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**VIRTUAL/TELECONFERENCE  
CHIROPRACTIC EXAMINING BOARD  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Will Johnson (608) 266-2112  
March 28, 2024**

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

**AGENDA**

**8:30 A.M.**

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

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of January 18, 2024 (5-7)**
- 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
    - a. Bradley, Barbara C. – 7/1/2027
    - b. Damrow, James M. – 7/1/2027
    - c. Erlandson, Kris N. – 7/1/2025
    - d. Heffernan, Amy L. – 7/1/2025
    - e. Hendrickson, Kathleen A. – 7/1/2024
    - f. Meschefske, Daniel – 7/1/2025
- F. Legislation and Policy Matters – Discussion and Consideration (7-9)**
  - 1) Discussion of SB 788 **(9)**
- G. Administrative Rule Matters – Discussion and Consideration (10-29)**
  - 1) Preliminary Rule Draft for Chir 12, relating to nutritional counseling certification. **(11-20)**
  - 2) Discussion: Chir 10, relating to delegation. **(21-28)**
  - 3) Pending and Possible Rulemaking Projects. **(29)**
- H. Education and Examination Matters – Discussion and Consideration (30-35)**
  - 1) CT Course of Study – WCA **(30-35)**

- I. 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) Public Health Emergencies
  - 12) Preceptor Approvals
  - 13) Liaison Reports
  - 14) Board Liaison Training and Appointment of Mentors
  - 15) Informational Items
  - 16) Division of Legal Services and Compliance (DLSC) Matters
  - 17) Presentations of Petitions for Summary Suspension
  - 18) Petitions for Designation of Hearing Examiner
  - 19) Presentation of Stipulations, Final Decisions and Orders
  - 20) Presentation of Proposed Final Decisions and Orders
  - 21) Presentation of Interim Orders
  - 22) Petitions for Re-Hearing
  - 23) Petitions for Assessments
  - 24) Petitions to Vacate Orders
  - 25) Requests for Disciplinary Proceeding Presentations
  - 26) Motions
  - 27) Petitions
  - 28) Appearances from Requests Received or Renewed
  - 29) Speaking Engagements, Travel, or Public Relation Requests, and Reports

**J. 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.).**

**K. Credentialing Matters (36-159)**

- 1) Randolph Magone - Chiropractor Applicant (37-159)

**L. Deliberation on Division of Legal Services and Compliance Matters**

- 1) **Proposed Stipulations, Final Decisions and Orders**
  - a. 21 CHI 016 – Casimer S. Koblynski (160-167)
  - b. 23 CHI 001 – Tyler G. Schneekloth (168-173)
  - c. 23 CHI 013 – Victor R. Schueller (174-181)

- 2) **Case Closings**
  - a. 23 CHI 008 – C.V.W. (182-184)

M. 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

N. Consulting with Legal Counsel

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

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

**ADJOURNMENT**

**NEXT MEETING: JUNE 27, 2024**

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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 virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In

order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dps.wi.gov>. 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 hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or the Meeting Staff at 608-267-7213.

**VIRTUAL/TELECONFERENCE  
CHIROPRACTIC EXAMINING BOARD  
MEETING MINUTES  
JANUARY 18, 2024**

**PRESENT:** Barbara Bradley, James Damrow, Kris Erlandson, Amy Heffernan, Kathleen Hendrickson, Daniel Meschefske

**STAFF:** Will Johnson, Executive Director; Jameson Whitney, Legal Counsel; Sofia Anderson, Administrative Rules Coordinator; Tracy Drinkwater, Board Administration Specialist; and other Department Staff

**CALL TO ORDER**

Amy Heffernan, Chairperson, called the meeting to order at 8:31 a.m. A quorum was confirmed with six (6) members present.

**ADOPTION OF AGENDA**

**MOTION:** Daniel Meschefske moved, seconded by Amy Heffernan, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF NOVEMBER 2, 2023**

**MOTION:** Kris Erlandson moved, seconded by Kathleen Hendrickson, to approve the Minutes of November 2, 2023, as published. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Election of Officers**

*Slate of Officers*

**NOMINATION:** James Damrow nominated the 2023 slate of officers to continue in 2024. All officers accepted their nominations.

Will Johnson, Executive Director, called for nominations three (3) times.

The Slate of Officers was elected by unanimous voice ballot vote.

<b>ELECTION OF OFFICERS</b>	
<b>Chairperson</b>	Amy Heffernan
<b>Vice Chairperson</b>	Kris Erlandson
<b>Secretary</b>	Daniel Meschefske

**Appointments of Liaisons and Alternates**

<b>LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaison(s)</b>	James Damrow <i>Alternate: Amy Heffernan</i>
<b>Education and Examination Liaison(s)</b>	James Damrow, Amy Heffernan, Kris Erlandson Barbara Bradley <i>(Rotate CE Approvals to D.C. Members)</i>
<b>Monitoring Liaison(s)</b>	James Damrow <i>Alternate: Daniel Meschefske</i>
<b>Professional Assistance Procedure (PAP) Liaison(s)</b>	Kathleen Hendrickson <i>Alternate: Daniel Meschefske</i>
<b>Legislative Liaison(s)</b>	Amy Heffernan <i>Alternate: Kris Erlandson</i>
<b>Travel Authorization Liaison(s)</b>	Daniel Meschefske <i>Alternate: James Damrow</i>
<b>Preceptor Liaison(s)</b>	Amy Heffernan <i>Alternate: Barbara Bradley</i>
<b>SCREENING PANEL APPOINTMENTS</b>	
<b>Screening Panel</b>	Barbara Bradley, Kris Erlandson, Daniel Meschefske <i>Alternate: Amy Heffernan</i>

**Delegation of Authorities**

**Review and Approval of 2023 Delegations**

**MOTION:** Kris Erlandson moved, seconded by Daniel Meschefske, to reaffirm all delegation motions from 2023 as reflected in the agenda materials. Motion carried.

**Document Signature Delegations**

**MOTION:** James Damrow moved, seconded by Daniel Meschefske, 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, Board Counsel, or DPD

Division Administrator, the authority to sign on behalf of a Board member as necessary. Motion carried unanimously.

### **Delegation to Department Attorneys to Approve Duplicate Legal Issue**

**MOTION:** Amy Heffernan moved, seconded by Kris Erlandson, to delegate authority to Department Attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues. Motion carried unanimously.

### ***Monitoring Delegations***

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

**MOTION:** Amy Heffernan moved, seconded by James Damrow, to adopt the “Roles and Authorities Delegated for Monitoring” document as presented in the January 18, 2024, agenda materials. Motion carried unanimously.

