



---

**VIRTUAL/TELECONFERENCE  
CHIROPRACTIC EXAMINING BOARD  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Valerie Payne (608) 266-2112  
April 1, 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 (1-3)**
- B. Approval of Minutes of January 28, 2021 (4-11)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements and Recognition
- E. Administrative Matters – Discussion and Consideration**
  - 1) Department, Staff, and Board Updates
  - 2) Board Members – Term Expiration Dates
- F. Legislation and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (12-35)**
  - 1) Adoption Order – CR 20-037 – Chir 3, Relating to Reciprocal Credentials for Service Members, Former Service Members, and Their Spouses
  - 2) Preliminary Rule Draft – Chir 5 – Continuing Education
  - 3) Pending and Possible Rulemaking Projects
- H. Education and Examination Matters – Discussion and Consideration**
  - 1) Review of CT/CRT Course Denial – Life University (**36-58**)
- I. Public Agenda Request – Discussion and Consideration (59)**
  - 1) Continuing Education Requirements
  - 2) Approval of Nutritional Counseling Education Programs – Fourth Module
- J. COVID-19 – Discussion and Consideration**
- K. 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

L. 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.).**

**M. Deliberation on DLSC Matters**

- 1) **Case Closings**
  - a. 20 CHI 022 – H.G. **(60-72)**

N. 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

O. Consulting with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

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

Q. Open Session Items Noticed Above Not Completed in the Initial Open Session

R. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

**ADJOURNMENT**

**NEXT MEETING: JUNE 24, 2021**

\*\*\*\*\*  
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  
JANUARY 28, 2021**

**PRESENT:** Scott Bautch, James Damrow, Bryan Gerondale, Kathleen Hendrickson, Carl Kugler  
(*excused at 12:10 p.m.*), Eugene Yellen-Shiring

**STAFF:** Valerie Payne, Executive Director; Yolanda McGowan, Legal Counsel; Dale Kleven,  
Administrative Rules Coordinator; Megan Glaeser, 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 six (6) board members present.

**ADOPTION OF AGENDA**

**MOTION:** Scott Bautch moved, seconded by Carl Kugler, to adopt the Agenda as published.  
Motion carried unanimously.

**APPROVAL OF MINUTES OF OCTOBER 29, 2020**

**MOTION:** Carl Kugler moved, seconded by James Damrow, to approve the Minutes of  
October 29, 2020 as published. Motion carried unanimously.

**INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION**

**Recognition of James Fortier, Public Member**

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

**PUBLIC HEARING: CR 20-084 – CHIR 10, COURSE OF STUDY FOR AND DELEGATION  
TO CHIROPRACTIC TECHNICIANS AND CHIROPRACTIC RADIOLOGICAL  
TECHNICIANS**

**MOTION:** Eugene Yellen-Shiring moved, seconded by James Damrow, to authorize the  
Chairperson to approve the Legislative Report and Draft for Clearinghouse Rule  
CR 20-084, relating to course of study for and delegation to chiropractic  
technicians and chiropractic radiological technicians, for submission to the  
Governor's Office and Legislature. Motion carried unanimously.

**PUBLIC HEARING: CR 20-085 – CHIR 4, CHIROPRACTIC PRACTICE**

**MOTION:** Scott Bautch moved, seconded by James Damrow, to authorize the Chairperson to  
approve the Legislative Report and Draft for Clearinghouse Rule CR 20-085,



relating to chiropractic practice, for submission to the Governor's Office and Legislature. Motion carried unanimously.

## ADMINISTRATIVE MATTERS

### Election of Officers

#### *Chairperson*

**NOMINATION:** Scott Bautch nominated Bryan Gerondale for the Office of Chairperson.

Valerie Payne, Executive Director, called for nominations three (3) times.

Bryan Gerondale was elected as Chairperson by unanimous voice vote.

#### *Vice Chairperson*

**NOMINATION:** Bryan Gerondale nominated James Damrow for the Office of Vice Chairperson.

Valerie Payne, Executive Director, called for nominations three (3) times.

James Damrow was elected as Vice Chairperson by unanimous voice vote.

#### *Secretary*

**NOMINATION:** James Damrow nominated Scott Bautch for the Office of Secretary.

Valerie Payne, Executive Director, called for nominations three (3) times.

Scott Bautch was elected as Secretary by unanimous voice vote.

ELECTION RESULTS	
<b>Chairperson</b>	Bryan Gerondale
<b>Vice Chairperson</b>	James Damrow
<b>Secretary</b>	Scott Bautch

### Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
<b>Credentialing Liaison</b>	Scott Bautch <i>Alternate: James Damrow</i>
<b>Exams, Education and Continuing Education Liaison</b>	Scott Bautch, James Damrow, Bryan Gerondale

	<i>(Rotate CE Approvals to D.C. Members)</i>
<b>Monitoring Liaison</b>	James Damrow <i>Alternate: Carl Kugler</i>
<b>Professional Assistance Procedure (PAP) Liaison</b>	Kathleen Hendrickson <i>Alternate: Carl Kugler</i>
<b>Legislative Liaison</b>	Bryan Gerondale <i>Alternate: James Damrow</i>
<b>Travel Liaison</b>	James Damrow <i>Alternate: Carl Kugler</i>
<b>Rules Liaison</b>	Scott Bautch <i>Alternate: Bryan Gerondale</i>
<b>Preceptor Liaison</b>	Eugene Yellen Shiring <i>Alternate: Scott Bautch</i>
<b>SCREENING PANEL APPOINTMENTS</b>	
<b>Screening Panel</b>	Bryan Gerondale, Carl Kugler, Eugene Yellen-Shiring <i>Alternate: Scott Bautch</i>

**Delegation of Authorities**

***Document Signature Delegations***

**MOTION:** Scott Bautch moved, seconded by James Damrow, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

**MOTION:** Scott Bautch moved, seconded by James Damrow, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

***Delegated Authority for Urgent Matters***

**MOTION:** Scott Bautch moved, seconded by Eugene Yellen-Shiring, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-

ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

### ***Delegation to Chief Legal Counsel Due to Loss of Quorum***

**MOTION:** Scott Bautch moved, seconded by James Damrow, to delegate the review and authority to act on disciplinary cases to the Department’s Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. The Department’s Chief Legal Counsel shall confer with the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) prior to taking action pursuant to this delegation. Motion carried unanimously.

### ***Monitoring Delegations***

#### **Delegation of Authorities for Monitoring**

**MOTION:** Eugene Yellen-Shiring moved, seconded by James Damrow, to adopt the “Roles and Authorities Delegated for Monitoring” document as presented in the January 28, 2021 agenda materials on pages 37-38. Motion carried unanimously.

#### **Delegation of Authorities for Legal Counsel to Sign Monitoring Orders**

**MOTION:** James Damrow moved, seconded by Scott Bautch, to delegate to Board Legal Counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Board Chairperson. Motion carried unanimously.

### ***Credentialing Authority Delegations***

#### **Delegation of Authority to Credentialing Liaison (Denial Decisions)**

**MOTION:** Scott Bautch moved, seconded by Eugene Yellen-Shiring, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications, except that potential denial decisions shall be referred to the full Board for final determination. Motion carried unanimously.

#### **Delegation of Authority to DSPS When Credentialing Criteria is Met**

**MOTION:** James Damrow moved, seconded by Scott Bautch, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

#### **Delegated Authority for Application Denial Reviews**

**MOTION:** Eugene Yellen-Shiring moved, seconded by Scott Bautch, to delegate authority to the Department's Attorney Supervisors to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

**Delegation of Authority for Predetermination Reviews**

**MOTION:** Scott Bautch moved, seconded by Eugene Yellen-Shiring, to delegate authority to the Department Attorneys to make not disqualified decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

**Delegation of Authority for Conviction Reviews**

**MOTION:** Scott Bautch moved, seconded by James Damrow, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of chiropractic. Motion carried unanimously.

**Delegation to DSPS When Applicant's History Has Been Previously Reviewed**

**MOTION:** James Damrow moved, seconded by Scott Bautch, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous chiropractic credential and there is no new conviction record. Motion carried unanimously.

***Pre-Screening Delegation to Open Cases***

**MOTION:** Scott Bautch moved, seconded by James Damrow, to delegate pre-screening decision making authority to the Department screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

***Pre-Screening Delegation to Close Cases***

**MOTION:** Scott Bautch moved, seconded by Eugene Yellen-Shiring, to delegate pre-screening decision making authority to the Department screening attorney for closing cases as outlined below:

1. Complaints that even if allegations are true, do not amount to a violation of law or rules.

Motion carried unanimously.

