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**VIRTUAL/TELECONFERENCE  
CHIROPRACTIC EXAMINING BOARD  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Will Johnson (608) 266-2112  
November 2, 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 (1-4)**
- B. Approval of Minutes of August 3, 2023 (5-6)**
- 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) Appointment of Liaisons and Alternates
  - 3) 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
- G. Administrative Rule Matters – Discussion and Consideration (7-40)**
  - 1) Adoption Order: Chir 3 and 5, relating to professional boundaries education. **(9-17)**
  - 2) Chir 3, relating to CPR requirements. **(18-25)**
  - 3) Chir 10, relating to delegation. **(26-31)**
  - 4) Chir 12, relating to nutritional counseling certification. **(32-39)**
  - 5) Pending and Possible Rulemaking Projects. **(40)**

- H. Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration (41-87)**
- 1) Travel Report: FCLB District II Meeting – September 22 & 23, 2023 – Fort Walton Beach, Florida

- I. Education and Examination Matters – Discussion and Consideration**
- 1) New Platform for CE Applications **(88)**

- J. 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

- K. 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.).**

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

- 1) **Proposed Stipulation and Final Decision and Orders**
  - a. 23 CHI 002 – Anthony J. Otto, D.C. (89-94)
- 2) **Case Closing**
  - a. 21 CHI 001 – P.M.F. (95-109)

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**

**VIRTUAL/TELECONFERENCE  
 CHIROPRACTIC EXAMINING BOARD  
 Virtual, 4822 Madison Yards Way, Madison  
 Contact: Will Johnson (608) 266-2112  
 November 2, 2023**

**CHIROPRACTIC EXAMINING BOARD**

**2023 WISCONSIN ETHICS AND PUBLIC RECORDS LAW FACILITATED TRAINING**

**9:00 A.M OR IMMEDIATELY FOLLOWING THE FULL BOARD MEETING**

A quorum of the Chiropractic Examining Board may be present; however, no Board business will be conducted.

**NEXT MEETING: 2024 TO BE DETERMINED**

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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  
AUGUST 3, 2023**

**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; Dialah Azam, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Amy Heffernan, Chairperson, called the meeting to order at 8:32 a.m. A quorum was confirmed with six (6) members present.

**ADOPTION OF AGENDA**

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

**APPROVAL OF MINUTES OF JUNE 29, 2023**

**MOTION:** Kris Erlandson moved, seconded by Amy Heffernan, to approve the Minutes of June 29, 2023 as published. Motion carried unanimously.

**8:30 A.M. PRELIMINARY PUBLIC HEARING – SCOPE STATEMENT CHIR 10, RELATING TO DELEGATION**

**Review Public Hearing Comments**

**MOTION:** Amy Heffernan moved, seconded by Kris Erlandson, to affirm the Board has provided an opportunity to receive public comments concerning Scope Statement (SS) 035-23 on Chir 10, relating to delegation. Additionally, after consideration of all public comments and feedback the Board approves SS 035-23 for implementation. Motion carried.

**8:30 A.M. PRELIMINARY PUBLIC HEARING – SCOPE STATEMENT CHIR 12, RELATING TO NUTRITIONAL COUNSELING CERTIFICATION**

**Review Public Hearing Comments**

**MOTION:** Amy Heffernan moved, seconded by Daniel Meschefske, to affirm the Board has provided an opportunity to receive public comments concerning Scope Statement (SS) 034-23 on Chir 12, relating to nutritional counseling certification. Additionally, after consideration of all public comments and feedback the Board approves SS 034-23 for implementation. Motion carried unanimously.

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

**Consideration of Attendance: FCLB District II Meeting – September 22 & 23, 2023 – Fort Walton Beach, Florida**

**MOTION:** Amy Heffernan moved, seconded by Kris Erlandson, to designate James Damrow to attend the FCLB District II Meeting on September 22 & 23, 2023 in Fort Walton Beach, Florida. 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.

