



**VIRTUAL/TELECONFERENCE
CHIROPRACTIC EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
October 28, 2021**

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.

AGENDA

8:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of August 5, 2021 (5-6)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements and Recognition**
 - 1) Introductions:**
 - a. Kris N. Erlandson, Chiropractic Member (Replaces: Bautch) – 7/1/2025
 - b. Amy L. Heffernan, Chiropractic Member (Replaces: Gerondale) – 7/1/2025
 - c. Daniel Meschefske, Public Member (Replaces: Kugler) – 7/1/2025
- E. 8:30 A.M. PUBLIC HEARING: Clearinghouse Rule 21-065 (CHI 5) Relating to Continuing Education (7-26)**
 - 1) Review Public Hearing Comments and Respond to Clearinghouse Report
- F. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff, and Board Updates
 - 2) Election of Officers and Appointment of Liaisons and Alternates **(27-28)**
 - 3) Board Members – Term Expiration Dates
 - a. Damrow, James M. – 7/1/2023
 - b. Erlandson, Kris N. – 7/1/2025
 - c. Heffernan, Amy L. – 7/1/2025
 - d. Hendrickson, Kathleen A. – 7/1/2024
 - e. Meschefske, Daniel – 7/1/2025
 - f. Yellen-Shiring, Eugene – 7/1/2023
- G. Board Member Training: Board Member Communications, Quorums, and Open Meetings Law (29)**

- H. Legislation and Policy Matters – Discussion and Consideration
- I. **Administrative Rule Matters – Discussion and Consideration (30-31)**
 - 1) Possible Scope Statement – Professional Boundaries Continuing Education Requirement
 - 2) Pending and Possible Rulemaking Projects
- J. **Credentialing Matters – Discussion and Consideration**
 - 1) Chiropractic Technician (CT) Expedited Processing
- K. **COVID-19 – Discussion and Consideration**
- L. Discussion and Consideration of Items Added After Preparation of Agenda
 - 1) Introductions, Announcements and Recognition
 - 2) Administrative Matters
 - 3) Election of Officers
 - 4) Appointment of Liaisons and Alternates
 - 5) Delegation of Authorities
 - 6) Education and Examination Matters
 - 7) Credentialing Matters
 - 8) Practice Matters
 - 9) Legislative and Policy Matters
 - 10) Administrative Rule Matters
 - 11) Preceptor Approvals
 - 12) Liaison Reports
 - 13) Board Liaison Training and Appointment of Mentors
 - 14) Informational Items
 - 15) Division of Legal Services and Compliance (DLSC) Matters
 - 16) Presentations of Petitions for Summary Suspension
 - 17) Petitions for Designation of Hearing Examiner
 - 18) Presentation of Stipulations, Final Decisions and Orders
 - 19) Presentation of Proposed Final Decisions and Orders
 - 20) Presentation of Interim Orders
 - 21) Petitions for Re-Hearing
 - 22) Petitions for Assessments
 - 23) Petitions to Vacate Orders
 - 24) Requests for Disciplinary Proceeding Presentations
 - 25) Motions
 - 26) Petitions
 - 27) Appearances from Requests Received or Renewed
 - 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports
- M. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), 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.).

- N. **Deliberation on Division of Legal Services and Compliance Matters**
 - 1) **Administrative Warning(s)**

- a. 21 CHI 008 – J.M.S. **(32-33)**
- 2) Case Closing(s)**
 - a. 21 CHI 001 – P.M.F. **(34-47)**
- 3) Proposed Stipulation(s), Final Decision(s) and Order(s)**
 - a. 20 CHI 003 – Paul W. Mergen, D.C. **(48-54)**

O. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

P. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

- Q. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate**
- R. Open Session Items Noticed Above Not Completed in the Initial Open Session**
- S. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates**

ADJOURNMENT

NEXT MEETING: [TENTATIVE] FEBRUARY 3, 2022

 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the

listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
CHIROPRACTIC EXAMINING BOARD
MEETING MINUTES
AUGUST 5, 2021**

PRESENT: Scott Bautch, James Damrow, Bryan Gerondale, Kathleen Hendrickson, Eugene Yellen-Shiring

STAFF: Valerie Payne, Executive Director; Jameson Whitney, Legal Counsel; Megan Glaeser, Bureau Assistant; Katlin Schwartz, Bureau Assistant; and other Department Staff

CALL TO ORDER

Bryan Gerondale, Chairperson, called the meeting to order at 8:30 a.m. A quorum was confirmed with five (5) members present.

ADOPTION OF AGENDA

Amendments to the Agenda:

- Under item “J Discussion and Consideration of items added after preparation of Agenda, 28) Speaking Engagements, Travel, or Public Relations Request, and Reports”, ADD:
 - Travel Reports: National Board of Chiropractic Examiners Annual Meeting - Scott Bautch

MOTION: Scott Bautch moved, seconded by James Damrow, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 24, 2021

MOTION: Scott Bautch moved, seconded by Eugene Yellen-Shiring, to approve the Minutes of June 24, 2021 as published. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION

MOTION: James Damrow moved, seconded by Scott Bautch, to recognize and thank Carl Kugler for his years of service to the Chiropractic Examining Board and the State of Wisconsin. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Adoption Order

Chir 10, Relating to Requirements for Certification of and Delegation to Chiropractic Technicians and Radiological Technicians

MOTION: Scott Bautch moved, seconded by James Damrow, to approve the Adoption Order for Clearinghouse Rule 20-084 (Chir 10), relating to Requirements for Certification of and Delegation to Chiropractic Technicians and Radiological Technicians. Motion carried unanimously.

