as having been submitted to or taken by the department of natural resources.

(8c) APPOINTMENT OF CERTAIN INDIVIDUALS TO POSITIONS IN CLASSIFIED SERVICE OF STATE CIVIL SERVICE SYSTEM. Notwithstanding section 230.15 (1) of the statutes, on the effective date of this subsection, 3 incumbent employees holding unclassified positions specified in section 230.08 (2) (v), 2011 stats., and one of the unclassified division administrator positions specified in section 230.08 (2) (e) 11m., 2011 stats., shall be appointed to comparable positions in the classified service in the department of safety and professional services, as determined by the secretary of safety and professional services. The administrator of the division of merit recruitment and selection in the office of state employment relations shall waive the requirement for competitive examination under section 230.15 (1) of the statutes with respect to the classified positions and shall certify the incumbent employees for appointment to the classified positions. The administrator shall determine the employee's probationary status under section 230.28 of the statutes, except that the employee shall receive credit toward his or her probationary period for the time that the employee had been employed in any unclassified position immediately prior to appointment.

(9q) TREATMENT OF CERTAIN APPLICANTS FOR CHIROPRACTIC LICENSURE. Notwithstanding section 446.02 (3), 2011 stats., any person who applied, on or after January

Vetoed  
In Part

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1, 2012, and before the effective date of this subsection, to the chiropractic examining board for a license to practice as a chiropractor in this state and who took the exam under section 446.02 (3) (a), 2011 stats., shall not be required to have successfully completed that exam and shall be considered to have satisfied all examination requirements to obtain a license to practice as a chiropractor in this state if the person has done all of the following:

(a) Achieved a score of 375 or higher on Part III of the examination administered by the National Board of Chiropractic Examiners.

(b) Achieved a score of 375 or higher on Part IV of the examination administered by the National Board of Chiropractic Examiners.

(c) Successfully completed the exam under section 446.02 (3) (c) of the statutes.

**SECTION 9145. Nonstatutory provisions; Transportation.**

**(3) TEMPORARY FUNDING FOR I 94 PROJECT.**

(a) In this subsection, "I 94 project" means the reconstruction of I 94 in Milwaukee County from 70th Street to 25th Street.

(b) Notwithstanding sections 84.013 (1) (a) and 84.0145 (3) of the statutes and section 84.0145 (2) of the statutes, as affected by this act, during the 2013-14 fiscal year, the department of transportation may encumber or expend moneys from the appropriation under section 20.395 (3) (bq) of the statutes, as affected by this act, for preliminary engineering and design work associated with the I 94 project if a record of decision on the project's environmental impact study is issued during the 2013-14 fiscal year.

(c) Notwithstanding sections 84.013 (1) (a) and 84.0145 (3) of the statutes and section 84.0145 (2) of the statutes, as affected by this act, during the 2014-15 fiscal year, the department of transportation may encumber or expend moneys from the appropriation under section 20.395 (3) (bq), as affected by this act, of the statutes for preliminary engineering and design work associated with the I 94 project if a record of decision on the project's environmental impact study is issued during the 2013-15 fiscal biennium.

(4i) **RACINE COUNTY HARBOR ASSISTANCE GRANT.** In the 2013-14 fiscal year, from the appropriations under sections 20.395 (2) (cq) and 20.866 (2) (uv) of the statutes, as affected by this act, notwithstanding the eligibility criteria under section 85.095 of the statutes, the department of transportation shall award a grant under section 85.095 (2) (a) of the statutes to Racine County for dredging of a boat marina located at the mouth of the Root River. The amount of the grant awarded under this subsection shall be \$700,000 or the total cost of the project, whichever is less.

(4u) **TOWN OF WASHINGTON HARBOR ASSISTANCE GRANT.** In the 2013-15 fiscal biennium, from the appro-

priations under sections 20.395 (2) (cq) and 20.866 (2) (uv) of the statutes, as affected by this act, notwithstanding the eligibility criteria of section 85.095 of the statutes, the department of transportation shall award a grant under section 85.095 (2) (a) of the statutes to the town of Washington in Door County for dredging, disposal of dredged material, and related costs associated with the dredging of the west channel entrance to Detroit Harbor. The amount of the grant awarded under this subsection shall be \$5,200,000 or the total cost of the project, whichever is less.