#### **ADMINISTRATIVE RULE MATTERS**

#### **Preliminary Rule Draft for Chir 3, relating to CPR requirements**

**MOTION:** James Damrow moved, seconded by Daniel Meschefske, to authorize the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to approve the preliminary rule draft of Chir 3, relating to CPR requirements, for posting of economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

#### **SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION REQUESTS, AND REPORTS**

#### **Consideration of Attendance: FCLB Annual Educational Conference May 1-5, 2024, Phoenix, AZ**

**MOTION:** Kris Erlandson moved, seconded by Kathleen Hendrickson, to designate Amy Heffernan, as the Board’s delegate, and Barbara Bradley or Kris Erlandson as the Board’s alternate delegate to attend the FCLB 97th Annual Educational Conference on May 1-5, 2024, in Phoenix, AZ. Motion carried unanimously.

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

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

#### **ADJOURNMENT**

**MOTION:** Kris Erlandson moved, seconded by Daniel Meschefske, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:05 a.m.

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

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  <b>Will Johnson, Executive Director</b>		<b>2) Date When Request Submitted:</b> 3/19/2024  Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"><li>▪ 10 work days before the meeting for Medical Board</li><li>▪ 14 work days before the meeting for all others</li></ul>	
<b>3) Name of Board, Committee, Council, Sections:</b>  <b>Chiropractic Examining Board</b>			
<b>4) Meeting Date:</b>  <b>3/28/2024</b>	<b>5) Attachments:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> <b>Discussion and Consideration of SB 788</b>	
<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>N/A</b>
<b>10) Describe the issue and action that should be addressed:</b>			
<b>11) Authorization</b>			
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> <b>1. This form should be attached to any documents submitted to the agenda.</b> <b>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.</b> <b>3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</b>			



# State of Wisconsin



2023 Senate Bill 788

Date of enactment:  
Date of publication\*:

## 2023 WISCONSIN ACT

AN ACT *to amend* 446.026 (1) (a); and *to create* 446.02 (7) (a) 3. of the statutes; **relating to:** delegation of adjunctive services by chiropractors and creating administrative rules related to the delegation of adjunctive services by chiropractors.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 446.02 (7) (a) 3. of the statutes is created to read:

446.02 (7) (a) 3. An individual who has completed a training program for medical assistants accredited by the National Commission for Certifying Agencies, a national or state medical association, or another entity approved by the examining board.

**SECTION 2.** 446.026 (1) (a) of the statutes is amended to read:

446.026 (1) (a) No person may provide adjunctive services unless the person is a chiropractic technician or is described under s. 446.02 (7) (a) 3. and is under the direct, on-premises supervision of a chiropractor licensed under this chapter, or the person is a health care professional, subject to s. 446.02 (7).

**SECTION 2m.** Chir 10.024 of the administrative code is created to read:

**Chir 10.024 Delegation of adjunctive services to individuals trained as medical assistants.** A chiropractor may delegate the performance of an adjunctive service to an individual described under s. 446.02 (7) (a) 3., Stats., if all of the following conditions are met:

(1) The individual is qualified, through education, training, or experience, to perform the adjunctive service.

(2) The chiropractor maintains records or ensures the chiropractor's employer maintains records that verify the individual's training is current.

(3) The chiropractor exercises direct, on-premises supervision of the individual performing the delegated adjunctive service.

(4) The chiropractor retains ultimate responsibility for the manner and quality of the service.

**SECTION 3. Effective dates.** This act takes effect on the first day of the 4th month beginning after publication, except as follows:

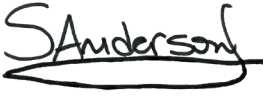
(1) ADMINISTRATIVE RULES. The treatment of administrative rules takes effect as provided in s. 227.265.

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\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

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

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Sofia Anderson – Administrative Rules Coordinator		<b>2) Date when request submitted:</b> March 15, 2024	
Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting			
<b>3) Name of Board, Committee, Council, Sections:</b> Chiropractic Examining Board			
<b>4) Meeting Date:</b> March 28, 2024	<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 Rules Matters – Discussion and consideration <ol style="list-style-type: none"> <li>1. Preliminary Rule Draft for Chir 12, relating to nutritional counseling certification.</li> <li>2. Discussion: Chir 10, relating to delegation.</li> <li>3. Pending and possible rulemaking projects.</li> </ol>	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b> Attachments: <ol style="list-style-type: none"> <li>1. Preliminary Rule Draft for Chir 12, relating to nutritional counseling certification.</li> <li>2. Chapter Chir 12 redlined.</li> <li>3. Chapter 10 redlined.</li> <li>4. WCA and CSW letters from August 2023.</li> <li>5. Chiropractic Rules Projects Chart.</li> </ol>			
<b>11) Authorization</b>			
		03/15/2024	
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> <ol style="list-style-type: none"> <li>1. This form should be attached to any documents submitted to the agenda.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.</li> <li>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</li> </ol>			

STATE OF WISCONSIN  
CHIROPRACTIC EXAMINING BOARD

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

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PROPOSED ORDER

An order of the Chiropractic Examining Board to **repeal** Chir 12.03 (1) (d) and (f), 12.03 (2) (a) 7., and 12.04 (2) and (3); to **amend** Chir 12.03 (2) (a) 4. and 6., (4), and 12.05 (1) and (2); to **repeal and recreate** Chir 12.02 (1) (Note) and 12.03 (2) (a) 1. (Note); and to **create** Chir 12.01 (6), relating to nutritional counseling certification.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:**

Section 446.02 (2) (c), Stats.

**Statutory authority:**

Sections 15.08 (5) (b), 227.11 (2) (a), and 446.02 (2) (c), 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 227.11 (2) (a), Stats., sets forth the parameters of an agency’s rule-making authority, stating an agency “may promulgate rules interpreting provisions of any statute enforced or administered by the agency. . .but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 446.02 (2) (c), Stats., provides “[t]he examining board shall issue a certificate to a chiropractor who is licensed under this chapter, who submits satisfactory evidence that the chiropractor has completed 48 hours of postgraduate study in nutrition that is approved by the examining board, and who pays a one-time certification fee of \$25, except that no certificate fee is required under this paragraph for an individual who is eligible for the veterans fee waiver program under s. 45.44.”

**Related statute or rule:**

None.

**Plain language analysis:**

The objective of the proposed rule is to implement the statutory changes from 2021 Wisconsin Act 253. The Chiropractic Examining board recently passed a rule on Chir 12, however, further discussion on the chapter and the passage of 2021 Wisconsin Act 253 has resulted in a need for the chapter to be revised again. The Chiropractic Examining Board has reviewed the Nutritional Counseling Certification program requirements and has determined to:

- Create a definition of “program sponsor” referencing the Statutes.
- Repeal and recreate two outdated notes with current information on how to submit application through the department’s website.
- Repeal subsections in chapter 12 that were creating confusion with stakeholders.
- Reduce the nutritional counseling education program application deadline from 75 to 60 days prior to the program date.