Guidance Document: Dry Needling

MOTION: James Damrow moved, seconded by Scott Bautch, to rescind the Board's request for DSPS staff to draft a guidance document regarding dry needling. Motion carried unanimously.

DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND RATIFICATION OF LICENSES AND CERTIFICATES

MOTION: James Damrow moved, seconded by Scott Bautch, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.


ADJOURNMENT

MOTION: Scott Bautch moved, seconded by Eugene Yellen-Shiring, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:43 a.m.

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Nilajah Hardin Administrative Rules Coordinator		2) Date when request submitted: 10/15/21 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Chiropractic Examining Board			
4) Meeting Date: 10/28/21	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? 8:30 A.M. Public Hearing – Clearinghouse Rule 21-065 on Chir 5, Relating to Continuing Education 1. Review Public Hearing Comments and Respond to Clearinghouse Report	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: The Board will hold a Public Hearing on this rule as required by the rulemaking process.			
11) Authorization			
 Signature of person making this request		10/15/21 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.			

STATE OF WISCONSIN
CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	CHIROPRACTIC EXAMINING
CHIROPRACTIC EXAMINING	:	BOARD
BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Chiropractic Examining Board to **repeal** Chir 5.02 (1) (b) (title) and (bm) (title), (3), (4), and (6) (Note) and 5.03; to **renumber and amend** Chir 5.02 (1) (a); to **amend** Chir 5.01 (1) (a), (1g) (a), (1r) (a), (2) (b), and (3) and 5.02 (1) (intro.), (b), (bm), (c), (f), and (h) and (2) (a); and to **create** Chir 5.01 (1) (g) and (h), (1g) (c), (1r) (c), (4), and (5), 5.02 (1) (a) 1. to 4. and (cm), 5.04, and 5.05, relating to continuing education.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Sections 440.035 (2) and 446.028, Stats.

Statutory authority:

Sections 15.08 (5) (b), 446.025 (3) (b), and 446.026 (3) (b), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides that examining boards, such as the Chiropractic Examining Board, “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains . . .”

Section 446.025 (3) (b), Stats., provides “[a] chiropractic radiological technician shall, at the time that he or she applies for renewal of a certificate . . .submit evidence satisfactory to the examining board that he or she has completed at least 12 continuing educational credit hours in programs established by rules promulgated by the examining board.”

Section 446.026 (3) (b), Stats., provides “[a] chiropractic technician shall, at the time that he or she applies for renewal of a certificate . . .submit evidence satisfactory to the examining board that he or she has completed at least 6 continuing educational credit hours in programs established by rules promulgated by the examining board.”

Related statute or rule:

Chapter Chir 3 provides the requirements for license renewal, which include the completion of continuing education.

Plain language analysis:

The Chiropractic Examining Board conducted a comprehensive review of ch. Chir 5, including 1) the requirements for approval of continuing education programs, 2) circumstances under which online continuing education may be permitted, and 3) the current process of reviewing and approving continuing education programs and how that process may be expedited. As a result of this review, the following updates have been made:

- Chiropractors, chiropractic technicians, and chiropractic radiological technicians will be able to acquire a portion of their required continuing education credit hours through participation in online continuing education programs approved by the Board.
- Continuing education hours may be counted for teaching an approved continuing education program. An instructor is eligible for continuing education hours to the same extent as a participant in the program, except continuing education hours may not be counted for subsequent presentations of the same content.
- A provision under s. Chir 5.01 (3) concerning the Board's ability to request verification of attendance at a continuing education program has been revised to reflect s. 440.035 (2), Stats., as created by 2017 Wisconsin Act 59, which specifies that, except as otherwise permitted in chs. 440 to 480, Stats., an examining board may require a credential holder to submit proof of completion of continuing education programs or courses only if a complaint is made against the credential holder.
- The American Chiropractic Association (ACA) has been removed from s. Chir 5.02 (1) (a) as an allowable continuing education program sponsor, as the ACA is not one of the allowable program sponsors enumerated in s. 446.028, Stats.
- An additional requirement has been added in order for a college of chiropractic, medicine, or osteopathy to be considered an approved continuing education program sponsor under s. Chir 5.02 (1) (a). Specifically, the college must have accreditation that is in good standing from an accrediting agency whose recognition by the United States Department of Education is current.
- The requirement under s. Chir 5.02 (1) (b) that program subject matter be generally taught at the undergraduate or postgraduate level of a chiropractic college and relate to improving the clinical skills of a chiropractor is revised. The revised requirement is that program subject matter contributes to the advancement, extension, and enhancement of the clinical skills of a chiropractor and fosters the enhancement of general or specialized practice and values.
- Requirements that specifically pertain to online continuing education programs have been created under s. Chir 5.02 (1) (cm). Specifically, an online continuing education program must require two-way real-time interactive communication between the participant and the instructor, and include a written assessment instrument and means to furnish each participant with evidence of having attended the program.
- Provisions from ss. Chir 5.02 and 5.03 concerning an application for approval of a continuing education program have been removed and consolidated into a new s. Chir 5.04. Section Chir 5.04 as created reduces the lead time required for submission of an application from 75 days to 60 days.

