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**VIRTUAL/TELECONFERENCE  
CHIROPRACTIC EXAMINING BOARD  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Tom Ryan (608) 266-2112  
March 30, 2023**

*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 February 2, 2023 (4-12)**
- 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. Damrow, James M. – 7/1/2023
    - b. Erlandson, Kris N. – 7/1/2025
    - c. Heffernan, Amy L. – 7/1/2025
    - d. Hendrickson, Kathleen A. – 7/1/2024
    - e. Meschefske, Daniel – 7/1/2025
    - f. Yellen-Shiring, Eugene – 7/1/2023
- F. Legislation and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration**
  - 1) Final Rule Draft: Chir 3 and 5, Relating to Professional Boundaries Education Requirements **(13-26)**
  - 2) Pending and Possible Rulemaking Projects
    - a. Rule Projects Chart **(27)**
- H. 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

#### **I. 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.).**

#### **J. Credentialing Matters**

##### **1) Application Reviews**

- a. Raymond Janusz – Renewal Applicant **(28-75)**
- b. Randolph Magone – Chiropractor Applicant **(76-193)**

#### **K. Deliberation on Division of Legal Services and Compliance Matters**

##### **1) Case Closings**

- a. 21 CHI 027 – N.R.L. **(174-200)**
- b. 22 CHI 001 – B.W.E. **(201-217)**
- c. 22 CHI 009 – N.R.L. **(218-226)**

#### **L. 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

M. Consulting with Legal Counsel

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

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

**ADJOURNMENT**

**NEXT MEETING: JUNE 29, 2023**

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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  
FEBRUARY 2, 2023**

**PRESENT:** James Damrow, Kris Erlandson (*arrived at 8:35 a.m.*), Amy Heffernan, Kathleen Hendrickson, Daniel Meschefske, Eugene Yellen-Shiring (*excused at 11:45 a.m., returned at 12:00 p.m.*)

**STAFF:** Tom Ryan, Executive Director; Jameson Whitney, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Katlin Schwartz, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Amy Heffernan, Vice Chairperson, called the meeting to order at 8:34 a.m. A quorum was confirmed with five (5) members present.

**ADOPTION OF AGENDA**

**MOTION:** James Damrow moved, seconded by Eugene Yellen-Shiring, to adopt the Agenda as published. Motion carried unanimously.

*Kris Erlandson arrived at 8:35 a.m.*

**APPROVAL OF MINUTES OF OCTOBER 27, 2022**

**MOTION:** James Damrow moved, seconded by Daniel Meschefske, to approve the Minutes of October 27, 2022 as published. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Election of Officers**

*Chairperson*

**NOMINATION:** Kris Erlandson nominated Amy Heffernan for the Office of Chairperson. Amy Heffernan accepted the nomination.

**NOMINATION:** Eugene Yellen-Shiring nominated James Damrow for the Office of Chairperson. James Damrow declined the nomination.

**NOMINATION:** James Damrow nominated Kris Erlandson for the Office of Chairperson. Kris Erlandson declined the nomination.

Tom Ryan, Executive Director, called for nominations three (3) times.

Amy Heffernan was elected as Chairperson by unanimous voice vote.

### *Vice Chairperson*

**NOMINATION:** Amy Heffernan nominated Kris Erlandson for the Office of Vice Chairperson. Kris Erlandson accepted the nomination.

Tom Ryan, Executive Director, called for nominations three (3) times.

Kris Erlandson was elected as Vice Chairperson by unanimous voice vote.

### *Secretary*

**NOMINATION:** Daniel Meschefske nominated himself for the Office of Secretary. Daniel Meschefske accepted the nomination.

Tom Ryan, Executive Director, called for nominations three (3) times.