**(5v) TRANSPORTATION ALTERNATIVES PROGRAM.**

(a) Notwithstanding section 85.021 (2) (a) of the statutes, as created by this act, and subject to paragraph (b), any project for which a grant was awarded under section 85.024, 2011 stats., 85.026, 2011 stats., 85.027, 2011 stats., or 85.029, 2011 stats., is eligible to proceed to completion under the transportation alternatives program under section 85.021 of the statutes, as created by this act, if the project proceeds in accordance with the provisions of the program under which the grant for the project was awarded.

(b) If a project for which a grant was awarded under section 85.024, 2011 stats., 85.026, 2011 stats., 85.027, 2011 stats., or 85.029, 2011 stats., is not commenced within 4 years after the date that the grant was awarded or one year after the effective date of this paragraph, whichever is later, the project may not proceed as provided under paragraph (a) and the grant award is rescinded. For purposes of this paragraph, a planning project is commenced when a planning study is begun and an infrastructure project is commenced when construction is begun.

**(7L) COUNTY TRUNK HIGHWAY RELOCATION PROJECT IN SHEBOYGAN COUNTY.**

(a) In this subsection:

1. "Affected local governments" means Manitowoc County, Sheboygan County, the town of Centerville in Manitowoc County, the town of Mosel in Sheboygan County, the town of Sheboygan in Sheboygan County, and the village of Cleveland in Manitowoc County.

2. "Department" means the department of transportation.

3. "Project" means the relocation of CTH "LS" to the existing Dairyland Drive in Manitowoc and Sheboygan counties and the construction of access roads to properties along existing CTH "LS."

(b) Notwithstanding limitations on the amount and use of aids provided under section 86.31 of the statutes, or on eligibility requirements for receiving aids under section 86.31 of the statutes, the department shall award a grant in the 2013-15 fiscal biennium to the affected local governments for the project if the affected local governments reach a jurisdictional transfer agreement that specifies all of the following to the satisfaction of the department:

income tax return or a claim for a refund that is filed on the effective date of this subsection.

(5e) FARMLAND PRESERVATION TAX CREDIT. The treatment of section 20.835 (2) (do) of the statutes first applies to taxable years beginning after December 31, 2012.

(6) FRAUDULENT OR RECKLESS CLAIMS FOR TAX CREDITS. The treatment of section 71.83 (5) of the statutes first applies to a fraudulent or reckless claim that is filed with the department of revenue on the effective date of this subsection.

(7) INCOME TAX CHECKOFF, AMERICAN RED CROSS, BADGER CHAPTER. The treatment of sections 20.435 (1) (gd) and 71.10 (5k) (i) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of sections 20.435 (1) (gd) and 71.10 (5k) (i) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(8) LUMP SUM CONTRACTS. The treatment of sections 77.51 (11d) and 77.54 (60) of the statutes first applies to contracts entered into on the effective date of this subsection.

(8d) NONPROFIT RESALE STORE. The treatment of section 70.11 (12) (c) of the statutes first applies to the property tax assessments as of January 1, 2014.

(9) QUALIFIED RESEARCH SALES TAX EXEMPTIONS. The treatment of section 77.54 (57) (a) 1f., 1m., 4., and 5. and (b) 1. and 2., and (57d) of the statutes first applies to sales made on the effective date of this subsection.

(9d) STUDENT HOUSING FACILITIES. The treatment of section 70.11 (3m) (a) (intro.) and 4. of the statutes first applies to the property tax assessments as of January 1, 2013.

(10) BIOGAS AND SYNTHETIC GAS ENERGY SYSTEMS. The treatment of section 70.111 (18) of the statutes first applies to the property tax assessments as of January 1, 2014.

(10d) ADVERTISING SIGNS. The treatment of section 70.04 (3) of the statutes, the renumbering and amendment of section 70.03 of the statutes, and the creation of section 70.03 (2) of the statutes first apply to the property tax assessments as of January 1, 2014.

(11) HEALTH INSURANCE PREMIUM SUBTRACTION; PREMIUM ASSISTANCE CREDITS. The treatment of section 71.05 (6) (b) 19. a., 35. a., 38. a., and 42. a. of the statutes first applies to taxable years beginning after December 31, 2013.