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

None.

**Comparison with rules in adjacent states:**

**Illinois:** Illinois does not certify chiropractors in nutritional counseling. The statutory definition of chiropractic physician provides that a chiropractor is not prohibited from providing advice regarding the use of non-prescription products (225 ILCS 60/2).

**Iowa:** Iowa does not certify chiropractors in nutritional counseling. Iowa statutes provide that licensed chiropractors who make dietetic or nutritional assessments or give dietetic or nutritional advice in the normal practice of their profession are exempted from the requirement to be licensed to practice dietetics (Iowa Code 2017, section 152A.3).

**Michigan:** Michigan does not certify chiropractors in nutritional counseling. By statutory definition, the practice of chiropractic includes the use of nutritional advice (MCL 333.16401).

**Minnesota:** Minnesota does not certify chiropractors in nutritional counseling. Minnesota statutes provide no person may engage in dietetics or nutrition practice unless the person is licensed as a dietitian or nutritionist (Minnesota Statutes 2016, section 148.630).

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

The proposed rules were developed by reviewing the provisions of ch. Chir 12 to ensure the rules are consistent with current professional and academic practices and applicable Wisconsin statutes. No additional factual data or analytical methodologies were used to develop the proposed rules.

**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 [Jennifer.Garrett@wisconsin.gov](mailto:Jennifer.Garrett@wisconsin.gov), or by calling (608) 266-2112.

**Agency contact person:**

Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; email at [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov).

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

Comments may be submitted to Sofia Anderson, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov). Comments must be received on or before **TBD** to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. Chir 12.01 (6) is created to read:

**(6)** “Program sponsor” has the meaning given in s. 446.028 (1), Stats.

SECTION 2. Chir 12.02 (1) (Note) is repealed and recreated to read:

**Note:** Application instructions can be found on the department of safety and professional services’ website at <http://dsps.wi.gov>.

SECTION 3. Chir 12.03 (1) (d) is repealed.

SECTION 4. Chir 12.03 (1) (f) is repealed.

SECTION 5. Chir 12.03 (2) (a) 1. (Note) is repealed and recreated to read:

**Note:** Application instructions can be found on the department of safety and professional services’ website at <http://dsps.wi.gov>.

SECTION 6. Chir 12.03 (2) (a) 4. is amended to read:

**4.** The application shall be complete as prescribed in this subsection and filed with the board no later than ~~75~~60 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.

SECTION 7. Chir 12.03 (2) (a) 6. is amended to read:

**6.** The application shall describe the names and qualifications of all instructors, ~~and if applicable, whether an instructor 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.~~

SECTION 8. Chir 12.03 (2) (a) 7. is repealed.

SECTION 9. Chir 12.03 (4) is amended to read:

**(4)** 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.~~

SECTION 10. Chir 12.04 (2) and (3) are repealed.

SECTION 11. Chir 12.05 (1) and (2) are amended to read:

**(1)** The program sponsor, ~~or~~ an instructor, ~~or a person or entity delegated or assigned a responsibility~~ has a financial, personal, or professional interest that conflicts directly with the performance of responsibilities under this chapter.

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

SECTION 12. 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.

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(END OF TEXT OF RULE)  
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## Chapter Chir 12

### NUTRITIONAL COUNSELING CERTIFICATION

[Chir 12.01](#) Definitions.

[Chir 12.02](#) Requirements for nutritional counseling certification.

[Chir 12.03](#) Approval of nutritional counseling education programs.

[Chir 12.04](#) Application denials.

[Chir 12.05](#) Revocation of approval.

[Chir 12.06](#) Prohibited practices.

**Chir 12.01 Definitions.** In this chapter:

(1) “Administer” means to directly apply a nutritional supplement or direct the self-application of a nutritional supplement, whether by ingestion or any other means, to the body of a patient or research subject.

(2) “Dispense” means to deliver a nutritional supplement to an ultimate user or research subject.

(3) “Nutritional counseling” means providing counsel, direction, guidance, advice, or a recommendation to a patient regarding the health effects of nutritional supplements.

(4) “Nutritional supplement” means a product, other than tobacco, that is labeled as a nutritional or dietary supplement or intended to supplement the diet and that contains or is a concentrate, metabolic, constituent, or extract of one or more of the following dietary ingredients:

(a) A vitamin.

(b) A mineral.

(c) An herb or other botanical.

(d) An amino acid.

(e) A dietary substance for use by an individual to supplement the diet by increasing total daily intake.

(5) “Patient” means an individual with whom a chiropractor has an established chiropractor-patient relationship or who, based on the actions of the chiropractor, has a reasonable belief that an established chiropractor-patient relationship exists.

(6) “Program sponsor” has the meaning given in s. 446.028 (1), Stats.

**Commented [SA1]:** Tentative. Discuss with Board.

**Chir 12.02 Requirements for nutritional counseling certification.** The board shall grant a certificate for nutritional counseling to a chiropractor licensed under ch. 446, Stats., who does all of the following:

(1) Submits an application to the department on a form provided by the department.

**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:** Application instructions can be found on the department of safety and professional services' website at <http://dps.wi.gov>.

(2) Pays the fee specified under s. [446.02\(2\)\(c\)](#), Stats., unless the applicant is eligible for the veterans fee waiver program under s. [45.44](#), Stats.

(3) Submits evidence satisfactory to the board that the applicant has received any of the following:

(a) A postgraduate degree in human nutrition, nutrition education, food and nutrition, or dietetics conferred by a college or university that is accredited by an accrediting body recognized by the United States department of education.

(b) Diplomate status in human nutrition conferred by a college of chiropractic accredited by the Council on Chiropractic Education, approved by the board, or accredited by an accrediting agency recognized by the United States department of education.

(c) A postgraduate degree in human nutrition conferred by a foreign school determined to be equivalent to an accredited college of chiropractic by the Council on Chiropractic Education or approved by the board or another board approved accrediting agency, indicating that the applicant has graduated from a program that is substantially equivalent to a postgraduate or diplomate program under par. (a) or (b).

(d) A degree or other recognition of successful completion of a postgraduate program that is approved under s. [Chir 12.03](#) at the time the program is completed.

#### **Chir 12.03 Approval of nutritional counseling education programs.**

(1) To qualify for board approval as a nutritional counseling education program, a program shall meet all of the following minimum requirements:

(am) The program consists of a minimum of 48 hours of study in human nutrition.