Daniel Meschefske was elected as Secretary by unanimous voice 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 <i>(Rotate CE Approvals to D.C. Members)</i>
<b>Monitoring Liaison</b>	James Damrow <i>Alternate: Daniel Meschefske</i>
<b>Professional Assistance Procedure (PAP) Liaison</b>	Kathleen Hendrickson <i>Alternate: Daniel Meschefske</i>
<b>Legislative Liaison</b>	Amy Heffernan <i>Alternate: Kris Erlandson</i>
<b>Travel Authorization Liaison</b>	Daniel Meschefske <i>Alternate: James Damrow</i>
<b>Preceptor Liaison</b>	Eugene Yellen Shiring <i>Alternate: Amy Heffernan</i>

<b>SCREENING PANEL APPOINTMENTS</b>	
<b>Screening Panel</b>	Eugene Yellen-Shiring, Kris Erlandson, Daniel Meschefske <i>Alternate: Amy Heffernan</i>

**Delegation of Authorities**

***Document Signature Delegations***

**MOTION:** James Damrow moved, seconded by Amy Heffernan, 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:** Kris Erlandson 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 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:** Amy Heffernan moved, seconded by Kris Erlandson, 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:** Kris Erlandson moved, seconded by Amy Heffernan, 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. Motion carried unanimously.

***Delegation to Chief Legal Counsel for Stipulated Resolutions***

**MOTION:** James Damrow moved, seconded by Daniel Meschefske, to delegate to DSPS Chief Legal Counsel the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that CLC only act on such matters when the best interests of the Board, Department and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

## *Monitoring Delegations*

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

**MOTION:** Kris Erlandson moved, seconded by Amy Heffernan, to adopt the “Roles and Authorities Delegated for Monitoring” document as presented in the February 2, 2023 agenda materials on pages 30-32, except that item 11 shall not be stricken. Motion carried unanimously.

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

**MOTION:** Amy Heffernan moved, seconded by Daniel Meschefske, to delegate to 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**

**MOTION:** Amy Heffernan moved, seconded by Kris Erlandson, 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:** Kris Erlandson moved, seconded by Kathleen Hendrickson, 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.

### **Delegation of Authority for Predetermination Reviews**

**MOTION:** Amy Heffernan moved, seconded by Daniel Meschefske, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

### **Delegation of Authority for Conviction Reviews**

**MOTION:** Amy Heffernan moved, seconded by Kathleen Hendrickson, 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 Discipline History Has Been Previously Reviewed**

**MOTION:** James Damrow moved, seconded by Amy Heffernan, to delegate authority to Department staff to approve applications where Applicant’s prior discipline has been approved for a previous chiropractic credential and there is no new discipline. Motion carried unanimously.

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

**MOTION:** Amy Heffernan moved, seconded by Daniel Meschefske, 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.

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

**MOTION:** Kris Erlandson moved, seconded by Amy Heffernan, 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 Military Reciprocity Reviews**

**MOTION:** James Damrow moved, seconded by Kathleen Hendrickson, to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09. Motion carried unanimously.

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

**MOTION:** Amy Heffernan moved, seconded by Eugene Yellen-Shiring, 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:** Kris Erlandson moved, seconded by Amy Heffernan, 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:** Eugene Yellen-Shiring moved, seconded by Daniel Meschefske, 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.



**MOTION:** Amy Heffernan moved, seconded by James Damrow, to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19. Motion carried unanimously.

***Education and Examination Liaison(s) Delegation***

**MOTION:** Kris Erlandson moved, seconded by Kathleen Hendrickson, to delegate authority to the Education-and Examination Liaison(s) to address all issues related to education, continuing education, and examinations. Motion carried unanimously.

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

**MOTION:** Amy Heffernan moved, seconded by Daniel Meschefske, 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:** James Damrow moved, seconded by Kris Erlandson, 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 rule changes within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

***Legislative Liaison Delegation***

**MOTION:** Kris Erlandson moved, seconded by Daniel Meschefske, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried. Opposed: James Damrow

***Travel Authorization Liaison Delegation***

**MOTION:** Amy Heffernan moved, seconded by Daniel Meschefske, to delegate authority to the Travel Authorization Liaison to approve any board member travel to and/or participation in events germane to the board, and to designate representatives from the Board to speak and/or act on the Board's behalf at such events. Motion carried unanimously.