**ADJOURNMENT**

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

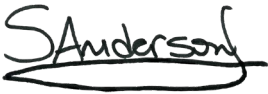
The meeting adjourned at 10:03 a.m.

**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> October 23, 2023	
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> November 2, 2023	<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. Adoption Order: Chir 3 and 5, relating to professional boundaries education.</li> <li>2. Chir 3, relating to CPR requirements.                         <ol style="list-style-type: none"> <li>a. CSW recommendations</li> </ol> </li> <li>3. Chir 10, relating to delegation.                         <ol style="list-style-type: none"> <li>a. CSW recommendations</li> </ol> </li> <li>4. Chir 12, relating to nutritional counseling certification.                         <ol style="list-style-type: none"> <li>a. CSW recommendations</li> </ol> </li> <li>5. 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. Adoption Order: Chir 3 and 5, relating to professional boundaries education.</li> <li>2. CSW letter from October 2022 meeting.</li> <li>3. WCA comments for preliminary public hearing.</li> <li>4. CSW comments for preliminary public hearing.</li> <li>5. Scope Statement for Chir 3, relating to CPR requirements.</li> <li>6. Chapter Chir 3 with CSW recommendations.</li> <li>7. Scope Statement for Chir 10, relating to delegation.</li> <li>8. Chapter Chir 10 with CSW recommendations.</li> <li>9. Scope Statement for Chir 12, relating to nutritional counseling certification.</li> <li>10. Chapter Chir 12 with CSW recommendations.</li> <li>11. Chiropractic Rules Projects Chart</li> </ol>			

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

11)	Authorization
	10/23/2023
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	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	CHIROPRACTIC EXAMINING
CHIROPRACTIC EXAMINING BOARD	:	BOARD
	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 22-066)

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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), Stats.

**Explanation of agency authority:**

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

Section 446.02 (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),...”

**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 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 .

**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:**

Sofia Anderson, 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 608-261-4463; email at DSPSAdminRules@wisconsin.gov.

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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 paragraph 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:

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 topic that the Board or the Board’s designee approves as being related to the subject of professional boundaries and ethics.

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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Dated \_\_\_\_\_

Agency \_\_\_\_\_

Chairperson  
Chiropractic Examining Board

October 19, 2022

To: Chiropractic Board of Examiners

From: Chiropractic Society of Wisconsin

Re: Requested rule changes

The CSW is requesting the Chiropractic Board of Examiners consider the following proposed rule changes:

1. Chir Rule 12 related to nutritional certification
  - a. The CSW is requesting that all language associated with ACT 253 be incorporated into Chir 12.
  - b. The CSW is also requesting that all language associated with CE application language be removed. This is a repeat request from the CSW. The applicable statutes do not require or even associate the nutritional certification process with the CE language found in Chir 5. The current language was improperly inserted by prior board members to essentially limit competition and conflate CE requirements with certification requirements.
  - c. Recommendations include removing at least 12.03(1)(c)(d)(f), 2(a)(4),(7) and 12.03(3) and 12.03(4), 12.04(20, (3) and (4).
2. Chir Rule 5 related to CE
  - a. Incorporate language associated with ACT 253.
  - b. Modify the new online language to reflect 4 hrs of sync programs and 4 hrs of on-demand programs as originally agreed upon
    - i. Modify the language for applications to allow on-demand type programs.
  - c. Remove the entirety of Chir 5.05 as it is unnecessary, anti-competitive and favors a single state chiropractic organization.
  - d. Draft language to clarify 5.04(2)
  - e. Consider including language that would allow up to 10 CE credits to rollover to the new biennium.
  - f. Clarify 5.01(1)(d)
3. Chir rule 10 related to delegation
  1. Modify language found in 10.015 with the following:
    - i. Change requirement for the initial required overview from 12-6 hours
      1. Change 10.015(1) pre-requisite therapeutic overview course from 4 to 2 hrs
      2. Change 10.015(1)(a)(1) from 4hrs to 2 hrs
      3. Change 10.015(1)(a)(2) from 4hrs to 2 hrs
    - b. Modify language found in 10.02(3)(7) from 24hrs to 12hrs
4. Chir rule 3
  - a. Remove the language associated with the requirement for CPR training.
    - i. Statutes required AED, but we have not found language in 446 related to CPR requirements.
    - ii. Remove 3.02(1)(d) and 3.09
  - b. Modify 3.06 with the following changes or remove the requirement to state "chiropractor" after using "Dr.":
    - i. A licensee shall use the suffix "D.C." or "Chiropractor" immediately following his or her surname for proper identification. The title "Doctor" or "Dr." may be used if "Chiropractor" is used following the name.