- Section 5.05 is created to provide an expedited approval process for certain program sponsors who successfully complete a compliance review of a random sample of continuing education programs that were approved for the previous 2-year registration period.
- Other provisions throughout ch. Chir 5 have been revised to correct references to the registration period end date, provide clarity, and conform to current drafting standards.

Summary of, and comparison with, existing or proposed federal regulation:

None.

Summary of public comments and feedback on the statement of scope and the Board’s responses:

The Board held a public comment period and conducted a public hearing on April 2, 2020. The Board received testimony concerning the statement of scope from the following individuals:

- Dr. Steven Conway, representing the Chiropractic Society of Wisconsin – Dr. Conway expressed support for the objective of conducting a comprehensive review and update of the current process of reviewing and approving continuing education programs, and opposition to online continuing education for chiropractors.
- Dr. Paul Powers, representing ChiroCredit.com – Dr. Powers expressed strong support for online continuing education for chiropractors.

After consideration of the testimony provided, the Board approved the scope statement for implementation without modification.

Comparison with rules in adjacent states:

Illinois: Rules of the Illinois Department of Financial and Professional Regulation regulate continuing medical education (CME) for chiropractic physicians practicing in Illinois [68 Ill. Adm. Code 1285.110]. The rules address CME hours requirements, acceptable CME programs and activities, requirements for CME sponsors and formal CME programs, certification of compliance with CME requirements, CME earned in other jurisdictions, and the waiver of CME requirements.

The Illinois Emergency Management Agency accredits chiropractic radiographers, who are defined as persons other than a licensed practitioner who perform medical radiation procedures and apply x-radiation to the human body for diagnostic evaluation of skeletal anatomy, while under the general supervision of a licensed chiropractor [32 Ill. Adm. Code 401.20]. The rules of the Agency address continuing education requirements for renewal of accreditation as a chiropractic radiographer [32 Ill. Adm. Code 401.140 b)].

Illinois does not have an equivalent license classification for chiropractic technicians.

Iowa: Rules of the Iowa Board of Chiropractic regulate continuing education (CE) for chiropractors practicing in Iowa [645 IAC 44]. The rules address required CE hours, standards for CE activities, and exemptions from CE requirements.

Iowa does not have an equivalent license classification for chiropractic radiological technicians or chiropractic technicians.

Michigan: Rules of the Michigan Department of Licensing and Regulatory Affairs regulate continuing education (CE) for chiropractors practicing in Michigan [Mich Admin Code, R 338.12037 to R 338.12042]. The rules address required CE hours, acceptable CE programs and activities, and approval of CE programs.

Michigan does not have an equivalent license classification for chiropractic radiological technicians or chiropractic technicians.

Minnesota: Rules of the Minnesota Board of Chiropractic Examiners regulate continuing education (CE) for chiropractors practicing in Minnesota [Minnesota Rules, parts 2500.1200 to 2500.2000]. The rules address required CE hours, CE program approval and approval criteria, approval of CE sponsors, and the waiver or deferment of CE requirements.

The Minnesota Department of Health registers chiropractic radiologic technologists [Minn. R. 4732.0570 to 4732.0585]. There are no continuing education requirements for maintaining registration.

Minnesota does not have an equivalent license classification for chiropractic technicians.

Summary of factual data and analytical methodologies:

The rules were developed by reviewing the provisions of ch. Chir 5 to ensure the rules are consistent with current practices and applicable Wisconsin statutes, and that the Board's review and approval of continuing education programs is completed as efficiently as possible.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8306; telephone 608-267-7139; email at DSPSAdminRules@wisconsin.gov.

TEXT OF RULE

SECTION 1. Chir 5.01 (1) (a) is amended to read:

Chir 5.01 (1) (a) Every chiropractor shall complete at least 40 continuing education credit hours in approved continuing education programs during each 2-year license registration period ending on December ~~14~~ 15 of each even-numbered year, except as specified in s. Chir 3.02 (1) (c). Completion of course work and teaching or presenting courses or programs may be counted toward the requirement under this paragraph as provided under pars. (d), (f), and (h).

(d) Course work completed in pursuit of the educational requirements of ch. Chir 12 may be counted on an hour-for-hour basis as continuing education credit hours.

(e) Of the 40 continuing education credit hours in par.(a), a chiropractor holding a nutritional counseling certificate issued under ch. Chir 12 shall complete at least 4 continuing education credit hours in approved continuing education programs relating to nutrition.

(f) One credit of course work completed to become proficient in the use of an automated external defibrillator as required in ss. Chir 2.02 (6) (c), 3.02 (1) (e), and 3.03 (1) (i), may be counted as a one continuing education credit hour.