(12) CAPITAL GAINS DEFERRALS, EXCLUSIONS.

(a) The treatment of section 71.05 (25) (title), (a) 2., 3., and 4., and (b) (intro.), 1., and 2. of the statutes first applies, retroactively, to taxable years beginning after December 31, 2010.

(b) The treatment of section 71.05 (26) (title), (a) 4., (b) (intro.), (bm), (c), (d), and (f) of the statutes first

applies to taxable years beginning after December 31, 2013.

(13) EXPENDITURE RESTRAINT PROGRAM. The treatment of section 79.05 (6) (c) of the statutes first applies to payments made in 2014.

(14) SCHOOL LEVY CREDIT; LOTTERY FUND. The treatment of sections 20.835 (3) (b) and (qb), 73.03 (66), and 79.10 (4) of the statutes first applies to payments made in 2013.

(14q) NOTICE TO MUNICIPALITIES OF PROPERTY TAX CREDITS. The treatment of section 79.10 (2) (a) and (b), (9) (b), and (11) (b), (c), and (d) of the statutes first applies to the distributions in 2015.

(15) VETERANS AND SURVIVING SPOUSES PROPERTY TAX CREDIT. The treatment of section 71.07 (6e) (a) 2. d. of the statutes first applies to taxable years beginning on January 1, 2014.

(15d) MANUFACTURING AND AGRICULTURE CREDIT. The treatment of section 71.07 (5n) (c) 2., 3., 4., and 5. of the statutes first applies to taxable years beginning on January 1, 2014.

**SECTION 9338. Initial applicability; Safety and Professional Services.**

(1L) PRIVATE ELEVATORS AND DUMBWAITERS.

(a) The treatment of section 101.983 (3) of the statutes (with respect to sales of individual residential dwelling units) first applies to offers of purchase that are made on the effective date of this paragraph.

(b) The treatment of section 101.983 (3) of the statutes (with respect to transfers other than sales of individual residential dwelling units) first applies to transfers of title that occur on the effective date of this paragraph.

(1q) CHIROPRACTOR EXAMINATIONS. The treatment of sections 20.165 (1) (g) and (gc) and 446.02 (3) (a) and (b) of the statutes first applies to an application for a license to practice as a chiropractor that the chiropractic examining board receives on the effective date of this subsection.

**SECTION 9343. Initial applicability; Technical College System.**

(1) LEVY RATE LIMIT. The treatment of section 38.16 (1) and (3) (e) of the statutes first applies to the tax levy imposed in 2013.

(2) FEE REMISSION. The treatment of section 38.24 (7) (b) (intro.) and (8) (b) of the statutes first applies in the first semester beginning after January 1, 2014.

**SECTION 9345. Initial applicability; Transportation.**

(2) PENALTIES FOR VIOLATING WEIGHT LIMITATIONS. The treatment of section 348.21 (3) (b) 1. b., c., d., and e. and 2. b., c., d., and e. of the statutes first applies to violations committed on the effective date of this subsection, but does not preclude the counting of other violations as prior violations for purposes of sentencing a person.

(3) DISASTER AIDS.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Joshua Archiquette</b>		2) Date When Request Submitted:  <b>7/8/2013</b> <small>Items will be considered late if submitted after 4:30 p.m. and less than 8 work days before the meeting.</small>	
3) Name of Board, Committee, Council, Sections:  <b>Chiropractic Examining Board</b>			
4) Meeting Date:  <b>7/16/13</b>	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Legislation/Administrative Rule Matters – Changes Affecting Qualifying Examinations</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:  <b>Discussion and Consideration of the timing of the jurisprudence examination.</b>			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

[REDACTED]

Department of Safety and Professional Services  
Attn: Mr. Tom Ryan  
P.O. Box 8935  
Madison, WI 53708-8935

My name is [REDACTED] and I just graduated from Palmer College of Chiropractic in June, 2013. I am a [REDACTED] and am currently doing an extended externship in [REDACTED]. I have been eagerly awaiting my licensure in Wisconsin. I was following the state's website as to when I could register for the State Practical Exam early this year, but the website was never updated when the exam was made available to our class. Due to this reason I thought I had to have graduated before I could take the State Practical Exam. Fast forward, and now the State Practical Exam was removed. I took National Boards Part 3 in September, 2012 and National Boards Part 4 in May, 2013. I scored a 451 on National Boards Part 3 and a 435 on National Boards Part 4, both of which met required scores to practice in Wisconsin when I took the exams and received my scores. I worked extremely hard in school, graduated magna cum laude, and did numerous teaching assistant and interning positions at school. I feel I deserve licensure in Wisconsin and feel like I am being penalized by all of these changes. There are others in my graduating class as well as the class after me that feel the same way.