### ***Voluntary Surrenders***

**MOTION:** James Damrow moved, seconded by Scott Bautch, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

### ***Exams, Education and Continuing Education Liaison(s) Delegation***

**MOTION:** Scott Bautch moved, seconded by James Damrow, to delegate authority to the Education, Continuing Education and/or Examination Liaison(s) to address all issues related to education, continuing education, and examinations. Denial decisions or partial denial decisions may be appealed to the full Board. Motion carried unanimously.

### ***Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies***

**MOTION:** Scott Bautch moved, seconded by Bryan Gerondale, to authorize the Department staff to provide national regulatory related bodies with all board member contact information that the Department retains on file. Motion carried unanimously.

### ***Optional Renewal Notice Insert Delegation***

**MOTION:** Scott Bautch moved, seconded by Bryan Gerondale to decline the request to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

### ***Legislative Liaison(s) Delegation***

**MOTION:** Scott Bautch moved, seconded by Eugene Yellen-Shiring, to decline the request to grant authority to the Legislative Liaison(s) to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

### ***Travel Liaison(s) Delegation***

**MOTION:** James Damrow moved, seconded by Eugene Yellen-Shiring, to delegate authority to the Travel Liaison(s) to designate delegate(s) and approve any board member travel. Motion carried unanimously.

*(Carl Kugler was excused at 12:10 p.m.)*

## CBD OIL

**MOTION:** Scott Bautch moved, seconded by Bryan Gerondale, to state the Chiropractic Examining Board's position on the use of hemp and products containing hemp, as follows: "Pursuant to the provisions of Wis. Stat. § 452.01(2)(a), Chiropractors are permitted to use or sell hemp or products containing hemp as defined under s. 94.55(1) of the Statutes in the practice of chiropractic". Motion failed.

**MOTION:** Scott Bautch moved, seconded by Bryan Gerondale, to affirm the Chiropractic Examining Board's position that there are no provisions in Chapter 446 of the Wisconsin Statutes or ch. Chir of the Wisconsin Administrative Code, that prohibit Chiropractors from using or selling products containing hemp (as defined under s. 94.55(1) of the Statutes) in the practice of chiropractic. Motion rescinded.

**MOTION:** Scott Bautch moved, seconded by James Damrow, to state the Chiropractic Examining Board's position on the use of hemp and products containing hemp, as follows:

"Pursuant to the provisions of Wis. Stat. § 452.01(2)(a), Chiropractors are permitted to use or sell hemp or products containing hemp as defined under s. 94.55(1) of the Statutes in the practice of chiropractic. Hemp is defined in s. 94.55(1) of the statutes as follows:

**94.55 Hemp.**

(1) Definition. In this section, "hemp" means the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9-tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis or the maximum concentration allowed under federal law up to 1 percent, whichever is greater, as tested using post-decarboxylation or other similarly reliable methods. "Hemp" does not include a prescription drug product that has been approved by the U.S. Food and Drug Administration.

**Note:** Not all CBD oils may fit within the statutory definition of "hemp," so chiropractors will want to use caution in what products they use or sell to ensure that they do not violate civil, criminal or administrative laws.

Motion carried unanimously.

## CLOSED SESSION

**MOTION:** James Damrow moved, seconded by Scott Bautch, to convene to Closed Session to deliberate on cases following hearing (§ 19.85(1)(a), Stats.); to consider licensure or certification of individuals (§ 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (§§ 19.85(1)(b), and § 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85(1)(f), Stats.); and to confer with legal counsel (§ 19.85(1)(g), Stats.). Bryan Gerondale, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Scott Bautch-yes; James Damrow-yes; Bryan Gerondale-yes; Kathleen Hendrickson-yes; and Eugene Yellen-Shiring-yes. Motion carried unanimously.

The Board convened into Closed Session at 3:22 p.m.

## DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

### Stipulations, Final Decisions and Orders

#### *17 CHI 027 – Chad A. Schleiger, D.C.*

**MOTION:** Scott Bautch moved, seconded by Eugene Yellen-Shiring, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Chad A. Schleiger, D.C., DLSC Case Number 17 CHI 027. Motion carried unanimously.

### Case Closings

#### *18 CHI 013, 18 CHI 023, 18 CHI 024 – T.C.S.*

**MOTION:** Scott Bautch moved, seconded by Eugene Yellen-Shiring, to close DLSC Case Number 18 CHI 013, 18 CHI 023, 18 CHI 024, against T.C.S., for No Violation. Motion carried unanimously.

#### **RECONVENE TO OPEN SESSION**

**MOTION:** James Damrow moved, seconded by Scott Bautch, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 3:30 p.m.

#### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE**

**MOTION:** Scott Bautch moved, seconded by Eugene Yellen-Shiring, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)*

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

The meeting adjourned at 3:33 p.m.

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

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  Dale Kleven Administrative Rules Coordinator		<b>2) Date When Request Submitted:</b>  3/22/21 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
<b>3) Name of Board, Committee, Council, Sections:</b> Chiropractic Examining Board			
<b>4) Meeting Date:</b>  4/1/21	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Administrative Rule Matters – Discussion and Consideration 1. Adoption Order – CR 20-037 – Chir 3, Relating to Reciprocal Credentials for Service Members, Former Service Members, and Their Spouses 2. Preliminary Rule Draft – Chir 5 – Continuing Education 3. Pending or Possible Rulemaking Projects	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled?</b> <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>	
<b>10) Describe the issue and action that should be addressed:</b>  			
<b>11)</b> <i>Dale Kleven</i>		Authorization  <i>March 22, 2021</i>	
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	
<b>Directions for including supporting documents:</b> 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	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	CHIROPRACTIC EXAMINING
CHIROPRACTIC EXAMINING	:	BOARD
BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 20-037)

---

ORDER

An order of the Chiropractic Examining Board to create Chir 3.025, relating to reciprocal credentials for service members, former service members, and their spouses.

Analysis prepared by the Department of Safety and Professional Services.

---

ANALYSIS

**Statutes interpreted:**

Section 440.09, Stats.

**Statutory authority:**

Sections 15.08 (5) (b) and 440.09 (5), Stats.

**Explanation of agency authority:**

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 440.09 (5), Stats., provides that “[t]he department or credentialing board, as appropriate, may promulgate rules necessary to implement this section.”

**Related statute or rule:**

Section 440.09, Stats., specifies the requirements for issuing reciprocal credentials to service members, former service members, and the spouses of service members and former service members.

**Plain language analysis:**

The rule creates a provision to implement s. 440.09, Stats., as amended by 2019 Wisconsin Act 143. Section 440.09, Stats., specifies the requirements for issuing reciprocal credentials to service members, former service members, and the spouses of service members and former service members.

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

None.

## **Comparison with rules in adjacent states:**

### **Illinois:**

The Illinois Statutes provide for the expedited licensure of service members and their spouses (20 ILCS 5/5-715). “Service member” includes a person whose active duty service concluded within the 2 years preceding application for licensure. A license issued to a service member or the spouse of a service member may be renewed.

### **Iowa:**

Rules of the Professional Licensure Division of the Iowa Department of Public Health provide for the expedited reciprocal licensure of a veteran or a spouse of an active duty service member (645 IAC 645.20.3). A reciprocal license issued to a veteran or a spouse of an active duty service member may be renewed.

### **Michigan:**

The Michigan Statutes provide for temporary licensure of the spouse of an active duty service member (MCL 339.213). A temporary license is valid for 6 months and may be renewed for one additional 6-month term if it is determined the licensee continues to meet the requirements for temporary licensure and needs additional time to fulfill the requirements for initial licensure.

### **Minnesota:**

The Minnesota Statutes provide for temporary licensure of an individual who is an active duty military member, the spouse of an active duty military member, or a veteran who has left service in the 2 years preceding the date of license application (2019 Minnesota Statutes, Section 197.4552). A temporary license allows a qualified individual to perform regulated professional services for a limited length of time as determined by the applicable licensing board. During the temporary license period, the individual must complete the full application procedure as required by applicable law.

## **Summary of factual data and analytical methodologies:**

The rules were developed by reviewing the provisions of s. 440.09, Stats., as amended by 2019 Wisconsin Act 143, and obtaining input and feedback from the Chiropractic Examining Board.

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

The rules were posted for a period of 14 days to solicit public comment on economic impact, including how the rules may affect businesses, local government units, and individuals. No comments were received.