SECTION 2. Chir 5.01 (1) (g) and (h) are created to read:

Chir 5.01 (1) (g) No more than 8 of the 40 continuing education credit hours required under par. (a) may be acquired through participation in online continuing education programs approved under s. Chir 5.02.

(h) Continuing education credit hours may be counted for teaching or presenting a course or program whose subject matter contributes to the advancement, extension, and enhancement of the clinical skills of a chiropractor and fosters the enhancement of general or specialized practice. One hour of continuing education credit may be claimed for every 50 minutes of instruction or presentation, except continuing education credit hours may not be counted for subsequent presentations of the same course or program.

SECTION 3. Chir 5.01 (1g) (a) is amended to read:

Chir 5.01 (1g) (a) Every chiropractic radiological technician shall complete at least 12 continuing education credit hours in approved continuing education programs during each 2-year certificate registration period ending on December ~~14~~ 15 of each even-numbered year. A chiropractic radiological technician who receives an initial certificate during a licensing biennium is not required to satisfy the continuing education requirement from the date of that certificate to the end of that licensing biennium.

SECTION 4. Chir 5.01 (1g) (c) is created to read:

Chir 5.01 (1g) (c) No more than 2 of the 12 continuing education credit hours required under par. (a) may be acquired through participation in online continuing education programs approved under s. Chir 5.02.

SECTION 5. Chir 5.01 (1r) (a) is amended to read:

Chir 5.01 (1r) (a) Every chiropractic technician shall complete at least 6 continuing education credit hours in approved continuing education programs during each 2-year certificate registration period ending on December ~~14~~ 15 of each even-numbered year. A chiropractic technician who receives an initial certificate during a licensing biennium is not required to satisfy the continuing education requirement from the date of that certificate to the end of that licensing biennium.

SECTION 6. Chir 5.01 (1r) (c) is created to read:

Chir 5.01 (1r) (c) No more than 2 of the 6 continuing education credit hours required under par. (a) may be acquired through participation in online continuing education programs approved under s. Chir 5.02.

SECTION 7. Chir 5.01 (2) (b) and (3) are amended to read:

Chir 5.01 (2) (b) If the chiropractor, chiropractic radiological technician, or chiropractic technician has failed to meet the credential renewal requirement during the period, continuing education hours acquired on or after December ~~14~~ 15 of any even-numbered year will apply to the preceding period only if the chiropractor, chiropractic radiological technician, or chiropractic technician has failed to meet the credential renewal requirement during that period, and will not apply to any other period or purpose.

(3) To obtain credit for completion of continuing education programs, a chiropractor, chiropractic radiological technician, or chiropractic technician shall certify on ~~his or her~~ the application for credential renewal that ~~he or she has completed~~ all continuing education credits have been completed as required ~~in~~ under this section ~~for the previous 2-year credential registration period. A chiropractor, chiropractic radiological technician, or chiropractic technician shall retain for a minimum period of 4 years, and shall make available to the board or its agent upon request, certificates of attendance issued by the program sponsor for all continuing education programs for which he or she claims credit for purposes of renewal of his or her credential. Chiropractors, chiropractic radiological technicians, or chiropractic technicians attending a program for credit shall be present in the room where a program is being presented in order to claim credit. A chiropractor, chiropractic radiological technician, or chiropractic technician may claim credit hours for continuing education for which he or she was in actual attendance in the room, except for authorized break periods or to attend to personal hygiene needs.~~

SECTION 8. Chir 5.01 (4) and (5) are created to read:

Chir 5.01 (4) A chiropractor, chiropractic radiological technician, or chiropractic technician shall retain a certificate or other evidence of attendance issued by the program sponsor for a minimum of 4 years from the date of completion of a continuing education program.

(5) The board shall require any chiropractor, chiropractic radiological technician, or chiropractic technician who is under investigation by the board for alleged misconduct to submit evidence of compliance with the continuing education requirements under this section.

SECTION 9. Chir 5.02 (1) (intro.) is amended to read:

Chir 5.02 (1) (intro.) The board may approve a continuing education program ~~which~~ that meets all of the following minimum requirements:

SECTION 10. Chir 5.02 (1) (a) is renumbered Chir 5.02 (1) (a) (intro.) and amended to read:

Chir 5.02 (1) (a) (intro.) The program is sponsored by ~~the Wisconsin chiropractic association, the American chiropractic association, the international chiropractors association, a college of chiropractic approved by the board, or a college of medicine or osteopathy accredited by an agency recognized by the United States department of education.~~ one of the following:

SECTION 11. Chir 5.02 (1) (a) 1. to 4. are created to read:

Chir 5.02 (1) (a) 1. The Wisconsin Chiropractic Association.

2. The International Chiropractors Association.

3. A college of chiropractic with accreditation that is in good standing from the Council on Chiropractic Education or another accrediting agency whose recognition by the United States department of education is current.

4. A college of medicine or osteopathy with accreditation that is in good standing from an accrediting agency whose recognition by the United States department of education is current.

SECTION 12. Chir 5.02 (1) (b) (title) is repealed.