I would like to be grandfathered into chiropractic licensure in the state of Wisconsin seeing that I received passing scores on both National Boards Part 3 and Part 4 that were present at the time that I took the board testing. I hope that my situation, as well as other recent chiropractic graduates, will be included in the Wisconsin Chiropractic Examining Board's upcoming agenda. Like I said, I have done everything asked of me up to this point. I don't see how the minimum scores can be changed after someone has already met what was required of them when they took the National Board Exams? I hope careful consideration is taken in evaluating not only my situation, but my classmates and future chiropractors from other schools as well, who wish to practice in Wisconsin. Thank you for your support.

Sincerely,

[REDACTED]

Hello. My name is [REDACTED] and writing in regards to the changes to the WI Chiropractic licensure requirements. I recently graduated from Chiropractic school in March of this year and have been working at [REDACTED] then. I am able to do this prior to receiving my license for 6 months due to a Postgraduate preceptorship program I am undertaking through my school where I am working under a preceptor using his license and am restricted to only seeing patients if he is in the building.

Due to financial constraints I was unable to pay the \$1600 examination fee to take the WI practical examination in April. I knew it was in the works to be removed, fortunately, so I continued increasing my patient base here at the clinic and focused on the future. The state practical examination was just removed with the new budget but, suddenly, the National board exam requirements have been increased to significantly higher than the national passing requirement. Fortunately, a Grandfather clause was enacted so it seemed like I would still be able to get licensed with no difficulty. I recently learned, however, that the wording of the Grandfather clause was altered from the originally proposed version so only those of us who have already taken the state jurisprudence exam will be accepted. I was heartbroken to learn this. I applied for State licensure in time but will still not get grandfathered in despite actively trying to take the jurisprudence since March.

As it stands today I cannot retake the National exam until November which means the earliest I will likely get licensed is next February (8 months from now). Had I known the requirements were going to increase and I would not be Grandfathered in I would have been able to retake the National board exam in May. Now I'm looking at my postgraduate expiring in September and unemployment in my future.

I hope this message does not fall on deaf ears. I am merely trying to work and support my family. This process has been quite trying and I never suspected that the most difficult part of entering Chiropractic school would be receiving state licensure. I'm willing to do whatever it takes.

I am now scheduled for the state jurisprudence exam on July 26th since the state practical examination has been eliminated. Accompanying me will be at least 3 others that are in my exact situation. I know this may be difficult, but I am writing to request whether there is any way in which the grandfather requirements could be expanded to include those of us taking the jurisprudence on the 26th. This will allow us to continue working in the beautiful state of Wisconsin and prevent several of us from losing their jobs and possibly having to relocate to another state.

Thank you!

[REDACTED]

Hello! My name is [REDACTED] and I am a chiropractor who has been looking forward to getting licensed in WI since the end of June 2012. I have applied for licensure twice now and have only been discouraged in many ways.

I was first told that there is no expiration date for my application for licensure in WI. Then I was told after a year that my application has been abandoned. Then, the law passed that i had to take the state practical in order to get licensed. I was not financially sound to take the exam and so i waited till i could get some money. Then i hear that people are working towards getting the law passed to get rid of the exam, which i was so relieved to hear. Even more thrilled that i could potentially be grandfathered in with my minimum passing scores. I did my part by going to the Capitol and talking to the senators and the governors assistant and explaining my situation to them. Everything was going well and i was waiting for the governor to sign the budget so i can take the jurisprudence exam and then get licensed and finally start the career i am so passionate about.

But, to my dismay i hear today that only the people who have already taken the Jurisprudence exam are being grandfathered in when the governor signs. I do not think this is fair because i was not allowed to take the JP exam until i take the practical (which is being removed) and i am being penalized because the licensing board did not allow me to take the JP exam.