***Preceptor Liaison(s) Delegation***

**MOTION:** Amy Heffernan moved, seconded by James Damrow, to delegate authority to the Preceptor Liaison(s) to handle all matters regarding preceptors, including approval of preceptors. Motion carried unanimously.

## ADMINISTRATIVE RULE MATTERS

### Scope Statements

#### *Chir 3, Relating to Cardiopulmonary Resuscitation (CPR) Requirement*

**MOTION:** Amy Heffernan moved, seconded by Daniel Meschefske, to approve the Scope Statement revising Chir 3, relating to Cardiopulmonary Resuscitation (CPR) Requirement, for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried. Opposed: James Damrow

#### *Chir 5, Relating to Continuing Education*

**MOTION:** James Damrow moved, seconded by Amy Heffernan, to approve the Scope Statement revising Chir 5, relating to Continuing Education, for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried. Opposed: Eugene Yellen-Shiring

*Eugene Yellen-Shiring was excused at 11:45 a.m.*

#### *Chir 10, Relating to Delegations*

**MOTION:** Amy Heffernan moved, seconded by Kris Erlandson, to approve the Scope Statement revising Chir 10, relating to Delegations, for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

#### *Chir 12, Relating to Nutritional Counseling Certification*

**MOTION:** Amy Heffernan moved, seconded by Daniel Meschefske, to approve the Scope Statement revising Chir 12, relating to Nutritional Counseling Certification, for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

*Eugene Yellen-Shiring returned at 12:00 p.m.*

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

**Consideration of Attendance: FCLB 96<sup>th</sup> Annual Educational Conference – April 26-30, 2023 and  
NBCE 2023 Annual Meeting on April 28, 2023 – Palm Beach, FL**

**MOTION:** Kris Erlandson moved, seconded by Daniel Meschefske, to designate Amy Heffernan, as the Board’s delegate, and James Damrow as the Board’s alternate delegate, to attend the FCLB 96th Annual Educational Conference on April 26-30, 2023 and the NBCE 2023 Annual Meeting on April 28, 2023 in Palm Beach, FL. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** James Damrow moved, seconded by Amy Heffernan, 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.). Amy Heffernan, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: James Damrow-yes; Kris Erlandson-yes; Amy Heffernan-yes; Kathleen Hendrickson-yes; Daniel Meschefske-yes; and Eugene Yellen-Shiring-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:12 p.m.

**DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS**

**Case Closings**

**21 CHI 007 – M.J.V.**

**MOTION:** Kris Erlandson moved, seconded by Daniel Meschefske, to close DLSC Case Number 21 CHI 007, against M.J.V., for Insufficient Evidence. Motion carried unanimously.

**Proposed Stipulation(s), Final Decision(s) and Order(s)**

**21 CHI 024 – Mark A. Meister, DC**

**MOTION:** Kris Erlandson moved, seconded by Eugene Yellen-Shiring, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Mark A. Meister, DC, DLSC Case Number 21 CHI 024. Motion carried unanimously.

**RECONVENE TO OPEN SESSION**

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

The Board reconvened into Open Session at 12:21 p.m.

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

**MOTION:** Amy Heffernan moved, seconded by Kathleen Hendrickson, 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 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:** Amy Heffernan moved, seconded by Daniel Meschefske, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:23 p.m.

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

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Nilajah Hardin Administrative Rules Coordinator		<b>2) Date when request submitted:</b> 03/20/23 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> 03/30/23	<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. Final Rule Draft: Chir 3 and 5, Relating to Professional Boundaries Education Requirements 2. Pending or Possible Rulemaking Projects a. Rule Projects Chart	
<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: <ul style="list-style-type: none"> <li>• Chir 3 and 5: Legislative Report, Final Rule Draft, EIA, Clearinghouse Report, Public Comments</li> <li>• Rule Projects Chart</li> </ul> (Board Rule Projects can be Viewed Here if Needed: <a href="https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx">https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx</a> )			
<b>11) Authorization</b>			
		03/20/23	
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**

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**IN THE MATTER OF RULEMAKING** :  
**PROCEEDINGS BEFORE THE** : **REPORT TO THE LEGISLATURE**  
: **CR 22-066**  
:  
:  
:

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**I. THE PROPOSED RULE:**

The proposed rule, including the analysis and text, is attached.