## **Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis document is attached.

**Effect on small business:**

These 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:**

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8306; telephone 608-261-4472; email at DSPSAdminRules@wisconsin.gov.

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received at or before the public hearing to be held at 8:30 a.m. on October 29, 2020, to be included in the record of rule-making proceedings.

---

TEXT OF RULE

SECTION 1. Chir 3.025 is created to read:

**Chir 3.025 Reciprocal credentials for service members, former service members, and their spouses.** A reciprocal license to practice chiropractic shall be granted to a service member, former service member, or the spouse of a service member or former service member who the board determines meets all of the requirements under s. 440.09 (2), Stats. Subject to s. 440.09 (2m), Stats., the board may request verification necessary to make a determination under this section.

SECTION 2. 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)

---

Dated \_\_\_\_\_

Agency \_\_\_\_\_

Chairperson  
Chiropractic Examining Board

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<p>1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original   <input type="checkbox"/> Updated   <input type="checkbox"/> Corrected</p>	<p>2. Date August 31, 2020</p>
<p>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Chir 3</p>	
<p>4. Subject Reciprocal credentials for service members, former service members, and their spouses</p>	
<p>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</p>	<p>6. Chapter 20, Stats. Appropriations Affected 20.165 (1) (g)</p>
<p>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</p>	
<p>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 <b>(if checked, complete Attachment A)</b></p>	
<p>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0</p>	
<p>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</p>	
<p>11. Policy Problem Addressed by the Rule The proposed rule creates a provision to implement s. 440.09, Stats., as created by 2019 Wisconsin Act 143. Section 440.09, Stats., specifies the requirements for issuing reciprocal credentials to service members, former service members, and the spouses of service members and former service members.</p>	
<p>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 proposed rule was posted on the Department of Safety and Professional Services' website for 14 days in order to solicit comments from businesses, representative associations, local governmental units, and individuals that may be affected by the rule. No comments were received.</p>	
<p>13. Identify the Local Governmental Units that Participated in the Development of this EIA. No local governmental units participated in the development of this EIA.</p>	
<p>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) The proposed rule will not have a significant impact on specific businesses, business sectors, public utility rate payers, local governmental units, or the state's economy as a whole. The Department estimates one-time administrative costs of \$375.78. These costs may be absorbed in the agency budget.</p>	
<p>15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule The benefit to implementing the rule is reflecting s. 440.09, Stats., as created by 2019 Wisconsin Act 143. If the rule is not implemented, it will not reflect current requirements for issuing reciprocal credentials to service members, former service members, and the spouses of service members and former service members.</p>	
<p>16. Long Range Implications of Implementing the Rule The long range implication of implementing the rule is reflecting the requirements for issuing reciprocal credentials to service members, former service members, and the spouses of service members and former service members.</p>	

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

---

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:

The Illinois Statutes provide for the expedited licensure of service members and their spouses (20 ILCS 5/5-715). "Service member" includes a person whose active duty service concluded within the 2 years preceding application for licensure. A license issued to a service member or the spouse of a service member may be renewed.

Iowa:

Rules of the Professional Licensure Division of the Iowa Department of Public Health provide for the expedited reciprocal licensure of a veteran or a spouse of an active duty service member (645 IAC 645.20.3). A reciprocal license issued to a veteran or a spouse of an active duty service member may be renewed.

Michigan:

The Michigan Statutes provide for temporary licensure of the spouse of an active duty service member (MCL 339.213). A temporary license is valid for 6 months and may be renewed for one additional 6-month term if it is determined the licensee continues to meet the requirements for temporary licensure and needs additional time to fulfill the requirements for initial licensure.

Minnesota:

The Minnesota Statutes provide for temporary licensure of an individual who is an active duty military member, the spouse of an active duty military member, or a veteran who has left service in the 2 years preceding the date of license application (2019 Minnesota Statutes, Section 197.4552). A temporary license allows a qualified individual to perform regulated professional services for a limited length of time as determined by the applicable licensing board. During the temporary license period, the individual must complete the full application procedure as required by applicable law.

---

19. Contact Name

Dale Kleven

20. Contact Phone Number

(608) 261-4472

---

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
-

**Note:** Changes to the version of this document reviewed by the Board at its January 28, 2021 meeting have been highlighted for the Board's reference

## Chapter Chir 5 CONTINUING EDUCATION

### Chir 5.01 Continuing education requirements for credential renewal.

**(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).
- (b) Continuing education requirements for license renewal apply to the first full 2-year period in which a chiropractor is licensed.
- (c) The board may grant a waiver, partial waiver, or postponement of the continuing education requirements in cases of hardship.
- (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.
- ~~(g) Beginning with the license registration period ending on December 15, 2024, up to~~ 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 and values. 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.~~

**(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.
- (b) The board may grant a waiver, partial waiver, or postponement of the continuing education requirements in cases of hardship.
- ~~(c) Beginning with the certificate registration period ending on December 15, 2024, up to~~ 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.

**(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.

**Note:** Changes to the version of this document reviewed by the Board at its January 28, 2021 meeting have been highlighted for the Board's reference

- (b) The board may grant a waiver, partial waiver, or postponement of the continuing education requirements in cases of hardship.
- (c) ~~Beginning with the certificate registration period ending on December 15, 2024, up to~~ 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.
- (2) Continuing education credit hours may apply only to the 2-year license period in which the credit hours are acquired, unless either of the following applies:
  - (a) The continuing education credit hours required of a particular chiropractor, chiropractic radiological technician, or chiropractic technician as a consequence of a disciplinary proceeding, informal settlement conference, or resolution of an investigation into the conduct or competence of the chiropractor, chiropractic radiological technician, or chiropractic technician may not be counted towards the fulfillment of generally applicable continuing education requirements.
  - (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.~~
  - (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.
  - (6) ~~Except as provided under subs. (1) (g), (1g) (c), and (1r) (c), credit may only be claimed for completing a program in which an instructor employs an in-person, classroom-type presentation and the chiropractor, chiropractic radiological technician, or chiropractic technician is in attendance in the same room as the instructor. A home study or other distance learning program may be approved for credit only in cases of extreme hardship, as determined by the board.~~

#### **Chir 5.02 Approval of continuing education programs.**

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



**Note:** Changes to the version of this document reviewed by the Board at its January 28, 2021 meeting have been highlighted for the Board's reference

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.
- (b) ~~Chiropractors. 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 and values. ~~The board will not approve credit for continuing education regarding a technique or practice which the board has determined to be unsafe or ineffective.~~
- (bm) ~~Chiropractic radiological technician and chiropractic technician. 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. This paragraph does not apply to an online continuing education program.
- (cm) For an online continuing education program, the program meets all of the following requirements:
1. The program requires two-way real-time 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.
- (d) A program sponsor shall not assign or delegate its responsibilities to monitor or record attendance, provide evidence of attendance, validate course content, or provide information on instructors or other aspects of the program unless the assignment or delegation is specifically identified in the application for approval and approved by the board.
- (e) The program sponsor has reviewed and validated the program's course content to ensure its compliance with pars. (b) and (bm).
- (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.
- (g) The program offers significant professional educational benefit for participants, as determined by the board.
- (h) ~~The~~ A course instructor ~~is qualified to present of the program has qualifications appropriate for presenting~~ the course.
- (1m) The board shall approve a continuing education program that is approved under s. 46.03 (38), Stats., to provide instruction in the use of an automated external defibrillator. Subsections (1) to (4) and (6) do not apply to programs approved under this section.

**Note:** Changes to the version of this document reviewed by the Board at its January 28, 2021 meeting have been highlighted for the Board's reference

- (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.
- (am)** Continuing education programs may include subject material other than that which relates to improving the clinical skills of a chiropractic radiological technician or chiropractic technician. However, only the parts of the program which relate to improving the clinical skills of a chiropractic radiological technician or chiropractic technician, as applicable, are eligible for credit.
- (b)** Any presentation, program content, materials or displays for the advertising, promotion, sale or marketing of equipment, devices, instruments or other material of any kind or purpose shall be kept separate from the program content and presentation for which approval is applied and granted.
- (c)** Programs shall be approved for one hour of continuing education for every 50 minutes of instruction.