8/2/23

To: Wisconsin Chiropractic Board of Examiners

From: Chiropractic Society of Wisconsin (CSW)

RE: Chir 12 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 12: The CSW fully supports the Board's decision to open a scope statement and consider modifications to the language associated with Chir 12.

The CSW respectfully requests that the Board members modify language associated with the application and deliverance of the nutritional certification program.

The creation of the initial rule language found in Chir 12 was very contentious. The final Board vote designated who could sponsor a certification program and what the application process would include. Essentially, they created a mirror to the CE system by simply inserting the existing CE approval language found in Chir 5. It is important to note that the actual statute language did not require or include terms indicating what organizations could sponsor the program or any language requiring a CE type processes for the applications or delivery of the programs.

We believe that the initial language was inappropriate and unnecessary for a non-CE nutritional certification program. The first opportunity to modify the language was during the last scope period by the Board in 2019. The CSW requested at a public hearing held in August of 2019 to remove the anti-competitive and unnecessary language found in Chir 12 which would have allowed the CSW to sponsor non-CE nutritional certification programs. The Board "voted" against the CSW requests leaving the anti-competitive language intact. In response, the CSW led a successful effort in the legislature with ACT 253 which changed the language associated with what organizations could sponsor nutritional certification programs allowing not only the CSW but other organizations the ability to sponsor the nutritional programs. However, there still remains outdated and unnecessary language associated with the application and delivery processes including the 75-day application requirement that we believe should be removed. Because the nutritional certification course is not a CE course, we recommend that all language that mirrors the CE approval and delivery processes be removed and specific language that applies only to approval of certification programs be placed in the rules. We believe this action will correctly handle and remove the original language that was not only anti-competitive, but totally unnecessary.

In the past the chiropractic rules have specifically stated that homeopaths were not allowed under the scope of chiropractic. Those rules were somehow modified, and the language was removed. Current rule language remains silent on homeopathic nutrients. We recommend inclusion of language in Chir 12 clarifying the Board's position on homeopathic nutrients.

Sincerely,

  
Steve Conway DC, Esq

Executive Director

Brian Wussow

President



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 Boards 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



**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

# STATEMENT OF SCOPE

## CHIROPRACTIC EXAMINING BOARD

**Rule No.:** Chir 3

**Relating to:** Cardiopulmonary Resuscitation Requirement

**Rule Type:** Permanent

**1. Finding/nature of emergency (Emergency Rule only):** N/A

**2. Detailed description of the objective of the proposed rule:**

The objective of the proposed rule is for the Board to review the requirements relating to cardiopulmonary resuscitation (CPR) in Wisconsin Administrative Code Chapter Chir 3 and to determine if that requirement needs to be updated or removed.

**3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

Wisconsin Administrative Code Chapter Chir 3 currently includes a requirement for CPR certification every two years. Every renewal period, licensees are required to also file evidence with the Department that they are certified in CPR or have been granted a waiver from the Chiropractic Examining Board. The CPR requirement is not required by Wisconsin statutes; however, it has been considered beneficial to the practice of Chiropractic for many years as a licensure requirement. The alternative to this change is that CPR certification every two years will continue to be required for all Chiropractic licensees.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

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., states that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

Section 446.02 (2) (b), Stats., provides that the examining board shall promulgate rules establishing educational requirements to applicants who have met a certain criteria that includes “current proficiency in the use of an automated external defibrillator...”