(b) The program subject matter includes core curriculum education in each of the following areas:

1. Nutrition counseling and initial screening to include nutrition physical examination.
2. Diet history taking.
3. Analysis of laboratory data including hair, saliva, urine, and blood samples.
4. Symptoms of severe vitamin and nutritional deficiencies, and the toxicity of excess vitamin and mineral supplementation, herbals, or other nutritional supplements.
5. Protein, carbohydrates, and fat macronutrient needs, and symptoms of deficiencies of any of these nutrients.
6. Vitamin recommended daily allowances and dietary reference intakes.



7. Mineral and metals needs of the human body and the biochemistry of essential and non-essential nutritional supplements.

8. Fiber needs.

9. The Codex Alimentarius Commission.

10. The Dietary Supplement Health and Education Act of 1994 and related regulations.

**Note:** The Dietary Supplement Health and Education Act of 1994 is also known as Public Law 103-417.

11. Etiology of organ system dysfunction and internal medicine diseases and conditions.

12. Supplements and nutrition.

13. The efficacy, safety, risks, and benefits of glandular products, chelation therapy, and therapeutic enzymes.

14. Food composition and foods as a source of vitamins.

15. Sports nutrition, endurance, body building, and exercise physiology.

16. Weight management and control.

17. Contraindications, side effects, and toxic effects of botanicals, nutritional supplements, and diet products.

18. Nutrition across the life cycle.

19. Nutrition relating to infants, pregnancy, and lactation.

20. Geriatric nutritional needs.

21. Adolescent nutritional needs.

22. Male and female nutritional needs.

23. Therapeutic use of botanical medicine.

24. Food, drug, and nutritional supplement interactions.

25. The safety, efficacy, risks, and benefits of nutritional supplements.

**(c)** The program sponsor agrees to do all of the following:

1. Provide a responsible person to monitor and verify attendance at the program.

2. Keep records of attendance for at least 3 years from the date of the program.

3. Furnish each participant with evidence of having attended the program.

~~**(d)** Any assignment or delegation of a program sponsor's responsibilities to monitor or record attendance, provide evidence of attendance, compare course content with subject matter~~

~~content required under sub. (1) (b), or provide information on instructors or other aspects of the program is specifically identified in the application under sub. (2) and approved by the board.~~

(e) The program sponsor has reviewed and validated the program's content to ensure its compliance with par. (b).

~~(f) Any course instructor that is on the undergraduate or postgraduate faculty of a chiropractic college has been appointed in accordance with the accreditation standards of the Council on Chiropractic Education.~~

(g) The program offers significant professional educational benefit for participants, as determined by the board.

(h) The instructor is qualified to present the course.

(i) The program includes a written assessment instrument that is designed to ensure the chiropractor actively participated in the presentation of material and derived a measurable benefit from participation. There shall be an assessment or test at the conclusion of each 12 hours of study. A score of 75% or higher shall be considered a passing score.

(j) The program contains a reasonable security procedure to ensure the chiropractor enrolled is the actual participant.

(2)

(a) An application for approval of a nutritional counseling education program shall meet all of the following requirements:

1. The application shall be on a form provided by the board.

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

~~**Note:** Application instructions can be found on the department of safety and professional services' website at <http://dsps.wi.gov>.~~

2. Identify the name and address of the program sponsor.

3. The application shall identify the time and location of the program.

4. The application shall be complete as prescribed in this subsection and filed with the board no later than ~~75~~ 60 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. The application shall include satisfactory evidence, as determined by the board, that the 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. 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. The application shall describe the names and qualifications of all instructors, and if applicable, whether an instructor 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.~~

~~7. The application shall identify whether the program sponsor intends to assign or delegate any of its responsibilities to another person or entity, and if so, include all of the following:~~

~~a. A specific description of the assigned or delegated responsibility.~~

~~b. The name, address, and qualifications of the person or entity assigned or delegated the responsibility.~~

~~c. A description of the method by which the program sponsor intends to ensure the delegated or assigned responsibility is performed.~~

8. The application shall include a description of the written assessment instrument that is designed to ensure a chiropractor has actively participated in the presentation of material and derived a measurable benefit from participation.

9. The application shall include a description of the security procedure that will be used to ensure a chiropractor enrolled in the program is the actual participant.

(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.

(3) Programs shall be approved for one hour of study for every 50 minutes of instruction. For purposes of the approval of hours of study, meals, breaks, and testing or assessment periods may not be included as time devoted to instruction.

(4) 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.~~

(5) The approval of a course shall be effective only for the biennium in which it is approved.

**Chir 12.04 Application denials.** The board may deny approval of an application submitted under s. [Chir 12.03 \(2\)](#) 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.~~

~~(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) 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 is not kept separate from the program content and presentation for which approval is applied and granted.

**Chir 12.05 Revocation of approval.** The board may revoke approval of a program for any of the following reasons:

(1) The program sponsor, ~~or~~ an instructor, ~~or a person or entity delegated or assigned a responsibility~~ has a financial, personal, or professional interest that conflicts directly with the performance of responsibilities under this chapter.

(2) Failure on the part of a program sponsor, ~~or~~ an instructor, ~~or a person or entity 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 12.06 Prohibited practices.**

(1) A chiropractor may not delegate to any chiropractic assistant or other person any recommendations, analysis, advice, consultation, or dispensing with respect to nutritional supplements. Nothing in this subsection may be construed to prevent chiropractic assistants or administrative employees from processing sales of nutritional supplements.

(2) A chiropractor may not sell, barter, trade, or give away nutritional supplements to a patient unless the chiropractor holds a certificate for nutritional counseling and except as consistent with the provisions of this chapter.

(3) A chiropractor may not deliver, dispense, administer, transfer, or sell a nutritional supplement unless the nutritional supplement is prepackaged for use by consumers and labeled in accordance with the requirements of state and federal law.

# CSW RECOMMENDATIONS

## Chapter Chir 10

### DELEGATION TO CHIROPRACTIC TECHNICIANS, CHIROPRACTIC RADIOLOGICAL TECHNICIANS, AND HEALTH CARE PROFESSIONALS

[Chir 10.01](#) Definitions.

[Chir 10.015](#) Chiropractic technician course of study.

[Chir 10.02](#) Delegation of adjunctive services to a chiropractic technician.

[Chir 10.023](#) Delegation of adjunctive services to a health care professional.

[Chir 10.025](#) Chiropractic radiological technician course of study.

[Chir 10.03](#) X-ray services.

**Chir 10.01 Definitions.** In this chapter:

**(1)** "Adjunctive services" means services which are preparatory or complementary to the practice of chiropractic. "Adjunctive services" include the taking and preparation of a preliminary patient history and providing physiotherapy treatment. "Adjunctive services" does not include making a chiropractic diagnosis, analyzing a diagnostic test, or performing a chiropractic adjustment.