~~**(3)** Home study programs may be approved for credit only in cases of extreme hardship, as determined by the board.~~

~~**(4) (a)** An application for approval of a continuing education program shall:~~

~~1. Be on a form provided by the board.~~

~~**Note:** Application forms are available on request from the Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.~~

~~2. Identify the name and address of the program sponsor and describe how the program sponsor qualifies under this section.~~

~~3. Describe the time and place of the program.~~

~~4. Be complete as prescribed in this subsection and filed with the board no later than 75 days prior to the program date. An application is not considered complete until such time as all information required to be submitted with the application, and any supplementary information requested by the board, is received by the board.~~

~~5. Include evidence of the program sponsor's verification showing to the satisfaction of the board that the subject matter is generally taught at the undergraduate or postgraduate level of a chiropractic college meeting the requirements of s. Chir 2.02 (6) (b) and relates to improving the clinical skills of a chiropractor. 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 shall be attached to the application.~~

~~5m. Include evidence of the program sponsor's verification showing to the satisfaction of the board that the subject matter relates to improving the clinical skills of a chiropractic radiological technician or a chiropractic technician, as applicable. 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 shall be attached to the application.~~

~~6. Describe the names and qualifications of all instructors, and 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 (CCE) or by an agency approved by the United States Office of Education or its successor.~~

~~7. Identify whether the program sponsor intends to assign or delegate any of its responsibilities to another person or entity, and if so, include each of the following:~~

~~a. A specific description of the assignment or delegation.~~

~~b. The person or entity who is assigned or delegated to perform the responsibility, including name, address and qualification to perform the responsibility.~~

~~c. The method by which the program sponsor intends to assure that the delegated or assigned responsibility is performed.~~

**Note:** Changes to the version of this document reviewed by the Board at its January 28, 2021 meeting have been highlighted for the Board's reference

- ~~(b) If necessary in order to determine whether an applicant meets the requirements of this chapter, the board may require that the applicant submit information in addition to that described in this section.~~
- (5) Continuing education credit may not be awarded for meals or break periods.
- (6) The sponsor of an approved program shall ensure that the program is carried out and presented as represented to and approved by the board, and that all responsibilities of the program sponsor, an instructor, and any person or entity delegated or assigned a responsibility relating to a program approved by the board are fulfilled.

~~**Note:** Continuing education approval request forms are available upon request from the Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.~~

**Chir 5.03— Application denials.** The board may deny approval of an application for any of the following reasons:

- ~~(1) The program or program sponsor does not meet requirements established in this chapter.~~
- ~~(2) 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.~~
- ~~(3) The board determines that the program sponsor has not provided adequate assurance that responsibilities delegated or assigned to others will be satisfactorily performed.~~
- ~~(4) 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.~~
- ~~(5) 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.~~

**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 [dps.wi.gov](http://dps.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.

**Note:** Changes to the version of this document reviewed by the Board at its January 28, 2021 meeting have been highlighted for the Board's reference

- (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 **one of the following applies:**
  - ~~(a) The the~~ board determines the program and program sponsor **materially** meet **all of** the requirements under this chapter.
  - ~~(b) The board determines the application meets the requirements under sub. (2) and all of the following apply:~~
    - 1. The program is sponsored as required under s. Chir 5.02 (1) (a).**
    - 2. The program sponsor had a minimum of 20 continuing education programs approved for the previous 2 year registration period.**
    - 3. A board review of a random selection of 20 percent of the program sponsor's continuing education programs approved for the previous 2 year registration period found that all of the selected programs 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).**
- (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.**

**Note:** Changes to the version of this document reviewed by the Board at its January 28, 2021 meeting have been highlighted for the Board's reference

**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.

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:**

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8306; telephone 608-261-4472; 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 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~~ 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](http://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)  
-----

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

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: Pete Schramm, Licensing Examination Specialist		2) Date when request submitted: 3/22/2021 <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: 4/1/2021	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Review of CT/CRT Course Denial – Life University	
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 <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Request for Full Board Review of a course denial for CT/CRT credit for a Life University program  Reason stated by liaison for course denial: It is not approved for CT and CRT. A review of Chir 5.02 (1) (bm) states: <b>(bm) Chiropractic radiological technician and chiropractic technician.</b> The program subject matter relates to improving the clinical skills of a chiropractic radiological technician or chiropractic technician, as applicable. Though this information may useful personally for a CT or CRT, it does not advance their clinical skills in any way in terms of adjunctive services that a CT or CRT is allowed to provide under Wisconsin law.			
11) <b>Authorization</b>			
Peter Schramm		3/22/2021	
<b>Signature of person making this request</b>		<b>Date</b>	
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.			



# Wisconsin Department of Safety and Professional Services

Mail To: P.O. Box 8935  
Madison, WI 53708-8935  
FAX #: (608) 251-3018  
Phone #: (608) 266-2112

1400 E. Washington Avenue  
Madison, WI 53703  
E-Mail: web@dps.wi.gov  
Website: http://dps.wi.gov

## CHIROPRACTOR/CHIROPRACTIC RADIOLOGICAL TECHNICIAN/CHIROPRACTIC TECHNICIAN CONTINUING EDUCATION APPROVAL FORM

Return as a Word attachment to Peter Schramm at [Peter.Schramm@Wisconsin.gov](mailto:Peter.Schramm@Wisconsin.gov), at least 75 days prior to initial course date.

### Area of Continuing Education:

(Check one or all that apply)

Chiropractor

Chiropractic Technician (CT)

Chiropractic Radiological Technician (CRT)

Course Title: Vaxcon '21

Course Sponsor Name: LIFE Univeristy

Total CE Hours Requested: 12

Does Course Sponsor meet the requirements under Chir 5.02(1)(a)?  Yes  No

Contact Information for Course Sponsor: LIFE University

Name, Address, Phone, Email Kathy Stavovy-Bannister, Director Postgraduate Education, Life University  
1269 Barclay Circle Marietta GA 30060  
kstavovy@life.edu

### Course Objectives/Outcomes (provide on additional sheet of paper if needed):

1. Provide clarity as to how to move forward with Vaccines with all the uncertainty
2. Provide our members with the most up to date information on Vaccines
- 3.

Initial Course Date(s) and Location(s): April 17-18, 2021 / Chula Vista, Wis. Dells, WI

*\*PLEASE NOTE\*: Additional dates and/or locations may be offered within the biennium without submitting requests for further approval as long as the original approved course content is offered by the approved instructor; however, if course content and/or instructor change, you must submit a new request for approval, at least 75-days in advance.*

If the program sponsor is delegating any responsibilities of this seminar, please complete information below:

Name of Delegated Entity/Person: \_\_\_\_\_

Specific personnel responsible:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Qualifications: \_\_\_\_\_

(Attach CV/Bio if available)

- If a written contract exists between sponsor and delegated entity, please attach a copy to this form.
- Regardless of whether a written contract exists, please provide specific detail of how sponsor will ensure that delegated duties are in compliance with Chir 5.02 requirements.

The Delegate will perform the following: (check all that apply)

- Monitor and verify attendance
- Provide monitoring and attendance evidence to Sponsor for proper record retention
- Validate course content
- Provide instructor information

**Method of monitoring attendance:**     Sponsor Monitored     Delegated Monitoring

**Nutritional Counseling Credit Consideration?**     Yes, for \_\_\_# of hours     XNo \_\_\_

**You must also submit the following via E-mail:**

1. Condensed instructor's qualifications of no more than two (2) pages indicating the areas of expertise related to the specific areas of instruction per this seminar request (CV may be sent as a PDF)
2. A clear, hourly breakdown of the proposed sessions (breakdown may be sent as a PDF).

---

**For Department Use Only**

\_\_\_ Course approved for \_\_\_ number of hours; including \_\_\_ hours of nutritional counseling

\_\_\_ Course(s) not approved because:

\_\_\_ Course does not meet the 75-day rule    \_\_\_ Content does not pertain to Wisconsin Clinical Practice

\_\_\_ Other: \_\_\_\_\_

**Reviewed by:** \_\_\_\_\_    **Date:** \_\_\_\_\_

#2986 (10/15)

**Committed to Equal Opportunity in Employment and Licensing**



January 27, 2021

Dear State Board of Chiropractic Examiners:

Life University Postgraduate Department respectfully submits the following program, "Vax-Con '21" for continuing education credit.

Seminar Name	Date(s)	Total CE Hours
Vax-Con '21	April 17-18, 2021	12

Life University Postgraduate Department accepts this program as viable postgraduate materials. Attendance at our seminars is closely monitored and the following attendance verification methods are utilized: photo identification for attendees entering and exiting the educational room, sign in/out sheets, attendance verification forms, and visual monitoring.