Section 446.02 (3g) (b), Stats., provides that “[t]he examining board shall promulgate rules establishing additional requirements for obtaining a license under par. (a), including a requirement that each person licensed under this subsection has current proficiency in the use of an automated external defibrillator...”

Section 446.02(3r), Stats., states that “[t]he examining board may promulgate rules providing for the granting of a temporary permit to practice chiropractic to an individual who is licensed to practice chiropractic in another state or territory of the United States or in another country, and establishing requirements for practicing chiropractic under a temporary permit. Any rules promulgated under this subsection shall require an individual seeking a temporary permit under this subsection to submit

evidence satisfactory to the examining board that the individual has current proficiency in the use of an automated external defibrillator...”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

60 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Wisconsin credentialed chiropractors, chiropractic radiological technicians, and chiropractic technicians, as well as sponsors and providers of CPR programs required to be completed by persons with these credentials.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:** None

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule will have minimal to no economic impact on small businesses and the state’s economy as a whole.

**Contact Person:** Sofia Anderson, [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov)

Approved for publication:



Authorized Signature

06/13/2023

Date Submitted

Approved for implementation:



Authorized Signature

10/02/2023

Date Submitted

# CSW RECOMMENDATIONS

## Chapter Chir 3

### LICENSURE

[Chir 3.02](#) License renewal.

[Chir 3.025](#) Reciprocal credentials for service members, former service members, and their spouses.

[Chir 3.03](#) Licensure by endorsement.

[Chir 3.035](#) Temporary chiropractic permits.

[Chir 3.04](#) Display of license.

[Chir 3.05](#) Change of name and address.

[Chir 3.06](#) Professional title.

[Chir 3.07](#) Professional liability insurance.

[Chir 3.08](#) Limited liability entities.

[Chir 3.09](#) Cardiopulmonary resuscitation certification.

**Note:** Chapter Chir 3 as it existed on December 31, 1984 was repealed and a new chapter Chir 3 was created effective January 1, 1985.

#### **Chir 3.02 License renewal.**

**(1)** Requirements for renewal. To renew and obtain a new license a licensee shall, by December 15 of the even-numbered year following initial licensure and every 2 years thereafter, file with the department all of the following:

**(a)** An application for renewal on a form prescribed by the department.

**(b)** The fee required under s. [440.08 \(2\) \(a\)](#), Stats.

**(c)** Verification that the licensee has, during the biennial period immediately preceding application, completed the continuing education requirement specified in s. [446.02 \(1\) \(b\)](#), Stats., except that the requirement may be waived if the licensee was not practicing in Wisconsin during that period. Licensees shall retain original documents showing attendance at programs for at least 4 years from the time that credit is claimed for the continuing education program. Licensees shall deliver their original documents or copies to the board upon request.

~~**(d)** Evidence that the licensee is certified in cardiopulmonary resuscitation or has been granted a waiver of the requirement by the board.~~

**(e)** Evidence that the applicant has current proficiency in the use of an automated external defibrillator.



**(2)** Requirements for late renewal. A licensee who fails to meet the requirements in sub. [\(1\)](#) by the renewal date shall cease and desist from practice as a chiropractor until all requirements for renewal are met. Within 5 years following the renewal date, a licensee may renew and obtain a new license by filing with the department the materials specified in sub. [\(1\)](#) and a late renewal fee specified in s. [440.08 \(3\) \(a\)](#), Stats.

**(3)** Requirements for reinstatement.

**(a)** *Reinstatement following failure to renew.* A licensee who fails to renew within 5 years of the renewal date may be reinstated by meeting requirements in sub. [\(2\)](#), completing continuing education requirements for the previous biennium, and may be required to take an examination prescribed by the board.

**(b)** *Reinstatement following disciplinary action.* An applicant for reinstatement of license following disciplinary action shall meet requirements in sub. [\(1\)](#) and may be required to successfully complete an examination as the board prescribes.