**II. REFERENCE TO APPLICABLE FORMS: N/A**

**III. FISCAL ESTIMATE AND EIA:**

The Fiscal Estimate and EIA is attached.

**IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:**

Wisconsin Administrative Code Chapters Chir 3 and 5 cover the education requirements for licensure and renewal respectively. Neither of these chapters currently includes a requirement of education on the topic of professional boundaries. Other jurisdictions in the US require this topic as part of Chiropractor licensure, and the Board has determined that requiring this education will help protect the health and safety of the public of Wisconsin. The proposed rule adds a requirement that 2 of the 40 hours of continuing education for each biennium for Chiropractors must be on the topic of professional boundaries and ethics.

**V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD’S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:**

The Chiropractic Examining Board held a public hearing on February 2, 2023. The following people either testified at the hearing, or submitted written comments:

John Murray, Executive Director and CEO, Wisconsin Chiropractic Association (WCA)

The Chiropractic Examining Board summarizes the comments received either by hearing testimony or by written submission as follows:

The WCA recommended the following:

- The scope statement for this rule (SS 019-22) should be revised to include the term “ethics” and resubmitted for approval
- Chir 5.01 (1) (i) should be revised to read: “Of the 40 continuing education hours required in par (a), 2 hours shall be in the topics of professional boundaries and ethics as defined in Chapter 446.04 and Chir 6 and approved under Chir 5.02”

The Chiropractic Examining Board explains modifications to its rule-making proposal prompted by public comments as follows:

Chir 5.01 (1)(i) was revised to read:

“The requirements in this section first apply to the renewal period beginning December 16, 2024. Of the 40 continuing education hours required in par. (a), 2 hours shall be on the topic of professional boundaries and ethics courses may include any of the following subjects:

1. Sexual misconduct as defined in s. Chir 6.02 (7).
2. Ethics in billing or business management practices.
3. Risk management.
4. Professional boundaries in clinical practice settings.
5. Any other related topic approved by the Board.”

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

All of the recommendations suggested in the Clearinghouse Report have been accepted in whole.

**VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS: N/A**

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 22-066)  
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PROPOSED ORDER

An order of the Chiropractic Examining Board to create Chir 5.01 (1) (i) relating to professional boundaries education requirements.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:** ss. 440.035 (2) and 446.028, Stats.

**Statutory authority:** ss. 15.08 (5) (b), 446.02 (2) (b), and 446.02 (3g) (b), ~~446.025 (3) (b), 446.026 (3) (b)~~, Stats.

Commented [HND1]: Clearinghouse Comment #1

**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 . . .”

Commented [HND2]: Clearinghouse Comment #1

Section 446.02 (2) (b), Stats., provides “the examining board shall promulgate rules establishing educational requirements for obtaining a license under par (a).”

Section 446.02 (3g) (b), Stats., provides “the examining board shall promulgate rules establishing additional requirements for obtaining a license under par. (a),...”

~~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:** None.



**Plain language analysis:**

Wisconsin Administrative Code Chapters Chir 3 and 5 cover the education requirements for licensure and renewal respectively. Neither of these chapters currently includes a requirement of education on the topic of professional boundaries. Other jurisdictions in the US require this topic as part of Chiropractor licensure, and the Board has determined that requiring this education will help protect the health and safety of the public of Wisconsin. The objective of the proposed rule adds a requirement that 2 of the 40 hours of continuing education for each biennium for Chiropractors must be is for the Board to review the requirements relating to education in Wisconsin Administrative Code Chapters Chir 3 and 5 to determine if a requirement on the topic of professional boundaries and ethics should be included.