Dr. Judy Mikovits, Dr. Vickey Pebsworth, Dr. James Neuenschwander and Dr. Alan Palmer are Life University Postgraduate Faculty Member for the 2021 seminar year and a recognized professional in the field.

The Doctor of Chiropractic degree program of Life University College of Chiropractic is accredited by the Commission on Accreditation of the Council on Chiropractic Education, 8049 N. 85th Way, Scottsdale, AZ 85258. Tel: 480-443-8877.

If any further information is needed, please feel free to contact this office at 770-426-2753.

Sincerely,

*Kathy Stavovy-Bannister*

Kathy Stavovy-Bannister  
Director of Postgraduate Programs  
Life University

### Professional Experience: (Cont.)

Department of Defense, Washington, DC (August 2007 – October 2009). Research Proposal Reviewer (consumer representative) for 2007 and 2008 Congressionally Directed Medical Research Programs (CDMRP) Autism Spectrum Disorder Research Program. Responsibilities included: review and presentation of proposals from consumer prospective for Concept Award and Idea Development Award Programs.

Michigan Health and Safety Coalition, Detroit, Michigan (June 2000 – October 2008). Policy Analyst and Technical Research Consultant to Coalition and Michigan State Commission on Patient Safety. Responsibilities include: Developing policy options related to coverage of uninsured adults. Previous work involved developing a statewide patient safety center and system for reporting errors and near miss data, addressing the effect of workforce shortages on safety and addressing knowledge gaps through licensure and regulatory mechanisms, developing evidence and consensus-based hospital referral guidelines, conducting a survey of Michigan hospitals, and developing guideline implementation strategies.

National Institutes of Health, Interagency Autism Coordinating Committee, Washington, DC (January 2008). Participant (consumer representative) in Scientific Workshop on Diagnosis Research Priorities. Responsibilities included: review of public comments, development of topic areas of strategic interest, development of research priorities related to diagnosis of autism and co-morbid conditions.

Autism Speaks, New York City, NY (November 2007). Grant Proposal Reviewer, Family Services Community Grants.

University of Michigan, Ann Arbor, Michigan (January 2002 – April 2004). Assistant Professor, Division of Nursing Business and Healthcare Systems, School of Nursing. Responsibilities included: teaching, research and service primarily for graduate students. Teaching assignments included: N879, Outcomes Research; N664, Nursing and Healthcare Policy; N659, Systems Assessment and Strategic Planning. Research topics included: Utilization Patterns, Co-morbidities, and Potential Risk Factors among Children with Autism Spectrum Disorders; Nurse Staffing and Avoidable Adverse Outcomes among Hospitalized Patients: Comprehensive Review of Literature and Development of Web-based Resources; and Comprehensive Review of the Nursing, Medical, and Health Services Autism Literature. Served on multiple faculty committees.

University of Detroit Mercy, Detroit, Michigan (January 1996 – January 2002). Associate Professor and Director of Health Systems Management Program, College of Health Professions, McAuley School of Nursing (September 2000-January 2002), Adjunct Assistant Professor/Clinical Instructor (1996-2002). Responsibilities included: teaching, research and service primarily for graduate students and management of a Health Resources and Services Administration (HRSA) grant, Bureau of Health Professions, Advanced Education Program including developing curriculum and courses, hiring faculty and staff, recruiting and mentoring students, managing budgets, developing program outcome measures, and submitting periodic reports to HRSA. Teaching assignments included: NUR 630, Leadership and Management for Nurse Practitioners; NUR 530, Nursing and Health System Informatics; NUR 514, Strategic Leadership in Health Systems Management; and NUR 480, Nursing Leadership and Management. Committee assignments include Steering Committee, Recruitment, Student Database Development, Graduate Operations, and Interdisciplinary Leadership meetings.

MPRO/NRSA Postdoctoral Research Fellow, Plymouth, Michigan (January 1999 - December 2000). Fellowship was funded by the Michigan Peer Review Organization (MPRO) and the Agency for Health Care Policy and Research, National Research Service Award (NRSA) Program. Responsibilities involved: (1) developing and pre-testing a method to assign relative work values to the Nursing Intervention Classification System and initial work to draft an RO1 proposal; (2) surveying Michigan hospitals regarding the processes of care involved in caring for persons experiencing acute myocardial infarction and congestive heart failure and associating processes of care data to performance rates for HCFA-designated quality of care indicators; and (3) assessing the ability to quantify and analyze computerized documentation of nursing process and outcomes.



11:00am – 12:00pm – **Part 2. COVID-19 Vaccine Regulatory Landscape**

1. Overview of Vaccine Policymaking Federal Agencies and Advisory Committees – will identify the four primary policymaking committees: 1) Food and Drug Administration (FDA) (VRBPAC - Vaccines and Related Biologics Products Advisory Committee), 2) the Centers for Disease Control and Prevention (CDC) - ACIP – Advisory Committee on Immunization Practices, 3) Health and Human Services (HHS) National Vaccine Program (NVP) - NVAC – National Vaccine Advisory Committee and 4) Health Resources and Services Administration (HRSA) - ACCV – Advisory Committee on Childhood Vaccinations. This section will also introduce programs managed by two or more federal agencies including the Vaccine Adverse Event Reporting System (VAERS) program as well as active and passive surveillance programs organized to monitor COVID-19 Vaccine safety including the new text message based V-SAFE program.
2. Vaccine Research Approval and Licensure Processes – will review the typical process including the following phases and advisory committee inputs: Pre-clinical, Phase 1, Phase 2, Phase 3, [VRBPAC – vote on safety and efficacy, FDA-approval/licensure, ACIP-vote on recommendation, CDC – add to National Schedule], and Phase 4 (Post-marketing surveillance). This process will be compared to the Emergency Use Authorization (EUA) process that has been used for COVID-19 vaccines. The processes and milestones for US authorized mRNA vaccines and, possibly, viral-vectored vaccines will be presented.
3. Post-marketing Surveillance and COVID-19 Vaccines – this section will present the strategies being used to monitor vaccine effectiveness and safety. Specific areas of theoretical concern will be identified including: vaccine enhanced disease, hypersensitivity, autoimmune disease, vaccine failures and deaths. Particular emphasis will be given to the VAERS database, an example of how to search the database will be provided and findings to-date presented. Findings to-date for non-VAERS safety monitoring systems will be presented.
4. Current and Emerging COVID-19 Vaccine Issues – this section will briefly identify a range of scientific, legal, and ethical issues that need to be monitored and includes the following topics: loss of clinical trial control groups and changes in RT-PCR testing standards and effect on monitoring effectiveness and safety; emergence of new COVID variants, vaccine cross-reactivity, modification of vaccine antigens and need for booster shots; introduction of new aborted fetal cell lines in vaccines and pro-life group concerns; informed consent challenges involving clinical trial exclusions, ability to consent, access to relevant information (EUA fact sheets, Vaccine Information Statements, and product inserts), compensation for injuries and deaths under the Countermeasures Injury Compensation Program (CICP); state and employer vaccination mandates; immunity passports for travel and participation in civil society; and duration of natural and vaccine-associated immunity and determining herd immunity

Mikovits, J. A., Raziuddin, Gonda, M., Ruta, M., Lohrey, N., Kung, H-F. and Ruscetti, F.: Negative regulation of HIV replication in monocytes: Distinctions between restricted and latent expression in THP-1 cells. *J. Exp. Med.* 171: 1705-1720, 1990.

Raziuddin, Mikovits, J., Clavert, I., Ghosh, S., Kung, H-F. and Ruscetti, F.: Negative regulation of HIV-1 expression in monocytes: Role of the 65+50 kD NF  $\kappa$ B heterotetramer. *Proc. Natl. Acad. Sci.* 88: 9426-9430, 1991.

Mikovits, J. A., Lohrey, N. C., Schuloff, R., Courtless, J. and Ruscetti, F. W.: Immune activation of HIV expression from latently infected monocytes from asymptomatic seropositive patients. *J. Clin. Invest.* 90: 1486-1491, 1992.

Hoffman, P. M., Dhib-Jalbut, S., Mikovits, J. A., Robbins, D. S., Wolf, A. L., Bergey, G. K., Lohrey, N., Weislow, O. S. and Ruscetti, F. W.: HTLV-1 infection of monocytes and microglial cells in primary human cultures. *Proc. Natl. Acad. Sci.* 89: 11784-11788, 1992.