**(1g)** "Massage therapy" or "bodywork therapy" has the meaning given in s. [460.01 \(4\)](#), Stats.

**(1r)** "Physiotherapy treatment" means the therapeutic use of physical agents or means, including heat, cold, light, air, water, sound, electricity, massage therapy or bodywork therapy, and physical exercise with and without assistive devices, to treat or manage injury, disease, bodily defects, or bodily weaknesses.

**(2)** "Preliminary patient history" means the process of taking patient vitals and gathering baseline data regarding a patient, including the nature of the chief complaint, family history, and medical history. The "preliminary patient history" is intended to provide a starting point for further inquiry by the chiropractor into the patient's condition.

**Chir 10.015 Chiropractic technician course of study.** The board shall grant certification as a chiropractic technician to an applicant who satisfies the requirements under s. [446.026 \(2\) \(a\)](#), Stats. The course of study required under s. [446.026 \(2\) \(a\) 3.](#), Stats., shall be one of the following:

**(1)** A 6-hour course of study meeting all of the following requirements:

**(a)** The course of study shall include a prerequisite ~~4-hour~~2-hour therapeutic overview course covering chiropractic technician scope of practice, anatomy, and contraindications followed by all of the following:

1. ~~Four~~Two hours of instruction in gathering baseline data regarding a patient.
2. ~~Four~~Two hours of instruction in taking patient vitals.

(b) The course of study shall include a final assessment of competency of the didactic and clinical components of the program.

(c) The course of study shall be conducted by individuals who have specialized education, training, or experience by reason of which the individuals should be considered qualified concerning chiropractic technician scope of practice, anatomy, contraindications, and taking and preparing a preliminary patient history.

(2) A course of study the board determines is reasonably equivalent to the course of study under sub. (1).

**Chir 10.02 Delegation of adjunctive services to a chiropractic technician.** A chiropractor may delegate the performance of an adjunctive service to a chiropractic technician if all of the following conditions are met:

(1) The chiropractor maintains records or ensures the chiropractor's employer maintains records that verify the chiropractic technician is certified under ch. [446](#), Stats.

(2) For the delegation of massage therapy or bodywork therapy, the chiropractor maintains records or ensures the chiropractor's employer maintains records that verify the chiropractic technician is licensed under ch. [460](#), Stats.

(3) For the delegation of adjunctive services other than massage therapy or bodywork therapy and taking and preparing preliminary patient histories, the chiropractor maintains records or ensures the chiropractor's employer maintains records that verify the chiropractic technician has successfully completed a didactic and clinical training program approved by the board and covering the performance of the delegated service. Successful completion of a training program is demonstrated by attaining proficiency in the delivery of that service to minimally competent chiropractic practice standards as measured by objective knowledge and skills testing. The didactic and clinical training program shall meet or be determined by the board to be reasonably equivalent to all of the following criteria:

(a) The program constitutes an organized program of learning that contributes directly to the professional competency of a chiropractic technician to perform the delegated service.

(b) The program pertains to subject matters that integrally relate to the performance of the delegated service.

(c) The program is conducted by individuals who have specialized education, training, or experience by reason of which the individuals should be considered qualified concerning the performance of the delegated service.

(d) The program fulfills pre-established goals and objectives.

(e) The program provides proof of attendance.

(f) The program includes a final assessment of competency of the didactic and clinical components of the program.

(g) If the program includes instruction in one or more of the subject matters under subds. [1.](#) to [7.](#), the instruction shall meet the following requirements:

1. Instruction in the performance of thermotherapy and cryotherapy shall comprise one hour.
2. Instruction in the performance of electrotherapy shall comprise 3 hours.
3. Instruction in the performance of therapeutic ultrasound shall comprise 3 hours.
4. Instruction in the performance of light therapy shall comprise 3 hours.
5. Instruction in the performance of surface electromyography shall comprise 3 hours.
6. Instruction in the performance of mechanical therapy and decompression shall comprise 3 hours and may not include instruction in manual traction or manipulation.
7. Instruction in exercise and rehabilitation shall comprise ~~24~~ 12 hours and include all of the following topics:
  - a. Basic functional anatomy.
  - b. Kinesiology and joint movement.
  - c. Indications and contraindications.
  - d. Recordkeeping and reporting.
  - e. Scope of practice.
  - f. Baselines assessment, outcomes, and goals.

(4) The chiropractor exercises direct, on-premises supervision of the chiropractic technician performing the delegated service.

(5) The chiropractor retains ultimate responsibility for the manner and quality of the service.

**Chir 10.023 Delegation of adjunctive services to a health care professional.** A chiropractor may delegate the performance of an adjunctive service to a health care professional if all of the following conditions are met:

(1) The performance of the adjunctive service is within the scope of the health care professional's license, registration, or certification.

(2) The chiropractor maintains records or ensures the chiropractor's employer maintains records that verify the health care professional's license, registration, or certification is current.

(3) The chiropractor exercises direct, on-premises supervision of the health care professional performing the delegated adjunctive service.

(4) The chiropractor retains ultimate responsibility for the manner and quality of the service.

**Chir 10.025 Chiropractic radiological technician course of study.** The board shall grant certification as a chiropractic radiological technician to an applicant who satisfies the requirements under s. [446.025 \(2\) \(a\)](#), Stats. The course of study required under s. [446.025 \(2\) \(a\) 3.](#), Stats., shall be one of the following:

(1) A course of study meeting all of the following requirements:

**(a)** The course of study shall comprise 48 hours, including all of the following topics:

1. Introduction to x-ray examination.
2. Physics of x-ray examination.
3. Anatomy.
4. Patient position.
5. Safety measures.
6. Machine operation.
7. Exposure techniques and accessories.
8. Processing and dark room techniques.
9. Film critique and quality assurance.
10. Professionalism.
11. Recordkeeping.
12. Emergency procedures summary.

**(b)** The course of study shall include a final assessment of competency of the didactic and clinical components of the program.

**(c)** The certification program shall have a chiropractor licensed under ch. [446](#), Stats., present in the facility and available to the students of the course of study.

**(2)** A course of study the board determines is reasonably equivalent to the course of study under sub. [\(1\)](#).

**Chir 10.03 X-ray services.** As provided under s. [446.02 \(7\) \(d\)](#), Stats., a chiropractor may delegate x-ray services only to a chiropractic radiological technician or a health care professional acting within the scope of the health care professional's license, registration, or certification. A chiropractor shall comply with s. [Chir 4.04](#) before delegating the performance of x-ray services to a chiropractic radiological technician or a health care professional.





**To: Wisconsin Chiropractic Examining Board Members**  
**From: Wisconsin Chiropractic Association**  
**Re: Proposed Changes to Chiropractic Technician Course of Study**

At the October 27, 2022, Chiropractic Examining Board meeting, CSW proposed that the Chiropractic Technician course of study should be shortened from 12 to 6 hours, and the Exercise Rehabilitation course of study be shortened from 24 to 12 hours. The Wisconsin Chiropractic Association (WCA) has significant concerns over reducing the standards for Chiropractic Technicians (CT) and is opposed to both changes. The following is a synopsis outlining our concerns with the proposal as well as addressing the perceived issues behind it.