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

**Chir 3.03 Licensure by endorsement.**

**(1)** Qualifications. The board shall grant a license to a chiropractor who holds a valid license by the proper authorities of any other state or country provided the applicant:

**(a)** Does not have an arrest or conviction record subject to ss. [111.321](#), [111.322](#) and [111.335](#), Stats.

**(b)** Has graduated from a college of chiropractic accredited by the Council on Chiropractic Education (CCE) or by an agency approved by the United States Office of Education or its successor, or from a foreign school determined to be equivalent to an accredited college of chiropractic by the CCE or another approved accredited agency.

**(c)**

**1.** If the applicant first applied for a license to practice chiropractic in any state or country before July 1, 1960, the applicant must have graduated from a reputable college of chiropractic.

**2.** If the applicant first applied for a license to practice chiropractic in any state or country between July 1, 1960 and June 30, 1998, the applicant must have completed at least a minimum of 60 credits in post-secondary academic education at a college or university accredited by the Council on Chiropractic Education (CCE) or by an agency approved by the United States Office of Education or its successor, or from a foreign school determined to be equivalent to an accredited college of chiropractic by the CCE or another approved accrediting agency.

**3.** If the applicant first applied for a license to practice chiropractic in any state or country on or after July 1, 1998, the applicant must have graduated with a baccalaureate degree from a college or university accredited by the Council on Chiropractic Education (CCE) or by an agency approved by the United States Office of Education or its successor, or from a foreign school determined to be equivalent to an accredited college of chiropractic by the CCE or another approved accrediting agency.

**Note:** Accrediting bodies nationally recognized by the secretary of the federal Department of Education include the New England Association of Schools and Colleges, the Middle States Association of Colleges and Schools, the North Central Association of Colleges and Schools, the Northwest Association of Schools and Colleges, the Southern Association of Colleges and Schools, and the Western Association of Schools and Colleges.

**(d)** Has been engaged in clinical chiropractic case management at least 24 hours per week in one or more jurisdictions in which the applicant has a current license for at least 3 of the 5 years immediately preceding application in Wisconsin.

**(e)** Has successfully completed a practical examination demonstrating clinical competence which is acceptable to the board. The board will find acceptable any one of the following as an equivalent to a practical examination: Part IV of the examination administered by the National Board of Chiropractic Examiners, the state practical exam from the endorsement candidate's jurisdiction, or the special purpose examination in chiropractic under par. [\(f\)](#).

**(f)** Has successfully completed the special purpose examination in chiropractic, if the applicant has not completed one of the following:

**1.** Passed Parts I and II of the examination administered by the National Board of Chiropractic Examiners and a state practical exam from the endorsement candidate's jurisdiction.

**2.** Passed Parts I, II, III and IV of the examination administered by the National Board of Chiropractic Examiners.

**(g)** Has successfully completed a state law examination on the provisions of the Wisconsin statutes and administrative rules relating to chiropractic.

**(h)** Has not had a license or other credential limited, suspended or revoked by a licensing or regulatory authority in Wisconsin or other state or country.

**(i)** Has current proficiency in the use of an automated external defibrillator.

**(2)** Application procedure. Each applicant shall file a completed application on forms provided by the board. The application shall include all of the following:

**(a)** The signature of the applicant.

**(b)** The fee required under s. [440.05 \(1\)](#), Stats.

**(d)** A certified transcript from a chiropractic college accredited by the Commission on Accreditation of the Council on Chiropractic Education (CCE) or by an agency approved by the United States Office of Education or its successor, or from a foreign school determined to be equivalent to an accredited college of chiropractic by the CCE or another approved accrediting agency, sent directly to the board by the college.

**(e)** A certified transcript verifying that the applicant has a bachelor's degree from a college or university accredited by an accrediting body nationally recognized by the United States Department of Education, or from a foreign school determined to be equivalent to an accredited college or university by an approved accrediting agency, if the applicant first applies for any license to practice chiropractic in any jurisdiction on or after July 1, 1998. The transcript shall be sent directly to the board by the college or university.