West, M., Mikovits, J., Princler, G., Liu, Y-L., Ruscetti, F., Kung, H-F. and Raziuddin.: Characterization and purification of a novel transcriptional repressor from Hela cell nuclear extracts recognizing the negative regulatory element of HIV-1 long terminal repeat. *J. Biol. Chem.* 267: 24948-24952, 1993.

Li, C-C., Ruscetti, F., Rice, N., Chen, E., Mikovits, J., Yang, N-S. and Longo, D. L.: Differential expression of Rel family members in HTLV-1 infected cells: Transcriptional activation of c-rel by tax protein. *J. Virol.* 4205-4213, 1993.

Mikovits, J. A., Meyers, A. M., Ortaldo, J. R. and Ruscetti, F. W.: IL-4 and IL-13 have overlapping but distinct effects on HIV production in monocytes. *J. Leukocyte Biol.* 56: 340-346, 1994.

Mayers, D. L., Mikovits, J. A., Joshi, B., Hewlett, I. K., Pankaskie, M. C., Estrada, H. S., Wolfe, A. D., Garcia, G. E., Buyke, D. S., Gordon, R. K., Lane, J. R. and Chiang, P. K.: Novel anti-HIV-1 activities of 3-deaza adenosine analogs: Increased potency against AZT-resistant HIV-1 strains. *Proc. Natl. Acad. Sci.* 92: 215-219, 1995.

Derse, D., Mikovits, J., Polianova, M., Felber, B. K., and Ruscetti, F. W.: Virions released from cells transfected with a molecular clone of HTLV-1 give rise to primary and secondary infections of T-cells. *J. Virol.* 69: 1907-1912, 1995.

Fong, S. E., Pallansch, L. A., Mikovits, J. A., Lackman-Smith, C. S., Ruscetti, F. W. and Gonda, M. A.: cis-Acting regulatory elements in the bovine immunodeficiency virus long terminal repeat. *Virol.* 209: 604-614, 1995.

Rothblum, C. J., Jackman, J., Mikovits, J., Shukla, R. R., and Kumar, A.: Interaction of nuclear protein p140 with human immunodeficiency virus type I TAR RNA in mitogen-activated primary human T lymphocytes. *J. Virol.* 69: 5156-5163, 1995.

Ouaaz, F., Ruscetti, F., Dugas, B., Mikovits, J., Agut, H., Debré, P., and Mossalayi M. D.: Effects of IgE immune complexes in the regulation of HIV-1 replication and increased cell death of infected U1 monocytes: Involvement of CD23/Fc $\epsilon$ RII mediated nitric oxide and cyclic AMP pathways. *Mol. Medicine.* 2:1076-1551, 1996.

Mikovits, J. A., Hoffman, P. M., Rethwilm, A., and Ruscetti, F. W.: In vitro infection of primary and retrovirus-infected human leukocytes by human foamy virus. *J. Virol.* 70: 2774-2780, 1996.

Hoover, T., Mikovits, J., Court, D., Liu, Y. L., Kung, H. F., and Raziuddin: A Nuclear Matrix-specific Factor that Binds a Specific Segment of the Negative Regulatory Element (NRE) of HIV-1 LTR and Inhibits NF- $\kappa$ B Activity. *Nucleic Acids Res.* 24: 1895-1900, 1996.

Derse, D., Mikovits, J., Waters, D., Brining, S., and Ruscetti, F.: Examining the molecular genetics of HTLV-1 with an infectious molecular clone and permissive cell culture systems. *J. AIDS and Human Retrovirology.* 12: 1-5, 1996.



**Whittemore Peterson Institute For Neuroimmune Disease (WPI)**  
**Research Director, (11/2006- 10/2011)**

**2006 – 2011**

I joined the Whittemore Peterson Institute for Neuro-immune Disease (WPI) in November of 2006 as the WPI's first Research Director. Responsible for establishing a translational research program aimed at identifying biomarkers and underlying causes of Chronic Fatigue Syndrome (CFS) and other debilitating neuro-immune diseases with overlapping symptoms such as Fibromyalgia (FM), Chronic Lyme Disease, Atypical Multiple Sclerosis and Autism Spectrum Disorder (ASD). As Research Director, I was responsible for planning, establishing and directing the Institute's scientific research program, including the selection, training and supervision of staff, writing, obtaining and managing grants and collaborating with other scientific organizations. The WPI under my direction grew from a small foundation to an internationally recognized center for the study of neuro-immune diseases in which I obtained investigator initiated grant money of more than 3 million dollars from the NIH and Department of Defense and brought international attention to ME/CFS as a physiological disease. In 2009, we isolated a new family of retroviruses then known as XMRV to ME/CFS and several other neuroimmune diseases. In 2011 we developed Diagnostic cytokine/chemokine signatures of infection. I have a proven ability to recognize and recruit important collaborators and partners developing strong relationships within multiple scientific disciplines.

**EPIGENX BIOSCIENCES, SANTA BARBARA, CA**

**2005 - 2006**

*A holding company for technologies developed in EpiGenX Biosciences*  
**Chief Scientific Officer,**

This company was formed to market intellectual properties and technologies developed in EpiGenX pharmaceuticals in order to get treatments to patients faster. As Chief Scientific officer, my job was to identify suitable business partners for product commercialization. We achieved this goal in less than two years and succeeded by having the lead compound acquired by a major pharmaceutical company and into clinical trials and our diagnostic platform licensed to a platform company.

**EPIGENX PHARMACEUTICALS, SANTA BARBARA, CA**

**2001 – 2004**

*A startup biotech company whose mission was to develop and commercialize cancer therapeutics and Diagnostics targeting aberrant DNA methylation in Cancer.*  
**Director of Cancer Biology,**

I established, directed and managed a team charged with discovering and developing small molecule therapeutics targeting aberrant DNA methylation. In order to achieve this mission we needed first to develop multiplexed, higher throughput assays for determining methylation status of cellular genes.

**BIOSOURCE INTERNATIONAL, Camarillo, CA (Now part of LIFE TECHNOLOGIES)**

**2002 – 2004**

*A biotechnology company, which manufactures, markets, and distributes assays and biological reagents for drug discovery, functional proteomics, and biomedical research.*  
Group Leader, Luminex Platform Research & Development.

Organized and directed a team for new product development on the Luminex platform technology for multiplex proteomics assays. Coordinated development and manufacturing of over 50 distinct Luminex assays including the first 30plex assay for human cytokines and chemokines. Responsibilities also included evaluation of external multiplex proteomic technologies and applications for corporate partnership, OEM opportunity and licensing, which led to a contract to commercialize a technology for development of a fully automated platform technology for both multiplex gene expression and proteomic assays on a single platform.

**LABORATORY OF ANTIVIRAL DRUG MECHANISMS**

**1999 – 2001**

**Screening Technologies Branch,** a division of the Developmental Therapeutics Branch of the National Cancer Institute, Frederick MD  
**Lab Director,**

Established and managed a new laboratory to develop drugs targeting AIDS-associated malignancies, the first of which was Kaposi's Sarcoma, which had been recently associated with a new herpes virus. I hired a multidisciplinary team with expertise in high throughput screening, retroviruses, herpes viruses and medicinal chemists. This laboratory became internationally recognized as the first of its kind in cancer drug development developing multi-functional drugs to target pathogens as well as inflammation to fight cancer.



**Whittemore Peterson Institute For Neuroimmune Disease (WPI)**  
**Research Director, (11/2006- 10/2011)**

**2006 – 2011**

I joined the Whittemore Peterson Institute for Neuro-immune Disease (WPI) in November of 2006 as the WPI's first Research Director. Responsible for establishing a translational research program aimed at identifying biomarkers and underlying causes of Chronic Fatigue Syndrome (CFS) and other debilitating neuro-immune diseases with overlapping symptoms such as Fibromyalgia (FM), Chronic Lyme Disease, Atypical Multiple Sclerosis and Autism Spectrum Disorder (ASD). As Research Director, I was responsible for planning, establishing and directing the Institute's scientific research program, including the selection, training and supervision of staff, writing, obtaining and managing grants and collaborating with other scientific organizations. The WPI under my direction grew from a small foundation to an internationally recognized center for the study of neuro-immune diseases in which I obtained investigator initiated grant money of more than 3 million dollars from the NIH and Department of Defense and brought international attention to ME/CFS as a physiological disease. In 2009, we isolated a new family of retroviruses then known as XMRV to ME/CFS and several other neuroimmune diseases. In 2011 we developed Diagnostic cytokine/chemokine signatures of infection. I have a proven ability to recognize and recruit important collaborators and partners developing strong relationships within multiple scientific disciplines.