### **Chiropractic Technician Certification Course of Study**

It is critical that the staff serving chiropractic clinics in Wisconsin be properly and consistently trained in providing the delegated adjunctive services as defined by Chir 10.1. It is also important to note that the trained CT performs the delegated services under the direct supervision of the chiropractor who retains the ultimate responsibility for the manner and quality of the service.

Currently, Chir. 10.015 lists the CT course of study requirement as:

1. 4-hour therapeutic overview covering scope of practice, anatomy, and contraindication to therapeutics
2. 4 hours instruction on gathering preliminary baseline data on a patient
3. 4 hours of instruction on taking patient's vitals

This 12-hour course of study is also a prerequisite for delegation of physiotherapy treatment including thermotherapy/cryotherapy, electrotherapy, ultrasound, light therapy, surface electromyography, mechanical therapy/decompression, and exercise/rehabilitation.

Within each of the three 4-hour sections of the 12-hour course of study, the student must demonstrate an understanding of the didactic and clinical components of the program. This requires an instructor to visit each student during hands-on practice of these clinical skills to ensure overall accuracy and competence for safe patient care. Currently, CTs do not need any background in health care or human anatomy prior to taking the course of study. Decreasing the course hours could result in inadequate instruction of a student, particularly one who may need more intensive training and instructor feedback to ensure proper clinical skills.

Licensed CTs perform delegated services requiring one-on-one contact with patients. The WCA monitors trends in health care, and we are seeing how improved patient outcomes are continuously being stressed within the healthcare system. Properly trained staff are vital for improving patient outcomes and providing quality patient-centric care.



## **Therapeutic Overview**

A CT's duties require them to have a clear understanding of the treatment recommendations the attending provider has for the patient as well as their role in implementing the provider's treatment protocol. It is essential that a CT understand the scope of practice and the services they are legally able to provide. It is also essential for CTs to have a basic understanding of the anatomy and physiology of the human body in order to competently perform their duties. Reducing the course length would take time away from these basic requirements in the Administrative Code.

## **Gathering Baseline Data**

This 4-hour section covers the process of gathering baseline data from the patient regarding the patient's main reason for seeking chiropractic care. It also includes further inquiry into family history and medical history of the patient. Taking a preliminary patient history is a learned skill and eliminating any time within this section does not allow the student to practice asking the correct questions or provide the instructor enough time to provide the student feedback on their skills.

## **Taking Patients' Vitals**

Part of the initial 12-hour course of study includes learning the proper techniques to obtain vital signs. Obtaining a blood pressure reading for a patient is a baseline tool for providers to determine a patient's health and is a learned skill requiring hands-on practice under the observation of the instructor. Reducing the time of the 12-hour course of study would not provide a foundation for the student for this essential portion of patient care. Blood pressure monitoring is critical to a good physical exam. Given the importance of blood pressure in health care, reducing the time allotted in training for this would potentially decrease the CT's ability to obtain proper readings and provide quality care.

In summary, the current 12-hour course of study provides a foundation for students. Reducing the already basic course of study would not adequately prepare the student for their job duties.

## **Exercise/Rehabilitation**

The current requirement for delegation of exercise/rehabilitation to a CT is completion of a 24-hour course. According to the statute (Chiro 10.02 (2)(g)7, instruction in exercise/rehabilitation currently includes the following:

1. Basic functional anatomy
2. Kinesiology and joint movement
3. Indications and contraindications
4. Record keeping and reporting
5. Scope of practice
6. Baseline assessment, outcomes, and goals



To properly train personnel to provide these delegated services, we feel strongly that 24 hours of classroom time is needed to disseminate the required information. It is important to note that training of chiropractic technicians in exercise rehabilitation was reduced from 36 hours to 24 hours in 2018 to reduce the burden of time and costs for clinics. Reducing the hours further may increase the likelihood of potential errors or mistakes that prove hazardous to patients in chiropractic clinics where this work is delegated to CTs.

### **Additional issues**

The WCA currently offers the 12-Hour CT course in one day and four therapeutic modalities the next day, allowing staff to be trained in one weekend. The WCA is working on providing a portion of the course as an online option. This would reduce the time needed to be away from the clinic.

The incidents of CTs performing without a license should not be addressed by reducing necessary training for CTs. Reducing standards for the sake of improving compliance is a slippery slope. To reduce standards so that doctors and staff are more likely to follow the law is like increasing the speed limit near a school zone so that fewer people are arrested for breaking the law, with no concern for safety. This issue is a non-issue.

### **Summary**

We understand the underlying intent of the proposal is to reduce the burden of having staff out of the office for education. However, we strongly feel the current length of time is imperative to communicate the necessary tools and education vital for CTs to perform their job duties confidently, safely, and effectively. Patient safety is of paramount importance to the WCA. Adequately trained staff must be a priority for the Chiropractic Examining Board. We urge the CEB to reject this misguided proposal to reduce staff training requirements.

Respectfully,

Brenda Holland, DC, DICCP, Chiropractic Technician Course of Study Instructor

Jason Mackey, DC, Chiropractic Technician Course of Study Instructor

Heather Miley, DC, DACBR, Chiropractic Radiological Technician Course of Study Instructor

John Murray, WCA Executive Director and CEO

Wendy Varish, DC, FACO, CCSP, CCOHC, MCS-P, CT and CRT Course of Study Instructor

Steven G. Yeomans, DC, FACO, Exercise/Rehabilitation Course of Study Instructor



8/2/23

To: Wisconsin Chiropractic Board of Examiners  
From: Chiropractic Society of Wisconsin (CSW)  
RE: Chir 10 rule public hearing

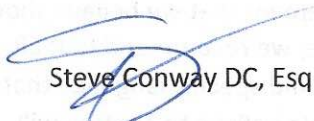
The Chiropractic Society of Wisconsin (CSW) respectfully requests that the members of the Chiropractic Examining Board consider the following discussion points related to Chir 10:

The CSW fully supports the Board's decision to open a scope statement and consider modifications to the language associated with Chir 10.

This rule has undergone many modifications since its original release. The last release modified the initial training to 12 hours with the goal of decreasing the total number of hours necessary to achieve the CT certification. The increase in the required initial training course to 12 hours was believed to include all training to become a CT. However, the practical application associated with the last modification to 12 hours has actually increased the burden to achieving the CT certification.

The CSW is requesting the Board review the current required hours and consider returning to the 8 hours for the initial course program. We also ask the board to consider reducing the current 24 hour exercise course to 12 hours. We believe these modifications will still protect the public and properly educate the CT to safely perform delegated services.