**(f)** Verification of successful completion of a practical examination, or its equivalent, demonstrating clinical competence which is accepted by the board. The verification shall be forwarded directly to the board from the state that administered the examination or from the national board.

**(g)** Proof of successful completion of the special purpose examination in chiropractic or Parts I, II, III, and IV of the examination of the national board of chiropractic examiners. The proof of completion shall be forwarded directly to the board from the institution that administered the examination.

**(h)** Proof of successful completion of the state law examination.

**(i)** Verification of licensure status in all states in which the applicant is or has been licensed to practice chiropractic.

**(j)** Information requested by the board relating to any convictions or pending charges for criminal offenses.

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

### **Chir 3.035 Temporary chiropractic permits.**

**(1)** The board may grant a temporary permit to practice chiropractic to any chiropractor who files an application prescribed by the board, pays the fee required under s. [440.05 \(6\)](#), Stats., and meets all of the following conditions:

**(a)** The applicant has a chiropractic license in good standing in another jurisdiction and has no disciplinary action pending in connection with any chiropractic license the applicant holds.

**(b)** The applicant will be practicing chiropractic only as a chiropractor for participants in an athletic or performing arts event, or as an instructor in a specific chiropractic education seminar approved for continuing education by the board.

**(c)** The applicant has current proficiency in the use of an automated external defibrillator.

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

(2) The board may issue a temporary permit to practice chiropractic to an individual who is licensed to practice chiropractic in another state or country. The applicant for a temporary permit shall inform the board, in writing, of the locations at which and the dates on which the applicant or holder of the temporary permit requests to practice under the temporary permit and shall request the issuance of a temporary permit. The board may issue a temporary permit for a reasonable time period based on the activity.

(3) A chiropractor holding a temporary permit to practice chiropractic may not use the temporary permit to provide relief services or practice coverage for the practice of any chiropractor licensed in this state. All temporary permits issued by the board shall bear the legend "limited to sporting or performing arts events and approved educational purposes."

(4) A temporary permit may be denied or revoked for any of the following reasons:

(a) Violation of any provision of ch. [446](#), Stats., or ch. [Chir 6](#).

(b) Failure to pay the fees required under s. [440.05 \(6\)](#), Stats.

(c) Provision of fraudulent or misrepresented information on the application for a temporary permit.

**Chir 3.04 Display of license.** The license shall be displayed in a prominent place by every person licensed and currently registered by the board.

**Chir 3.05 Change of name and address.** Every licensee shall report his or her address to the department and shall notify the board of a change of name or address within 30 days of the change.

**Chir 3.06 Professional title.** A licensee shall use the suffix "D.C." or "Chiropractor" immediately following his or her surname for proper identification. The title "Doctor" or "Dr." may be used if "Chiropractor" is used following the name.

**Chir 3.07 Professional liability insurance.** Every chiropractor practicing in the state of Wisconsin shall have professional liability insurance coverage in effect at all times in the amount of at least \$100,000 for each occurrence and \$300,000 for all occurrences in one year. The board may conduct random audits of chiropractors licensed and practicing in this state, and institute disciplinary proceedings against any chiropractor who fails to submit proof that he or she has insurance coverage meeting the minimum limits required by this section.

**Chir 3.08 Limited liability entities.**

(1) A chiropractor may practice with or in a business that is organized as a limited liability organization under the laws of this state, including a limited liability partnership, a service corporation, and limited liability company.

(2) A chiropractor may not practice with or in a business organized so that a person other than a chiropractor has the right to direct or control the professional judgment of the chiropractor. This restriction does not prohibit a chiropractor from working with or in a business organized so that someone other than

the patient pays the chiropractor's fee or salary, provided the fee or salary arrangements do not modify the chiropractor's obligation to his or her patient.