Commented [HND3]: Clearinghouse Comment #5

**Summary of, and comparison with, existing or proposed federal regulation:** None.

**Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule:** N/A

**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. 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. Illinois does not require a certain number of CME hours to be on the topic of professional boundaries or ethics [68 Ill. Adm. Code 1285.110].

**Iowa:** Rules of the Iowa Board of Chiropractic regulate continuing education (CE) for chiropractors practicing in Iowa. The rules address required CE hours, standards for CE activities, and exemptions from CE requirements. Iowa requires 2 hours per biennium on the topic of “professional boundaries regarding ethical issues related to professional conduct that may include but are not limited to sexual harassment, sensitivity training, and ethics” [645 IAC 44].

**Michigan:** Rules of the Michigan Department of Licensing and Regulatory Affairs regulate continuing education (CE) for chiropractors practicing in Michigan. The rules address required CE hours, acceptable CE programs and activities, and approval of CE programs. Michigan requires at least one hour of CE on the topic of sexual boundaries and one hour on ethics [Mich Admin Code, R 338.12037 to R 338.12042].

**Minnesota:** Rules of the Minnesota Board of Chiropractic Examiners regulate continuing education (CE) for chiropractors practicing in Minnesota. The rules address required CE hours, CE program approval and approval criteria, approval of CE sponsors, and the waiver or deferment of CE requirements. Minnesota does not require a certain number of CE hours to be on the topic of professional boundaries or ethics [Minnesota Rules, parts 2500.1200 to 2500.2000].

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

The proposed rule was developed by reviewing the provisions of chapters Chir 3 and 5 to determine where a requirement for professional boundaries education would be appropriate to add for Chiropractors. The Board determined that adding a continuing education requirement to Chir 5 is most appropriate at this time.

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

The proposed rules were 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. No comments were received.

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis is attached.

**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, or by calling (608) 266-6795.

**Agency contact person:**

Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-267-7139; email at DSPSAdminRules@wisconsin.gov.

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

Comments may be submitted to Nilajah Hardin, 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. Comments must be received on or before the public hearing, held on ~~February 2, 2023 at 8:30 a.m. a date to be determined~~, to be included in the record of rule-making proceedings.

Commented [HND4]: Clearinghouse Comment #2a

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TEXT OF RULE

SECTION 1. Chir 5.01 (1) (i) is created to read:

**Chir 5.01 (1) (i)** ~~The requirements in this section first apply to the renewal period beginning December 16, 2024.~~ Of the 40 continuing education hours required in par. (a), 2 hours shall be on the topic of professional boundaries and ethics approved under s. Chir 5.02. ~~Professional boundaries and ethics courses may include any of the following subjects:~~

Commented [HND5]: Clearinghouse Comment #2c

Commented [HND6]: Clearinghouse Comment #2b

Commented [HND7]: Suggested Additional Language from DSPS

1. Sexual misconduct as defined in s. Chir 6.02 (7).
2. Ethics in billing or business management practices.
3. Risk management.

- 4. Professional boundaries in clinical practice settings.
- 5. Any other related topic approved by the Board.

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.

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(END OF TEXT OF RULE)  
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This Proposed Order of the Chiropractic Examining Board is approved for submission to the Governor and Legislature.