Sincerely,

  
Steve Conway DC, Esq  
Executive Director

Brian Wussow  
President

**Chiropractic Examining Board  
Rule Projects (updated 03/15/2024)**

<b>Clearinghouse Rule Number</b>	<b>Scope #</b>	<b>Scope Expiration</b>	<b>Code Chapter Affected</b>	<b>Relating clause</b>	<b>Current Stage</b>	<b>Next Step</b>
Not Assigned Yet	062-23	02/21/2026	Chir 3	Cardiopulmonary Resuscitation (CPR) Requirement	Preliminary rule draft submitted to Clearinghouse on February 27, 2024.	Public Hearing scheduled for June 27, 2024.
Not Assigned Yet	Not Assigned Yet	Not Assigned Yet	Chir 5	Continuing Education	Scope Submitted to the Governor's Office for Approval on 03/06/23	Scope Publication and Implementation
Not Assigned Yet	035-23	11/30/2025	Chir 10	Delegation	Drafting rule.	EIA comment period, Clearinghouse review, and public hearing.
Not Assigned Yet	034-23	11/30/2025	Chir 12	Nutritional Counseling Certification	Drafting rule.	EIA comment period, Clearinghouse review, and public hearing.

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

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Peter Schramm, Licensing Examination Specialist		<b>2) Date when request submitted:</b> 3/19/2024 <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>	
<b>3) Name of Board, Committee, Council, Sections:</b> Chiropractic Examining Board			
<b>4) Meeting Date:</b> 3/28/2024	<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> CT Course of Study - WCA	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i>  <input type="checkbox"/> Yes <input 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> Evaluate CT Course of Study application; make motion to approve or deny			
<b>11) Authorization</b>			
Pete Schramm		3/19/2024	
<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	
<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.			

# Wisconsin Department of Safety and Professional Services

Mail To: P.O. Box 8935  
Madison, WI 53708-8935  
FAX #: (608) 266-2602  
Phone #: (608) 266-2112

Ship To: 4822 Madison Yards Way  
Madison, WI 53705  
E-Mail: [dsp@wisconsin.gov](mailto:dsp@wisconsin.gov)  
Website: <http://dsp.wi.gov>

## REQUEST FOR APPROVAL OF A CHIROPRACTIC RADIOLOGICAL TECHNICIAN or CHIROPRACTIC TECHNICIAN PRE-CERTIFICATION COURSE OF STUDY

Completion of this form is required for all providers applying for approval of a Chiropractic Technician or Chiropractic Radiological Technician pre-certification course of study. You must submit a proposal of the course of study with this form which will be used by the Chiropractic Examining Board to determine whether to approve the course of study.

Chiropractic Technician/Chiropractic Radiological Technician pre-certification course of study information:

School/Provider Name: Wisconsin Chiropractic Association

Street Address: 2401 American Lane, Madison, WI, 53704

City, State, Zip Code: \_\_\_\_\_

School/Provider Administrator: Andrea Murray, Education and Convention Director

Contact Telephone: 608-292-1802

Contact Email Address: awmurray@wichiro.org

\*Please attach the written course of study proposal including course outline, description/rationale, measured outcomes, instructor qualifications, etc.

You will be contacted if additional information is required. If the course of study is approved by the Chiropractic Examining Board, the school/provider is required to inform the Department in advance of any changes to the course of study or instructor qualifications to determine if the change will require review for re-approval.

NOTE: You may make no plans for admission of students or release publicity until you have received notice in writing from the Department that the chiropractic radiological technician or chiropractic technician course of study has been approved.



3-7-2024

\_\_\_\_\_  
Signature of CT or CRT Educational Program Administrator

\_\_\_\_\_  
Date

# CT Certification in Light / Laser Therapy: Photobiomodulation 101

Presented by:

Wendy Varish, DC, FIANM(us), DACO, CCSP, CCOHC

This 4-hour course is designed to provide the CT with a thorough understanding of the mechanisms of action and the benefits of light/laser therapy, aka Photobiomodulation (PBM), the differences between the modalities used within an office, and when and how to use it on patients. CTs will leave with the training required for delegation of Light Therapy.

Number of Educational Hours: 4 CE hours

## LEARNING OBJECTIVES:

1. Understand Definition and properties of Radiation and Photobiomodulation
2. Understand Therapeutic Wavelengths and Power used in a Clinical Setting
3. Review of PBM Mechanisms of Action with the Body and Clinical Efficacy for Photochemistry and Photobiology
4. Understand terminology of dosage and reporting for PBM
5. Introduce different devices that are used to deliver optimum PBM
6. Review safety recommendations when using specific devices
7. Understand Contraindications
8. Review presentation of common acute and chronic conditions that frequent a chiropractic office, including, but not limited to, osteoarthritis, acute trauma, headaches, TMJ, disc conditions, and myalgia.

## OUTLINE

### Hour 1

1. Pretest for CTs taking for their initial certification in Light Therapy
2. Introduce Photobiomodulation / Light Therapy / Laser / LLT
  - a. Definition of Radiation
  - b. Definition of Photobiomodulation
  - c. Therapeutic Wavelengths and Power used in a Clinical Setting
3. PBM Mechanisms of Action with the Body and Clinical Efficacy
  - a. Photochemistry
  - b. Photobiology

### Hour 2

4. Discuss terminology of dosage and reporting for PBM
5. Introduce different devices that are used to deliver optimum PBM
  - a. Lasers
    - i. What are lasers?
    - ii. Classifications
  - b. LED / SLD
    - i. Clinical Efficacy of LED

### Hour 3

6. Emphasize safety recommendations when using specific devices
7. Contraindications

### Hour 4

8. Mention the presentation of common acute and chronic conditions that frequent a chiropractic office, including, but not limited to, osteoarthritis, acute trauma, headaches, TMJ, disc conditions, and myalgia.
9. Post test for CTs taking for their initial certification in Light Therapy



## CURRICULUM VITAE

WENDY L.C. VARISH, DC, FACO, CCSP, CCOHC, MCS-P  
516 South Wisconsin Drive  
Howards Grove, WI 53083  
(920)565-3922 fax (920)565-2142  
wvarish@varishchiro.com

**EDUCATION:** High School: Hinckley-Big Rock H.S., Hinckley, IL (valedictorian)  
Undergraduate: University of Wisconsin—Madison  
Major Course of Study: Pre-medicine / Human Biology

**PROFESSIONAL EDUCATION:** National College of Chiropractic, Lombard, IL  
**Graduated Salutatorian, Summa Cum Laude 12/1992**