**(3)** Nothing in this section shall relieve a chiropractor from personal liability for any acts, errors or omissions of the chiropractor arising out of the performance of professional services.

**(4)** Nothing in this section shall relieve a chiropractor from the requirement that every practicing chiropractor shall have in effect professional liability insurance in the amounts required by the board in s. [Chir 3.07](#).

~~**Chir 3.09 — Cardiopulmonary resuscitation certification.** Every chiropractor shall obtain certification in cardiopulmonary resuscitation at least every 2 years. The board may grant a waiver of this requirement in cases of hardship or retirement from practice.~~

# STATEMENT OF SCOPE

## CHIROPRACTIC EXAMINING BOARD

Rule No.: Chir 10

Relating to: Delegation

Rule Type: Permanent

**1. Finding/nature of emergency (Emergency Rule only): N/A**

**2. Detailed description of the objective of the proposed rule:**

The objective of the proposed rule is to review and possibly update ch. Chir 10, related to courses of study for and delegation to a chiropractic technicians and chiropractic radiological technicians.

**3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

Current rules specify the required course of study for certification as and delegation to chiropractic technicians or chiropractic radiological technicians. The Board will review these requirements to determine if they are appropriate given the current practice standards for chiropractic technicians and chiropractic radiological technicians. Changes to the requirements may be proposed based on the Board's review.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Section 15.08 (5) (b), Stats., provides an examining board "shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . ."

Section 446.02 (7) (c), Stats., provides "[a] chiropractor who delegates the performance of a service that is adjunctive to the practice of chiropractic to a person who is not licensed under this chapter shall verify, according to standards and procedures established by the examining board by rule, that the person has adequate education, training and experience to perform the delegated service safely, and is responsible for that person's performance of the delegated service."

Section 446.025 (2) (a) 3., Stats., provides the Board shall certify as a chiropractic radiological technician an individual who, among other requirements, "submits evidence satisfactory to the examining board that the individual has completed a course of study approved by the examining board."

Section 446.026 (2) (a) 3., Stats., provides the Board shall certify as a chiropractic technician an individual who, among other requirements, "submits evidence satisfactory to the examining board that the individual has completed a course of study approved by the examining board."

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

90 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Rev. 3/6/2012

The proposed rule may affect applicants for chiropractic radiological technician and chiropractic technician certification, chiropractors who delegate adjunctive and x-ray services and the technicians who are delegated those services, as well as sponsors and providers of the courses of study and didactic and clinical training programs.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:** None.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

**Contact Person:** Sofia Anderson, DSPSAdminRules@wisconsin.gov

Approved for publication:



Authorized Signature

3/6/2023

Date Submitted

Approved for implementation:



Authorized Signature

08/17/2023

Date Submitted

# 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.

# STATEMENT OF SCOPE

## CHIROPRACTIC EXAMINING BOARD

Rule No.: Chir 12

Relating to: Nutritional Counseling Certification

Rule Type: Permanent

**1. Finding/nature of emergency (Emergency Rule only):** N/A

**2. Detailed description of the objective of the proposed rule:**

The objective of the proposed rule is to implement the statutory changes from 2021 Wisconsin Act 253. Additionally, the Chiropractic Examining Board will review and potentially update the Nutritional Counseling Certification program requirements to ensure they are consistent with current professional and academic practice for Chiropractic.

**3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

The Chiropractic Examining board recently sent a rule on Chir 12 to the Legislature for review. 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 Board would like to resolve language that conflicts with the statute, if any, as well as update the requirements for nutritional counseling certification if needed based on current practice in the Chiropractic profession. The alternatives to updating these rules would be potential lack of clarity between the requirements in the administrative code and those in statute.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Section 15.08 (5) (b), Stats., provides that examining boards, such as the Chiropractic Examining Board, "shall 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."