Dated \_\_\_\_\_ Agency \_\_\_\_\_  
Chairperson  
Chiropractic Examining Board

DRAFT

## 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 10/05/22</p>
<p>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Chir 3 and 5</p>	
<p>4. Subject Professional Boundaries Education Requirements</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 s. 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 Wisconsin Administrative Code Chapters Chir 3 and 5 cover the education requirements for licensure and renewal respectively. Neither of these chapters currently includes a requirement of education on the topic of professional boundaries. Other jurisdictions in the US require this topic as part of Chiropractor licensure, and the Board has determined that requiring this education will help protect the health and safety of the public of Wisconsin. The objective of the proposed rule is for the Board to review the requirements relating to education in Wisconsin Administrative Code Chapters Chir 3 and 5 to determine if a requirement on the topic of professional boundaries should be included.</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 rule was posted for 14 days on the Department of Safety and Professional Services' website to solicit comments on the potential economic impact. No comments were received.</p>	
<p>13. Identify the Local Governmental Units that Participated in the Development of this EIA. None.</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 rule will not have an economic or fiscal impact on specific businesses, business sectors, public utility rate payers, local governmental units or the state's economy as a whole. The Department estimates a total of \$1,300 in annual ongoing costs and \$3,700 in one-time administrative costs, which may be absorbed in the agency budget.</p>	
<p>15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule The benefits of implementing this rule are that Chiropractors will have ongoing education on professional boundaries and ethics..</p>	
<p>16. Long Range Implications of Implementing the Rule The long range implications of implementing this rule are improved practice for Chiropractors in Wisconsin and better overall patient care.</p>	

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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17. Compare With Approaches Being Used by Federal Government  
None.

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

Illinois: Rules of the Illinois Department of Financial and Professional Regulation regulate continuing medical education (CME) for chiropractic physicians practicing in Illinois. 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. Illinois does not require a certain number of CME hours to be on the topic of professional boundaries or ethics [68 Ill. Adm. Code 1285.110].

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19. Contact Name

Nilajah Hardin, Administrative Rules Coordinator

20. Contact Phone Number

608-267-7139

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This document can be made available in alternate formats to individuals with disabilities upon request.

**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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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)

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

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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

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)  
 Yes    No

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# Wisconsin Legislative Council

## RULES CLEARINGHOUSE

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**Scott Grosz**  
Clearinghouse Director

**Anne Sappenfield**  
Legislative Council Director

**Margit Kelley**  
Clearinghouse Assistant Director

### CLEARINGHOUSE REPORT TO AGENCY

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

#### CLEARINGHOUSE RULE **22-066**

AN ORDER to create Chir 5.01 (1) (i), relating to professional boundaries education requirements.

Submitted by **CHIROPRACTIC EXAMINING BOARD**

10-05-2022 RECEIVED BY LEGISLATIVE COUNCIL.

10-18-2022 REPORT SENT TO AGENCY.

MSK:SM

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

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

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

Comment Attached YES  NO

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

Comment Attached YES  NO

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

Comment Attached YES  NO

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

Comment Attached YES  NO

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

Comment Attached YES  NO

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

Comment Attached YES  NO

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

Comment Attached YES  NO





# Wisconsin Legislative Council

## RULES CLEARINGHOUSE

**Scott Grosz**  
Clearinghouse Director

**Margit Kelley**  
Clearinghouse Assistant Director

**Anne Sappenfield**  
Legislative Council Director

### CLEARINGHOUSE RULE 22-066

#### Comments

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

#### 1. Statutory Authority

References to ss. 446.025 (3) (b) and 446.026 (3) (b), Stats., may be removed from the statutory authority and explanation of agency authority section of the rule analysis because the rule does not modify continuing education requirements for a chiropractic radiological technician or a chiropractic technician.

#### 2. Form, Style and Placement in Administrative Code

a. The rule analysis listing of the deadline to submit comments should specify the date of the public hearing or how a reader could determine that date, rather than referring only generally to a “date to be determined”.

b. In s. Chir 5.01 (1) (i), the abbreviation “s.” should be inserted before the cross-reference to “Chir 5.02”. [s. 1.15 (2) (d), Manual.]

c. Consider adding an initial applicability clause to identify whether the revised rule applies to the renewal period that begins on December 16, 2022, or is intended to begin with the following renewal period. If the board intends the proposed rule to apply to the renewal period that begins on December 16, 2022, the clause could state: “This rule first applies to the renewal period that begins on December 16, 2022.”. [s. 1.03 (3), Manual.]