**DEGREES:** Doctor of Chiropractic (Summa Cum Laude) 12/1992  
Bachelor of Science, Human Biology (Magna Cum Laude)  
Certified Chiropractic Sports Physician (CCSP)  
Certified Chiropractic Occupational Health Consultant (CCOHC)  
Certified in Impairment and Disability Ratings  
Diplomate in Orthopedics (DACO)  
–Academy of Chiropractic Orthopedists  
Fellow of the Academy of Chiropractic Orthopedists (FACO)  
Nutritional Counseling Certification (WI)  
Medicare Compliance Specialist-Provider (MCS-P)  
SafeSport Trained

**PROFESSIONAL LICENSE:** Wisconsin

**POST-GRADUATE EDUCATION:** refer to expanded C.V.

**PROFESSIONAL MEMBERSHIP:** Wisconsin Chiropractic Association  
American Chiropractic Association  
Wisconsin Back Society  
Federation for Chiropractic Education and Research  
American Chiropractic Board of Sports Physicians  
ICA Council on Chiropractic Pediatrics  
Academy of Chiropractic Orthopedists, Fellow  
American Academy of Hospital Chiropractors

### PROFESSIONAL PRACTICE:

Sept. 1994-present: Howards Grove Chiropractic  
516 S. Wisconsin Drive  
Howards Grove, WI 53083

(This practice was originally Chiro-Health Chiropractic Center, but was purchased by Varish Chiropractic Clinics, LLP on 9/1/94. Original location at 519 Madison Avenue was moved to current location 7/1/2000.)

Jan.1993- Sep.1994: Chiro-Health Chiropractic Center  
519 Madison Avenue  
Howards Grove, WI 53083

2001-2012 Team Doctor / Athletic Trainer – Varsity Football  
Howards Grove High School, Howards Grove, WI

Fall 2001 Athletic Trainer / Team Doctor – temporary position  
Lakeland College Athletic Dept, Sheboygan, WI

2005-2012 Team Doctor / Athletic Trainer –Varsity Football  
Sheboygan Lutheran High School, Sheboygan, WI

2009-2012 Staff privileges at Sheboygan Medical Center

2010-2011 Staff privileges at Quintessa Medical Surgery Center

**INTERNSHIP:** Chicago General Health Services; Chicago, IL

**TECHNIQUE TRAINING:**

Diversified Technique  
 National College of Chiropractic  
 Activator Methods Chiropractic Technique  
 Activator Methods, Inc. with Parker College of Chiropractic  
 Thompson Drop Technique  
 Logan College of Chiropractic  
 Gonstead Chiropractic Technique  
 Palmer College of Chiropractic  
 Applied Spinal Biomechanics  
 Manipulation Under Anesthesia  
 University of Bridgeport, American Academy of Manual & Physical Medicine

**PROFESSIONAL TEACHING EXPERIENCE:**

2002- current	<p>Instructor for Wisconsin Chiropractic Association          State-approved CE and Certificate Course Instructor          Classes include:</p> <ul style="list-style-type: none"> <li>Clinical Work of Chiropractic</li> <li>CT Delegation Courses             <ul style="list-style-type: none"> <li>Patient History</li> <li>Preliminary Physical Examinations</li> <li>Physiological Therapeutics Overview</li> <li>Electrotherapy/Interferential Current</li> <li>Mechanical Therapy/Traction</li> <li>Thermotherapy/Cryotherapy</li> <li>Ultrasound Therapy</li> <li>Cold Laser and Light Therapy</li> </ul> </li> <li>CRT Chiropractic Radiology Technician -48 hour course</li> <li>Physiotherapeutic Modalities Certification Course- DC's             <ul style="list-style-type: none"> <li>48 hr Certification course including electrotherapy, ultrasound, light and laser therapy, mechanical therapy, cryotherapy, thermotherapy</li> </ul> </li> <li>Anatomy of a Successful CRT - 6 CE hours</li> <li>Clinical Aspects of PQRS 4 CE hours (DC &amp; CT)</li> <li>Sprains, Strains, and Automobiles 6 CE hours for CT</li> <li>Anatomy for the CT – 6 CE hours for CT</li> <li>Clinical Pearls – Cervical Radiculopathy - 4 CE DC hours</li> <li>Clinical Pears – Lumbar Stenosis -- 4 CE DC hours</li> <li>Clinical Pearls–Focused Nutrition &amp; Pain Management</li> <li>Anatomy of a Successful CRT- Radiology- 12 CE hrs</li> </ul>
2018	<p>Instructor/Adjunct Professor/ Faculty - Lakeland University, Wisconsin          Medical Terminology- Spring Semester</p>
2012, 2013, 2016	<p>Instructor – Tennessee Chiropractic Association          Advanced Applications for Common Physiological Therapeutics</p> <ul style="list-style-type: none"> <li>Skeletal Anatomy and Radiologic Techniques – 6 CE hrs</li> <li>Specific Applications of Physiologic Therapeutics– 6 CE hrs</li> <li>Red Flags: Clinical Indications for Chiropractic-6 CE hrs</li> <li>Radiographic Clinical Correlations in Chiropractic-6 CE hrs</li> </ul>
2010	<p>Instructor for Michigan Association of Chiropractors          Physiological Therapeutic Modalities – 15 CE hours</p>
2011	<p>Instructor for Macomb County Chiropractic Organization, Detroit, MI</p>

Clinical Pearls for the Chiropractic Practice – 15 CE hours  
Including special hours in Pain & Symptom Management,  
Ethics and Risk Management, and Boundary Training

2012	Instructor for Medical College of Wisconsin Pain Management through the Resolution of Aberrant Biomechanics- Pain Management for the Non Pain Specialist
2010	Instructor for Michigan Association of Chiropractors Physiological Therapeutic Modalities – 15 CE hours
1990-1992	Teaching Assistant, Department of Anatomy National College of Chiropractic, Lombard, IL
1991-1992	Teaching Assistant, Department of Technique National College of Chiropractic, Lombard, IL

**PRESENTATIONS:** -Refer to Expanded CV

**COMMUNITY ORGANIZATIONAL MEMBERSHIP:**

Howards Grove Advancement Association  
Board of Directors, 1995-present  
Advisory Committee, 1997-present  
Children's/Youth Committee, 1997-present  
Howards Grove Education Foundation  
Board of Directors, Charter Member 2009-present  
Secretary 2009-present  
Sheboygan County 4H Leader  
Chair -Poultry Building Expansion Committee 2019  
Howards Grove Auditorium Committee  
Optimist Club of Howards Grove  
President, 1996-1997  
Board of Directors, District Level  
Past Vice President, Board of Directors  
Sheboygan County Chamber of Commerce  
2000 and Beyond Campaign for Boys & Girls Club  
Co-Chairman  
Northview Elementary Facility Review Committee  
Co-Chair, 2003-2004  
Howards Grove 5K/10K Run/Walk  
Charter Organizer and Co-Chair 2001-2009