**EPIGENX BIOSCIENCES, SANTA BARBARA, CA**

**2005 - 2006**

*A holding company for technologies developed in EpiGenX Biosciences*  
**Chief Scientific Officer,**

This company was formed to market intellectual properties and technologies developed in EpiGenX pharmaceuticals in order to get treatments to patients faster. As Chief Scientific officer, my job was to identify suitable business partners for product commercialization. We achieved this goal in less than two years and succeeded by having the lead compound acquired by a major pharmaceutical company and into clinical trials and our diagnostic platform licensed to a platform company.

**EPIGENX PHARMACEUTICALS, SANTA BARBARA, CA**

**2001 – 2004**

*A startup biotech company whose mission was to develop and commercialize cancer therapeutics and Diagnostics targeting aberrant DNA methylation in Cancer.*  
**Director of Cancer Biology,**

I established, directed and managed a team charged with discovering and developing small molecule therapeutics targeting aberrant DNA methylation. In order to achieve this mission we needed first to develop multiplexed, higher throughput assays for determining methylation status of cellular genes.

**BIOSOURCE INTERNATIONAL, Camarillo, CA (Now part of LIFE TECHNOLOGIES)**

**2002 – 2004**

*A biotechnology company, which manufactures, markets, and distributes assays and biological reagents for drug discovery, functional proteomics, and biomedical research.*  
Group Leader, Luminex Platform Research & Development.

Organized and directed a team for new product development on the Luminex platform technology for multiplex proteomics assays. Coordinated development and manufacturing of over 50 distinct Luminex assays including the first 30plex assay for human cytokines and chemokines. Responsibilities also included evaluation of external multiplex proteomic technologies and applications for corporate partnership, OEM opportunity and licensing, which led to a contract to commercialize a technology for development of a fully automated platform technology for both multiplex gene expression and proteomic assays on a single platform.

**LABORATORY OF ANTIVIRAL DRUG MECHANISMS**

**1999 – 2001**

**Screening Technologies Branch,** a division of the Developmental Therapeutics Branch of the National Cancer Institute, Frederick MD  
**Lab Director,**

Established and managed a new laboratory to develop drugs targeting AIDS-associated malignancies, the first of which was Kaposi's Sarcoma, which had been recently associated with a new herpes virus. I hired a multidisciplinary team with expertise in high throughput screening, retroviruses, herpes viruses and medicinal chemists. This laboratory became internationally recognized as the first of its kind in cancer drug development developing multi-functional drugs to target pathogens as well as inflammation to fight cancer. 44





## VAX-CON '21 OUTLINE

Dr. James Neuenschwander

- I. Hour 1: Safety of our schedule
  - a. A history of vaccines—small pox, polio, and the attempt to stamp out disease. This will address from where our vaccine schedule came. The early successes and the process that led to the attempt to stamp out childhood diseases
  - b. What is in a vaccine? This will focus on understanding everything that is in a vaccine—the vaccine target, adjuvants, and other ingredients
    - i. Vaccine targets: live virus, versus viral antigen, versus bacterial antigen, versus bacterial toxin
    - ii. Adjuvants: function and type of adjuvants in the childhood vaccine schedule
    - iii. Other vaccine ingredients
  - c. How are vaccines studied for safety after approval?

This will focus on the different systems we have in place for studying vaccine safety after a vaccine has been approved by the FDA.
  - d. Evaluating safety trials used in the approval of some of the vaccines currently in use (Evidence from the studies submitted to the FDA for approval of the vaccine). This will look at the clinical trials used for approval of vaccines and understand the process of how these vaccines get approved—including both old (MMRII) vaccines as well as newer (Gardasil) vaccines
    - i. MMRII: measles, mumps, rubella
    - ii. IPV: injectable polio vaccine
    - iii. Prevnar 13
    - iv. Hepatitis B
    - v. Gardasil
    - vi. SARS CoV-2 vaccine
  - e. Post approval evidence for vaccines in use. A review of evidence that has been published since the approval of some of these vaccines
- II. Hour 2: Evidence behind critical questions in vaccines: both sides, now. These are questions that are commonly asked by those that are vaccine hesitant. I will address each question from the point of view of the evidence provided by the CDC along with other evidence (or lack of evidence) from the published, peer-reviewed literature. The purpose of this presentation is to give the practitioner evidence for each of these questions to use in patient discussions.
  - a. Do vaccines cause autism?
  - b. Is our current vaccine schedule safe?
  - c. Are there really aborted fetal cells in our vaccines?
  - d. Do vaccines cause infertility?
  - e. Have vaccines been linked with cancer?
  - f. Do vaccines make us healthier?

## James Neuenschwander

4201 Varsity Drive, Suite A; Ann Arbor, Michigan 48108  
Phone: 734-995-3200 Fax: 734-995-4254 e-mail: drneuneu@comcast.net

### *Curriculum Vitae*

#### Education

- B.S.—Honors degree in cellular and molecular biology. University of Michigan 1978-1981
- MD—University of Michigan Medical School 1981-1985
- Residency—University of Michigan Hospitals residency in general surgery 1985-1988  
(left voluntarily to pursue integrative medicine practice)

#### Experience

- Owner/Medical Director Bio Energy Medical Center 1988-present  
([bioenergymedicalcenter.com](http://bioenergymedicalcenter.com))  
Founder and owner of integrative medical practice specializing in the management of autism and childhood behavioral disorders as well as chronic diseases including fibromyalgia, chronic fatigue, chronic inflammatory response syndrome, chronic infections (including Lyme disease), and autoimmune disorders with patients from all of Michigan and surrounding states. Offering biochemical evaluations and integrative treatments not available elsewhere.  
Website: [www.bioenergymedicalcenter.com](http://www.bioenergymedicalcenter.com)
- Co-Owner Creating Brighter Futures 2015-present  
Applied behavioral analysis (ABA) based treatment center for children and adolescents with autism and childhood behavioral disorders.  
Website: [www.creatingbrighterfutures.com](http://www.creatingbrighterfutures.com)
- Co-chair Medical Academy of Pediatrics Special needs (MAPS)/Member of the Executive Board for MAPS 2018-present  
Part of executive board tasked with creating content and guiding MAPS to become the organization to promote integrative health care for kids  
Website: [www.medmaps.org](http://www.medmaps.org)

**Course:** Panel Discussion of Vaccine Experts on Vaccines

**Instructors:**

- Judy Mikovits, PhD
- James Neuenschwander, MD
- Alan Palmer, DC, CCST
- Vicky Pebsworth, PhD, RN

**Course hours: 2 Hours Total**

***Hour 1***

This course hour will consist of individual presentations by each of the panel members to include the research and development of vaccines, the benefits of vaccines and the potential dangers associated with specific populations and also respond to pre-set clinically related questions from the panel moderator.

***Hour 2***

This course hour will consist of responses from each vaccine expert to additional preset clinical questions from the moderator and also included questions from the audience related to vaccines

# COVID-19 – Following the Science and the Evidence

Dr. Alan Palmer

## Hour 1- Overview of SARS-CoV-2- mechanisms of infection, testing and the immune response

- Theories regarding the origins of the SARS-CoV-2 virus
- What makes it the same and what makes it different than other coronaviruses?
- Mode of infection and ways it corrupts the immune system's response
- Timeline from exposure, to infection, to COVID-19 disease
- PCR testing- Pros, Cons and Consequences
- Antibody paper tests- A better solution
- Innate and Adaptive Arms of the Immune System and mechanisms of defense
- Reasons why antibody levels are not an accurate determiner of future resistance

## Hour 2- Public health responses and the challenges they have created

- Factors driving the initial public health responses by health officials and governments
- Factors driving the protracted response
- Mitigation measures- Scientific basis for what works and what doesn't
- What we could have done better and a better strategy now and for future outbreaks
- Lockdowns- The evidence on effectiveness of morbidity and mortality
- Asymptomatic spread- What does the science say?