SECTION 13. Chir 5.02 (1) (b) is amended to read:

Chir 5.02 (1) (b) ~~The~~ For a continuing education program required under s. Chir 5.01 (1) (a), the program subject matter relates contributes to improving the clinical skills of a chiropractor and is generally taught at the undergraduate or postgraduate level of a chiropractic college meeting the requirements of s. Chir 2.02 (6) (b) the advancement, extension, and enhancement of the clinical skills of a chiropractor and fosters the enhancement of general or specialized practice. The board will not approve credit for continuing education regarding a technique or practice which the board has determined to be unsafe or ineffective.

SECTION 14. Chir 5.02 (1) (bm) (title) is repealed.

SECTION 15. Chir 5.02 (1) (bm) and (c) are amended to read:

Chir 5.02 (1) (bm) ~~The~~ For a continuing education program required under s. Chir 5.01 (1g) (a) or (1r) (a), the program subject matter relates to improving the clinical skills of a chiropractic radiological technician or chiropractic technician, as applicable.

(c) The program sponsor agrees to provide a responsible person to monitor and verify the attendance of each registered chiropractor, chiropractic ~~radiologic~~ radiological technician, or chiropractic technician, as applicable, at participating in the program, and the program sponsor agrees to assume responsibility for the accuracy of the continuing education credit awarded to each participant, to keep the records of attendance for 3 years

from the date of the program, and to furnish each participant with evidence of having attended the program.

SECTION 16. Chir 5.02 (1) (cm) is created to read:

Chir 5.02 (1) (cm) For an online continuing education program, the program meets all of the following requirements:

1. The program is synchronous and provides interactive communication between the participant and the instructor.
2. The program includes a written assessment instrument that is designed to ensure the chiropractor, chiropractic radiological technician, or chiropractic technician, as applicable, actively participated in the presentation of material and derived a measurable benefit from participation.
3. The program includes means to furnish each participant with evidence of having attended the program.

SECTION 17. Chir 5.02 (1) (f) and (h) and (2) (a) are amended to read:

Chir 5.02 (1) (f) ~~When~~ If a course instructor of the program is on the undergraduate or postgraduate faculty of a chiropractic college, the program sponsor has provided written verification that the course instructor has been appointed in accordance with the accreditation standards of the ~~council on chiropractic education~~ Council on Chiropractic Education, and that the chiropractic college exercises sufficient supervision over a faculty member's course content.

(h) ~~The~~ A course instructor is qualified to present of the program has qualifications appropriate for presenting the course.

(2) (a) Continuing education programs may include subject material ~~other than that which relates to improving the clinical skills of a chiropractor and is generally taught at the undergraduate or postgraduate level of a chiropractic college, meeting the requirements of s. Chir 2.02 (6) (b)~~ that does not meet the requirements under sub. (1) (b). However, only the parts of the program ~~which relate to improving the clinical skills of a chiropractor and are generally taught at the undergraduate or postgraduate level of a chiropractic college~~ that include subject material that meets the requirements under sub. (1) (b) are eligible for credit.

SECTION 18. Chir 5.02 (3), (4), and (6) (Note) are repealed.

SECTION 19. Chir 5.03 is repealed.

SECTION 20. Chir 5.04 and 5.05 are created to read:

Chir 5.04 Application for approval of a continuing education program.

(1) An application for approval of a continuing education program shall be on a form provided by the board and include all of the following:

- (a)** The name and address of the program sponsor and a description of how the program sponsor qualifies under s. Chir 5.02.
- (b)** A description of the time and place of the program.

(c) Evidence of the program sponsor's verification showing to the satisfaction of the board that the subject matter meets the requirements under s. Chir 5.02 (1) (b) or (bm), as applicable.

(d) A detailed course outline or syllabus describing the subject matter of the program, and the amount of time devoted to each section of the outline or syllabus.

(e) The names and a description of the qualifications of all instructors including, if applicable, whether an instructor of the program who is an undergraduate or postgraduate faculty member of a sponsoring college was appointed in accordance with accreditation standards of the Council on Chiropractic Education or by an agency approved by the United States department of education.

(f) If the program sponsor intends to assign or delegate any of its responsibilities to another person or entity, all of the following:

1. A specific description of the assignment or delegation.
2. The name and address of the person or entity who is assigned or delegated to perform the responsibility, and a description of the qualifications of that person or entity to perform the responsibility.
3. A description of the method by which the program sponsor intends to assure that the delegated or assigned responsibility is performed.

Note: Application forms are available on the department's website at dsps.wi.gov, or by request from the Department of Safety and Professional Services, P. O. Box 8935, Madison, Wisconsin 53708, or call (608) 266-2112.

(2) An application shall be complete as required under sub. (1) and filed with the board no later than 60 days prior to the program date or, for an online continuing education program, the date on which the program will first be eligible for continuing education credit. An application is not considered complete until such time as all information required to be submitted with the application is received by the board.

(3) The board may require an applicant to submit information in addition to that described in sub. (1) that is necessary to determine if the applicant meets the requirements of this chapter.

(4) The board shall grant approval of an application if the board determines the program and program sponsor materially meet the requirements under this chapter.

(5) The board shall deny approval of an application for any of the following reasons:

(a) The program or program sponsor does not meet requirements established in this chapter.

(b) The emphasis of the program is on the business, management, or insurance aspects of a chiropractic practice rather than on improving the clinical skills of the chiropractor, chiropractic radiological technician, or chiropractic technician, as applicable.