I am forced to give up on WI licensing because I am not willing to retake Part III and Part IV boards again when i have already passed according to the National Board Standards. Now, i have to choose to go to a different state to practice Chiropractic. I kindly request you to please please refund my application fees of \$300 as i submitted my application twice in 1.5 years.

Thanks,  
[REDACTED]

[REDACTED]  
**Sent:** Wednesday, July 03, 2013 2:32 PM

**To:** DSPS

**Subject:** [REDACTED]

Good afternoon,

I just received my updated application status stating that I need to have a 475 on the part IV NBCE exam. I took this exam 2 years ago in 2011 and got a 450, which at that time was a sufficient score in Wisconsin. I graduated from chiropractic school in 2011 and have been waiting to get my WI license since November of 2012. I did not take the practical exam in April because I was pregnant. I will not be able to take the next NBCE exam in November because it is taking place on my due date. This means that the next available exam for me is not until May 2013 and scores come through over a month after that. I have a position that I could begin immediately at a local clinic but I am unable to get my Wisconsin license for another year.

After talking with John Murray, the executive director of the Wisconsin Chiropractic Association, he told me that there may be a hardship provision that I could fall under. Can you tell me if there are any options available to me at this point?

Thank you for your help and consideration,

**From:** [REDACTED]  
**Sent:** Wednesday, July 10, 2013 8:59 AM  
**To:** Tomer, Justin - DSPS; Gasper, Greg - DSPS  
**Subject:** Re: Application

I am writing to request the WI Chiropractic Board of Examiners to consider endorsing my license application after having graduated in November 2012. I continued living in WI awaiting the state board exam in April 2013 until a week prior to the exam date when I decided to take an opportunity elsewhere until I was confident of the circumstances to earn my license in the state of WI.

While I was taking the national boards and had applied for my WI license the regulations were having a passing score of 375 on all National Board exams. I was given no notice prior to applying for my WI license or taking the national board exams of the change in requirements. For this reason, I am requesting an exception to the rules that are now set.

My husband has lived in Wisconsin his whole life and anticipated doing so while building a family with our kids and myself. I had to turn away a great job opportunity in WI to start my family in a whole new state just to begin supporting my family and paying back my school loans. We would love to be able to do all of those things in the beautiful state of WI.

Thank you for your consideration,

[REDACTED]

On Tue, Jul 9, 2013 at 3:49 PM, Tomer, Justin - DSPS <[Justin.Tomer@wisconsin.gov](mailto:Justin.Tomer@wisconsin.gov)> wrote:

Hello,

If you wish to provide additional documentation, I will ensure that any supplemental materials are included along with your petition for the Board's consideration.

However, I can neither predict or guarantee how the members of the Board may respond to your request before they have the chance to address it, especially since petitions and letters of hardship are exceptional by nature.

I apologize for any lack of a more substantive response. If I can help with anything else, please let me know.

Justin Tomer

Division of Professional Credential Processing

Wisconsin Department of Safety and Professional Services

[justin.tomer@wisconsin.gov](mailto:justin.tomer@wisconsin.gov)

[REDACTED]  
**Sent:** Tuesday, July 09, 2013 3:32 PM

**To:** Tomer, Justin - DSPS  
**Subject:** Re: Application

Would it help to attach any letters of recommendation at all?

[REDACTED]  
On Tue, Jul 9, 2013 at 1:22 PM, Tomer, Justin - DSPS <[Justin.Tomer@wisconsin.gov](mailto:Justin.Tomer@wisconsin.gov)> wrote:

Hello,

If you wish to submit a petition or request, written statements may be mailed to our PO box, faxed to 608-261-7083, or emailed directly to me at this address.

Please let me know if I can be of any further assistance.

Justin Tomer

Division of Professional Credential Processing

Wisconsin Department of Safety and Professional Services

[justin.tomer@wisconsin.gov](mailto:justin.tomer@wisconsin.gov)

[REDACTED]  
**Sent:** Tuesday, July 09, 2013 12:55 PM

**To:** Tomer, Justin - DSPS

**Subject:** Re: Application

How can I request the board to consider my individual circumstance?