## Hour 3- Are vaccines a viable and effective option?

- History of vaccines and the changing face of infectious diseases
- Herd immunity- natural vs. laboratory generated
- History of vaccine ingredients and adverse reactions- Including genetic and epigenetic factors
- COVID-19 vaccine clinical trials- Design, data and shortcomings
- COVID-19 vaccine ingredients and potential adverse reactions (acute and chronic)
- What have the vaccines been shown to do? And, what don't they do?
- A better medical option- Inexpensive re-purposed medications as a first line of defense

## Hour 4- Nutritional, diet and lifestyle prevention and treatment

- Vitamin D- The anti-viral superstar
- Quercetin or EGCG and Zinc
- Vitamin C
- NAC & Glutathione
- Turmeric and Curcumin
- Fish oil
- Probiotics
- Black Cumin Seeds
- Dietary and lifestyle habits to support a vibrant immune system





## Curriculum Vitae



**Alan W. Palmer D.C., C.C.S.T.**

### Professional Experience

Southwest Centers for Natural Healing, Scottsdale, AZ	2006 - Present
Founder of Palmer System of Total Body Correction™	1996 - Present
Palmer Center for Natural Healing, Scottsdale, AZ	1990 - 2016
Triad Rehabilitation, Scottsdale, AZ	1990 - 2008
Proflex Dynamic Performance Specialists, Scottsdale, AZ	1996 - 2008
Automobile Accident and Injury Clinics, Scottsdale, AZ	1993 - 1997
Arizona Back Pain Relief Clinic, Scottsdale, AZ	1987 - 1990
Sunrise Chiropractic, Phoenix, AZ	1985 - 1987

### Education

<b>Northwestern College of Chiropractic</b> - Doctor of Chiropractic degree	1981 - 1985
<b>University of Minnesota</b> - Three years undergraduate study	1978 - 1981

### Boards, Licensures & Appointments

- \* Licensed in State of Arizona for Chiropractic, Acupuncture, and Physiotherapy.
- \* Licensed in Chiropractic Roentgenology.
- \* Certified in the treatment of Spinal Trauma and Whiplash; C.C.S.T.
- \* Certified in the treatment of Elite and Professional Athletes; C.E.P.A.
- \* Certified by American Red Cross to teach Back Injury Prevention Courses.
- \* Diplomat of National Board of Chiropractic Examiners.
- \* Member of Arizona Chiropractic Association.
- \* Member of the American Chiropractic Association.
- \* Member of the International Chiropractic Association.
- \* Associate Clinical Faculty Member of Northwestern College of Chiropractic.



The CSW is Proud to Announce

**VAX-CON '21**

**April 17-18 | Chula Vista Resort, Wisconsin Dells**

**OUR FOCUS IS ON YOUR FUTURE! IT IS TIME TO REIGNITE OUR PASSION & REBUILD OUR PRACTICES WHILE WE FOCUS ON SERVING OUR COMMUNITIES.**

Vaccines are the hottest topic in the world and now more than ever the public needs answers and clarity as to how to move forward with all the uncertainty. The CSW will be bringing in internationally known experts to provide our members with the most up to date

attend. There is limited space and tickets will sell out, so register TODAY!

## REGISTRATION

The CSW wants everyone to have access to this important information, which is why there are tracks for both Doctors and Staff and the general public. 12 hours of CE (approval pending) will be available for DCs, CRTs, and CTs through Life University. Take advantage of these early, early bird prices:

- **Members Full Registration** (includes CE & Del Returns to the Dells ticket)
  - \$249 for DCs
  - \$79 for CTs/CRTs/Staff
- **Non-Members Full Registration** (includes CE & Del Returns to the Dells ticket)
  - \$349 for DCs
  - \$99 for CTs/CRTs/Staff







- **Exclusive VIP Meet & Greet with Speakers and Book Signing (80 spots available!)**
  - \$79
- **Del Returns to the Dells Ticket ONLY**
  - \$30\*

*\*Prices increase \$20 for day-of registration.*

**» REGISTER NOW**

**Price Increase January 31:**

Members Full Registration - \$299 for DCs; \$99 for CTs/CRTS

Non-Members Full Registration - \$399 for DCs; \$119 for CTs/CRTS

Exclusive VIP Meet & Greet with Speakers - \$99

**Price Increase March 15:**

Members Full Registration - \$349 for DCs; \$129 for CTs/CRTS

Non-Members Full Registration - \$449 for DCs; \$149 for CTs/CRTS

can be equipped with the necessary data to make informed choices for themselves and their family.

Thank you to Life University for sponsoring all of the great CE programs (approval pending)! All classes applied for CE for DCs, CTs, and CRTs through Life University. DC CE applied for in WI, MN, IL and MI. CT & CRT CE was applied for in WI for all courses.



**Saturday, April 17<sup>th</sup>:**

DC/CT/CRT CE Track:

- 7:00 - 8:00 AM Registration
  - 8:00 - 10:00 AM CE Breakout
- Session with [Judy Mikovits, PhD](#) (2 CEs)

- 10:00 - 12:00 PM CE Breakout
- Session with [Vicky Pebsworth, PhD, RN](#) (2 CEs)

Public NO CE Track:

- 11:30 – 1:00 PM Public Breakout
- Session with [Judy Mikovits, PhD](#) (No CE)

- 1:15 - 2:45 PM Public Breakout
- Session with [Dr. Bob Sears and Melissa Floyd](#) (No CE)



Session with James

Neuenschwander, MD (2 CE)

Joint Sessions (DC/CT/CRT/Public):

- 3:00 - 5:00 PM Panel Presentation with all Speakers (2 CE)
- 5:00 - 6:30 PM VIP Meet & Greet with All the Speakers (*Requires separate ticket for entrance*)
- 7:00 - 9:00 PM Del Returns to the Dells (*Included in full registrations; may be purchased individually*)

**Sunday, April 18<sup>th</sup>**

- 8:00 – 12:00 PM Alan Palmer DC, CCST (4 CE)





**ROOM BLOCK - STAY WHERE THE ACTION IS!**

The CSW has secured room rates of \$99 for Friday, April 16 and Saturday, April 17, with no resort fee! To book your room, please call (833) 871-8451 and use booking ID # H98841 when making your reservation. Room block rates available through 3/16/2021.

**FOR INFORMATION ON EXHIBITOR/SPONSORSHIP OPPORTUNITIES - COMING!!**

**\*\*CHECK BACK IN EARLY JANUARY\*\***

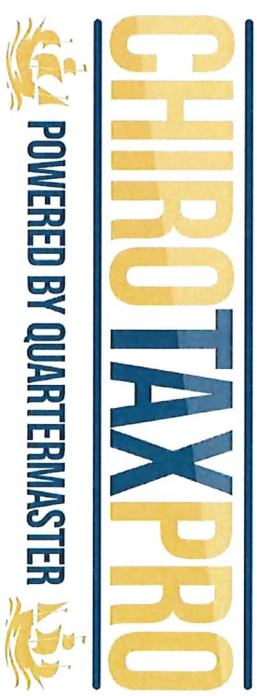


[JOIN/RENEW](#)

[HELP DESK](#)

[FIND A DOCTOR](#)

**Special Thanks to Our Platinum Sponsors**



**Upcoming Events**

Sat Apr 17, 2021

[VAX-CON '21](#)

Category: Events



# Chiropractic Society OF WISCONSIN

Home of Members

Education Parties

Boots on the Ground

Corporate Sponsors

About

© Copyright 2020 Chiropractic Society of Wisconsin. All rights reserved.

[Back to top](#) 

powered by  MemberClicks



---

## PUBLIC AGENDA REQUEST FORM

### **Instructions:**

1. Fill out this form, and then save to your device.
2. Return to the “[Suggest an Agenda Item](#)” page and select the appropriate Board or Council from the Board/Council list.
3. Attach your completed “Public Agenda Request” form and send.

First Name: David

Last Name: Schimp

Association/Organization: Dr. David J Schimp DC LLC

Subject: Continuing Education Requirements

Issue to Address:

I am requesting that the board consider accepting on-line continuing education credits. In support, I suggest that on-line training advances educational opportunities by allowing clinicians to spend time and resources on learning material that directly applies to their unique clinical needs. The requirements for course approval would remain the same – the venue changes. A particular advantage of the on-line platform is the ability to “re-play” sections thus enhancing note taking, thoughtfulness, leads to greater accuracy and a more meaningful learning experience. An abundance of quality on-line learning opportunities, through already approved organization, are available. Many of these programs are targeted to advanced learning at a higher level than would be available by attending a local convention purely for the sake of attaining continuing education units.

The acceptance of on-line or virtual learning experiences will advance professional development. Clinicians face time limitations and must be prudent in the allocation of funds for continuing education. Finally, whether virtual conferences will become the norm for the future is unknown but it is clear that the number of in-person learning opportunities are currently few.

Thank you for your effort and consideration.