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

The last sentence of the plain language analysis section of the rule analysis sounds like material from a proposed rule scope statement rather than a proposed rule. This material should be modified to identify the actual change in the proposed rule: that the proposed rule adds a requirement that two of the 40 hours of continuing education required for a chiropractor must be on the topic of professional boundaries and ethics.

TO: Wisconsin Chiropractic Examining Board  
FROM: John Murray, Executive Director and CEO  
Wisconsin Chiropractic Association  
DATE: February 2, 2023  
RE: WCA Concerns relating to CR 22-066

In 2022, the Wisconsin Chiropractic Examining Board (CEB) began developing a draft administrative rule CR 22-066 to require chiropractors to take continuing education training on the topic of professional boundaries. The language of the proposed rule is:

*“Chir 5.01 (1) (i) Of the 40 continuing education hours required in par (a), 2 hours shall be in the topic of professional boundaries and ethics approved under Chir 5.02.”*

Issue #1 - the scope statement - SS 019-22 - under which the rule is being developed states:

*“The objective of the proposed rule is for the Board to review the requirements relating to education in Wisconsin Administrative Code Chapters 3 and 5 to determine if a requirement on the topic of professional boundaries should be included.”*

We have concerns that the language of the draft rule goes beyond the authority of the enabling scope statement as the word “ethics” was not included in SS 019-22 and its inclusion constitutes a meaningful change to the intent of the proposed rule. We have no objection to including the term “ethics” in the draft rule per se, but think it should be clearly authorized in a revised scope statement and more clearly defined as discussed below.

Issue #2 - nowhere in the proposed rule is the term “professional boundaries” defined. If the intent of the rule as discussed during CEB meetings is to better educate chiropractors on sexual boundaries, the rule should provide a definition of such. Chir 6 has language on this topic but the rule does not reference it nor is Chir 6 included in the approved scope statement. Here is the relevant language in Chir 6:

*Chir. 6.02 - Standards of Conduct - Unprofessional conduct by a chiropractor includes all of the following:  
(7) Engaging in sexual contact, exposure, gratification, or other sexual behavior with or in the presence of a patient.*

If the intent of the rule is to require chiropractors to take training on the topic of professional boundaries and avoid engaging in unprofessional conduct as outlined in Chir 6.02 (7), the CEB should at a minimum revise the rule language (under an amended scope statement) to include Chir 6 and reference (7) in its definition of “professional boundaries.” If the goal is to include both professional boundaries and ethics, the revised rule language should reference all of Chir 6. The new language would look something like this:

*“Chir 5.01 (1) (i) Of the 40 continuing education hours required in par (a), 2 hours shall be in the topics of professional boundaries and ethics as defined in Chapter 446.04 and Chir 6 and approved under Chir 5.02.”*

We support the underlying intent of the proposed rule but feel strongly that it should be done under a revised scope statement and contain a clear definition of “professional boundaries and ethics” as defined in Chapter 446.04 and Chir 6.

**Chiropractic Examining Board  
Rule Projects (updated 03/20/23)**

<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	Not Assigned Yet	Not Assigned Yet	Chir 3	Cardiopulmonary Resuscitation (CPR) Requirement	Scope Submitted to the Governor's Office for Approval on 03/06/23	Scope Publication and Implementation
22-066	019-22	09/14/2024	Chir 3 and 5	Professional Boundaries Education Requirements	Final Rule Draft and Legislative Report Submitted for Board Review at 03/30/23 Meeting	Board Approval and Submission to the Governor's Office for Approval
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	Not Assigned Yet	Not Assigned Yet	Chir 10	Delegation	Scope Submitted to the Governor's Office for Approval on 03/06/23	Scope Publication and Implementation
19-100	061-17	N/A	Chir 12	Nutritional Counseling Certification	Legislative Review of Germane Modification	Board Adoption at a Future Meeting (Assuming No Objections from Legislature)
Not Assigned Yet	Not Assigned Yet	Not Assigned Yet	Chir 12	Nutritional Counseling Certification	Scope Submitted to the Governor's Office for Approval on 03/06/23	Scope Publication and Implementation