[REDACTED]  
On Tuesday, July 9, 2013, Tomer, Justin - DSPS wrote:

Good morning [REDACTED]

The check included with your application materials was for \$75.00. While this will cover your credentialing and processing fee, you will also be required to remit your \$75.00 jurisprudence exam fee (for a total of \$150.00) before your fee requirement is considered complete.

Currently, licensure by exam as a Wisconsin chiropractor requires a minimum Part III score of 438 and a minimum Part IV score of 475. The only exceptions at this time are exam applicants who attempted the practical exam before it was repealed, and those endorsement applicants individually reviewed and determined by the Chiropractic Examining Board not to require any further examinations.

If you wish to withdraw your application for licensure and request a refund, you may do so by submitting a written statement explicitly indicating this via mail, fax, or email. In the event of a voluntary withdrawal, all but \$10.00 of your credentialing fee will be considered refundable.

If you have any other questions or concerns, please let me know.

Justin Tomer

Division of Professional Credential Processing

Wisconsin Department of Safety and Professional Services

[justin.tomer@wisconsin.gov](mailto:justin.tomer@wisconsin.gov)

[REDACTED]  
**Sent:** Tuesday, July 09, 2013 10:35 AM  
**To:** Tomer, Justin - DSPS  
**Subject:** Application

Hey,

I sent in all the above and now they sent me back this as my application update:

[REDACTED]  
They've already cashed the check I sent as well and said I didn't even send one. Also, if I am not going to get my license without retaking national board exams I need my money back.

Who can I talk to about this matter? I am very confused by the fact that I wasn't grandfathered in because I didn't fail a state board exam and took an opportunity elsewhere due to the complications.

Thanks

[REDACTED]

[REDACTED]

I graduated in April with my degree in Chiropractic. I have passed all my boards (however, I did not meet the new WI minimum on one of my exams) and will take the jurisprudence exam July 26th. I did not take the April exam due to the fact that I recent graduated and was not earning any money and did not have the financial capabilities to pay for the WI exam. So, I was wondering if we could get the July jurisprudence exam into the grandfather clause.

Thanks,

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**From:** Ryan, Thomas - DSPS  
**Sent:** Tuesday, July 16, 2013 7:43 AM  
**To:** Archiquette, Joshua N - DSPS  
**Cc:** 'Jim Koshick'  
**Subject:** FW: [REDACTED]

Josh, please add this to the CHIRO agenda with the other letters. Thanks.

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Date: Mon, 15 Jul 2013 17:00:55 -0500  
Subject: [REDACTED]  
From: [REDACTED]  
To: [Dr Koshick](#)  
CC: [greg.gasper@wi.gov](mailto:greg.gasper@wi.gov); [jmurray@wichiro.org](mailto:jmurray@wichiro.org); [thomas.ryan@wi.gov](mailto:thomas.ryan@wi.gov)

Dear Dr. Koshick,

Once again we are approaching you to take into consideration [REDACTED] application for a Chiropractic license in the **State of Wisconsin**.

I called to talk to you several weeks ago and you responded with a email that I chose not to respond to, I had wanted to have a conversation with you.

Since that time we have discovered how hard you are working to get these few people with extenuating circumstances **licensed**.

The situation is this; [REDACTED] was not given notice that there was an opportunity to take State Exam without having graduated from **Texas College of Chiropractic**. He has applied in 2011, 2012 and 2013 for a license. It was obvious he was working toward the goal of filling the requirements of having passed the National Boards before he was able to take the State test. On June 28, his passing scores were entered into the State of Wisconsin licensing system.

He was qualified under the law that day to take the test. He paid the fee to take the State test and is signed up to take the JP on July 26

The fact that the Governor signed the 2013 Budget into law two days later does not negate the fact that he qualified before it was law. He is qualified to be a chiropractor in the State of Wisconsin based on all the criteria that was required. I am confident you and the Board who help these students any way you can are going to

be able to license him.

Being as it is very difficult to defend the new scores that the state requires, we are asking you to grandfather him in because he met the **requirements before the new law was signed.**

My husband, [REDACTED], [REDACTED] and my father [REDACTED] [REDACTED] will all be there tomorrow at the emergency meeting at 1:00. Please allow us a chance to speak on our behalf considering this situation.

Thank you,

[REDACTED]