(c) The board determines the program sponsor has not provided adequate assurance that responsibilities delegated or assigned to others will be satisfactorily performed.

(d) The program sponsor, an instructor, or a person delegated or assigned a responsibility has a financial, personal or professional interest which conflicts directly with the performance of responsibilities in this chapter.

(e) Failure on the part of a program sponsor, an instructor, or a person delegated or assigned a responsibility to carry out a program as represented to and approved by the board or as provided in this chapter.

(f) The program subject matter relates to practice that is prohibited under s. Chir 4.05.

Chir 5.05 Application for expedited approval of a continuing education program. (1) A program sponsor under s. Chir 5.02 (1) (a) may submit an application for expedited approval of a continuing education program if the program sponsor had a minimum of 20 continuing education programs approved for the previous 2-year registration period and one of the following requirements is met:

(a) A review by the board of a random selection of 10 percent of the program sponsor's continuing education programs approved for the previous 2-year registration period found that all of the selected programs materially meet all of the requirements under s. Chir 5.02 (1) and (6) and awarded continuing education credit as provided under s. Chir 5.02 (2) and (5).

(b) A review by the board of a random selection of 10 percent of the program sponsor's continuing education programs approved for the previous 2-year registration period found that one or more of the selected programs do not materially meet all of the requirements under s. Chir 5.02 (1) and (6) or did not award continuing education credit as provided under s. Chir 5.02 (2) and (5), and all of the following requirements are met:

1. The program sponsor has not submitted an application under this paragraph for any previous 2-year registration period.

2. The application is submitted at least 6 months after the beginning date of the current 2-year registration period.

(2) An application for expedited approval of a continuing education program shall be on a form provided by the board and include all of the following:

(a) The name and address of the program sponsor and a description of how the program sponsor qualifies under s. Chir 5.02 (1) (a).

(b) A description of the time and place of the program.

(c) An attestation by the program sponsor that the program materially meets all of the requirements under s. Chir 5.02 (1) and (6) and will award continuing education credit as provided under s. Chir 5.02 (2) and (5).

(3) An application for expedited approval shall be filed with the board no later than 60 days prior to the program date or, for an online continuing education program, the date on which the program will first be eligible for continuing education credit.

(4) The board shall grant approval of an application that meets the requirements of this section.

SECTION 21. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date 08/10/21
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Chir 5	
4. Subject Continuing Education	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected 20.165(1)(g)
7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule The Chiropractic Examining Board conducted a comprehensive review of ch. Chir 5, including 1) the requirements for approval of continuing education programs, 2) circumstances under which online continuing education may be permitted, and 3) the current process of reviewing and approving continuing education programs and how that process may be expedited. As a result of this review, the following updates have been made: <ul style="list-style-type: none"> • Beginning with the license registration period ending on December 15, 2024, chiropractors, chiropractic technicians, and chiropractic radiological technicians will be able to acquire a portion of their required continuing education credit hours through participation in online continuing education programs approved by the Board. • A provision under s. Chir 5.01 (3) concerning the Board's ability to request verification of attendance at a continuing education program has been revised to reflect s. 440.035 (2), Stats., as created by 2017 Wisconsin Act 59, which specifies that, except as otherwise permitted in chs. 440 to 480, Stats., an examining board may require a credential holder to submit proof of completion of continuing education programs or courses only if a complaint is made against the credential holder. • The American Chiropractic Association (ACA) has been removed from s. Chir 5.02 (1) (a) as an allowable continuing education program sponsor, as the ACA is not one of the allowable program sponsors enumerated in s. 446.028, Stats. • An additional requirement has been added in order for a college of chiropractic, medicine, or osteopathy to be considered an approved continuing education program sponsor under s. Chir 5.02 (1) (a). Specifically, the college must have accreditation that is in good standing from an accrediting agency whose recognition by the United States Department of Education is current. • The requirement under s. Chir 5.02 (1) (b) that program subject matter be generally taught at the undergraduate or postgraduate level of a chiropractic college and relate to improving the clinical skills of a chiropractor is revised. The revised requirement is that program subject matter contributes to the advancement, extension, and enhancement of the clinical skills of a chiropractor and fosters the enhancement of general or specialized practice and values. 	

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

- Requirements that specifically pertain to online continuing education programs have been created under s. Chir 5.02 (1) (cm). Specifically, an online continuing education program must require two-way real-time interactive communication between the participant and the instructor, and include a written assessment instrument and means to furnish each participant with evidence of having attended the program.
- Provisions from ss. Chir 5.02 and 5.03 concerning an application for approval of a continuing education program have been removed and consolidated into a new s. Chir 5.04. Section Chir 5.04 as created reduces the lead time required for submission of an application from 75 days to 60 days. It also provides an expedited approval process for program sponsors who successfully complete a compliance review of a random sample of continuing education programs that were approved for the previous 2-year registration period.
- Other provisions throughout ch. Chir 5 have been revised to correct references to the registration period end date, provide clarity, and conform to current drafting standards.

12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.

The rule was posted for 14 days on the Department of Safety and Professional Services' website to solicit comments on the potential economic impact. No comments were received.

13. Identify the Local Governmental Units that Participated in the Development of this EIA.

None.

14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

No economic or fiscal impacts are anticipated for specific businesses, sectors, ratepayers, local governments, or the state's economy as a whole. A total of \$763.16 in one time costs and an ongoing fiscal impact of \$1,618.41 are anticipated to be absorbed within the operating budget of the Department of Safety and Professional Services.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit to implementing the rule is consistency with current practices and applicable Wisconsin statutes and increased efficiency of the Board's review and approval of continuing education programs. If the rule is not implemented, the rules will not reflect current practices and applicable Wisconsin statutes.

16. Long Range Implications of Implementing the Rule

The long range implication of implementing the rule is consistency with current practices and applicable Wisconsin statutes and increased efficiency of the Board's review and approval of continuing education programs.

17. Compare With Approaches Being Used by Federal Government

None

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois: Rules of the Illinois Department of Financial and Professional Regulation regulate continuing medical education (CME) for chiropractic physicians practicing in Illinois [68 Ill. Adm. Code 1285.110]. The rules address CME hours requirements, acceptable CME programs and activities, requirements for CME sponsors and formal CME programs, certification of compliance with CME requirements, CME earned in other jurisdictions, and the waiver of CME requirements. The Illinois Emergency Management Agency accredits chiropractic radiographers, who are defined as persons other than a licensed practitioner who perform medical radiation procedures and apply x-radiation to the human body for diagnostic evaluation of skeletal anatomy, while under the general supervision of a licensed chiropractor [32 Ill. Adm. Code 401.20]. The rules of the Agency address continuing education requirements for renewal of accreditation as a chiropractic radiographer [32 Ill. Adm. Code 401.140 b)]. Illinois does not have an equivalent license classification for chiropractic technicians.

Iowa: Rules of the Iowa Board of Chiropractic regulate continuing education (CE) for chiropractors practicing in Iowa [645 IAC 44]. The rules address required CE hours, standards for CE activities, and exemptions from CE requirements.

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

Iowa does not have an equivalent license classification for chiropractic radiological technicians or chiropractic technicians.

Michigan: Rules of the Michigan Department of Licensing and Regulatory Affairs regulate continuing education (CE) for chiropractors practicing in Michigan [Mich Admin Code, R 338.12037 to R 338.12042]. The rules address required CE hours, acceptable CE programs and activities, and approval of CE programs. Michigan does not have an equivalent license classification for chiropractic radiological technicians or chiropractic technicians.

Minnesota: Rules of the Minnesota Board of Chiropractic Examiners regulate continuing education (CE) for chiropractors practicing in Minnesota [Minnesota Rules, parts 2500.1200 to 2500.2000]. The rules address required CE hours, CE program approval and approval criteria, approval of CE sponsors, and the waiver or deferment of CE requirements. The Minnesota Department of Health registers chiropractic radiologic technologists [Minn. R. 4732.0570 to 4732.0585]. There are no continuing education requirements for maintaining registration. Minnesota does not have an equivalent license classification for chiropractic technicians.

19. Contact Name Nilajah Hardin	20. Contact Phone Number (608) 267-7139
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This document can be made available in alternate formats to individuals with disabilities upon request.

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
 - Less Stringent Schedules or Deadlines for Compliance or Reporting
 - Consolidation or Simplification of Reporting Requirements
 - Establishment of performance standards in lieu of Design or Operational Standards
 - Exemption of Small Businesses from some or all requirements
 - Other, describe:
-

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
-



Wisconsin Legislative Council

RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

Anne Sappenfield
Legislative Council Director

Margit Kelley
Clearinghouse Assistant Director

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE **21-065**

AN ORDER to repeal Chir 5.02 (1) (b) (title) and (bm) (title), (3), (4), and (6) (Note) and 5.03; to renumber and amend Chir 5.02 (1) (a); to amend Chir 5.01 (1) (a), (1g) (a), (1r) (a), (2) (b), and (3) and 5.02 (1) (intro.), (b), (bm), (c), (f), and (h) and (2) (a); and to create Chir 5.01 (1) (g) and (h), (1g) (c), (1r) (c), (4), and (5), 5.02 (1) (a) 1. to 4. and (cm), 5.04, and 5.05, relating to continuing education.

Submitted by **CHIROPRACTIC EXAMINING BOARD**

08-10-2021 RECEIVED BY LEGISLATIVE COUNCIL.

09-07-2021 REPORT SENT TO AGENCY.

SG:SM

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO



Wisconsin Legislative Council

RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

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Margit Kelley
Clearinghouse Assistant Director

CLEARINGHOUSE RULE 21-065

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

2. Form, Style and Placement in Administrative Code

SECTION 1 of the proposed rule amends s. Chir 5.01 (d), (e), and (f), but the introductory clause only lists amendment of s. Chir 5.01 (a). The board should revise the introductory clause to reflect treatment of those provisions.

4. Adequacy of References to Related Statutes, Rules and Forms

a. Section 440.035 (2), Stats., allows, but does not require, the board to require a credential holder to submit proof of the continuing education programs or courses that he or she has completed only if a complaint is made against the credential holder, but the treatment to s. Chir 5.01 (5) proposes to require that any chiropractor, chiropractic radiological technician, or chiropractic technician who is under investigation by the board for alleged misconduct must submit evidence of compliance with the continuing education requirements. Should the proposed rule be amended to give the board discretion whether or not to require submission of proof of compliance with continuing education requirements when a chiropractor, chiropractic radiological technician, or chiropractic technician is under investigation by the board for alleged misconduct?

b. Treatment to s. Chir 5.01 (4) requires a chiropractor, chiropractic radiological technician, or chiropractic technician to retain a certificate or other evidence of attendance issued by the program sponsor for a minimum of four years from the date of completion of a continuing education program, but s. Chir 5.02 (1) (c) requires a program sponsor to keep the records of attendance for only three years from the date of the program. Should the requirements for how long a credential holder and program sponsor retain records be made consistent?

5. Clarity, Grammar, Punctuation and Use of Plain Language

- a. The word “were” should be added between “and” and “awarded” in s. Chir 5.05 (1) (a).
- b. The process for expedited approval of a continuing education program under s. Chir 5.05 is confusing. The rule requires that a program sponsor may submit an application only if

certain criteria are met, including a review by the board of a random selection of 10 percent of the program sponsor's continuing education programs approved for the previous two-year registration period has made certain findings. However, it is not clear when the review by the board takes place. Because it is a condition precedent to submission of an application, the rule should be modified to clarify whether board review happens before or after submission of the application.

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Katlin Schwartz, Bureau Assistant		2) Date when request submitted: 9/27/2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Chiropractic Examining Board			
4) Meeting Date: 10/28/2021	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Elections of Officers and Appointments of Liaisons and Alternates	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: The Board should conduct elections of officers to fill the Chairperson vacancy resulting from the departure of Bryan Gerondale, and the Secretary vacancy resulting from the departure of Scott Bautch, and any other officer elections as required. The Chairperson should then review and appoint/reappoint Liaisons and Alternates as appropriate.			
11) Authorization			
Katlin Schwartz		9/27/2021	
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.			

Chiropractic Examining Board 2021 Officers, Liaisons, and Authorities

ELECTION RESULTS	
Chairperson	Bryan Gerondale
Vice Chairperson	James Damrow
Secretary	Scott Bautch
LIAISON APPOINTMENTS	
Credentialing Liaison	Scott Bautch <i>Alternate: James Damrow</i>
Exams, Education and Continuing Education Liaison	Scott Bautch, James Damrow, Bryan Gerondale <i>(Rotate CE Approvals to D.C. Members)</i>
Monitoring Liaison	James Damrow <i>Alternate: Carl Kugler</i>
Professional Assistance Procedure (PAP) Liaison	<i>Alternate: Carl Kugler</i>
Legislative Liaison	Bryan Gerondale <i>Alternate: James Damrow</i>
Travel Liaison	James Damrow <i>Alternate: Carl Kugler</i>
Rules Liaison	Scott Bautch <i>Alternate: Bryan Gerondale</i>
Preceptor Liaison	Scott Bautch <i>Alternate: James Damrow</i>
SCREENING PANEL APPOINTMENTS	
Screening Panel	Bryan Gerondale, Carl Kugler <i>Alternate: Scott Bautch</i>


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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Jameson Whitney, Board Counsel		2) Date When Request Submitted: 10/18/2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Chiropractic Examining Board			
4) Meeting Date: 10/28/2021	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Board Member Training: Board Member Communications, Quorums, and Open Meetings Law	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Board Legal Counsel will go over the topic of communications regarding Board business, meeting quorums (including walking quorums and negative quorums), and open meetings law as it affects Board members, for the purposes of training new board members and providing an update for experienced board members.			
11) Signature of person making this request Jameson Whitney	Authorization	Date 10/18/21	
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.			

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Nilajah Hardin Administrative Rules Coordinator		2) Date when request submitted: 10/15/21 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Chiropractic Examining Board			
4) Meeting Date: 10/28/21	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Pending or Possible Rulemaking Project	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Attachment: Current Rule Projects Chart (Board Rule projects can be Viewed Here if Needed: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx)			
11) Authorization			
		10/15/21	
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.			

**Chiropractic Examining Board
Rule Projects (updated 10/15/21)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Current Stage	Next Step
20-085	022-20	10/20/2022	Chir 4	Chiropractic Practice	Final Rule Draft Submitted to the Governor's Office for Approval on 02/03/21	Submission to the Legislature for Standing Committee Review after Governor Approves
21-065	006-20	09/02/2022	Chir 5	Continuing Education	Public Hearing Held at 10/28/21 Meeting	Finalize Rule Draft and Legislative Report for Submission to the Governor's Office for Approval
20-084	078-19	02/19/2022	Chir 10	Requirements for Certification of and Delegation to CTs and CRTs	Rule Effective on 10/01/21	N/A
19-100	061-17	N/A	Chir 12	Nutritional Counseling Certification	Legislative Review: JCRAR Objected to Rule and Introduced Legislation (2021 AB 11 and 2021 SB 32)	Whether Rule would Become Effective Depends on if New Legislation based on JCRAR Objection Passes