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

90 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Wisconsin licensed chiropractors and nutritional counseling certification program education providers.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:** None.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

**Contact Person:** Sofia Anderson, [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov)

Approved for publication:



Authorized Signature

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# CSW RECOMMENDATIONS

## 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.

**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 [dspd.wi.gov](http://dspd.wi.gov), or by request from the Department of Safety and Professional Services, P.O. Box 8935, Madison, Wisconsin 53708, or call (608) 266-2112.

- (2) 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.

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 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, 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, an instructor, or a person delegated or assigned a responsibility to carry out a program as represented to and approved by the board or as provided in this chapter.

**Chir 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.

**Chiropractic Examining Board  
Rule Projects (updated 10/23/23)**

<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	Drafting rule.	EIA comment period, Clearinghouse review, and public hearing.
22-066	019-22	09/14/2024	Chir 3 and 5	Professional Boundaries Education Requirements	Adoption Order ready to be reviewed at the November meeting.	Publication of Adoption Order in the Register.
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>  <b>Will Johnson, Executive Director</b>		<b>2) Date When Request Submitted:</b> 10/20/2023  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> 11/02/2023	<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> <b>Speaking Engagements, Travel, or Public Relation Requests, and Reports</b> Travel Report: FCLB District II Meeting, September 21-24, 2023, Fort Walton Beach, FL	
<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> N/A	
<b>10) Describe the issue and action that should be addressed:</b>			
<b>11) Authorization</b>			
<i>William Johnson</i>		10/20/2023	
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.			

# **FCLB DISTRICT II MEETING**

**September 21-24, 2023**

**Fort Walton Beach, Fl**

Attendees: Representatives from Michigan, Minnesota, Missouri, Ohio, Wisconsin

District president Dr. Brian McIntire (MO)

CCE Presentation -see attached PDF

NBCE presentation -see attached PDF

1. Movement to increase number of times Parts I-III offered
2. Strongly considering ONE CENTRAL LOCATION for Part IV

FCLB

1. Discussion of purpose of FCLB (40 states + Canada)
2. Sharing of resources-
  - a. Cin-Bad
  - b. CA Standardization
  - c. Streamlining of Chiropractic Specialty Program Recognition (see handout)

Conclusion:

Extremely worthwhile for us to participate in this district meeting, District II is smallest of the three districts, having Wisconsin and Michigan in attendance for the first time in awhile added so much to discussion and learning



**September 22, 2023**  
**FCLB District II Regional Meeting**

***Part I:***

***Promoting Innovation in Chiropractic Education via Accreditation and Regulation***

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***Crissy Lewis, Ed.D.***

***Associate Director of Accreditation, Council on Chiropractic Education***

# Part I – Innovation in DC Education

## Themes from the FCLB's 33<sup>rd</sup> Annual Joseph Janse Lecture

*Chiropractic Conflict, Justice, and Trust: Promoting Change and Innovation*

- Envision future possibilities
- Encourage the audience of regulators to consider new points of view
- Encourage the audience of regulators to consider new perspectives in their approaches to public protection
- Successful if a different viewpoint and rekindle passion



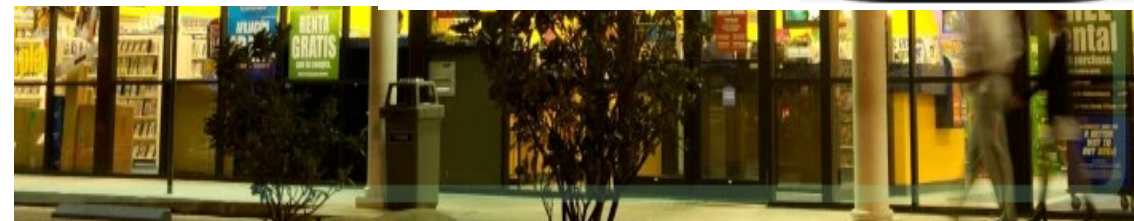


# Part I – Innovation in DC Education

## Music



## Home video



## Newspaper



What is  
disruptive  
innovation?

# Part I – Innovation in DC Education

There is currently:

- profound **criticism**
- rising **consumerism**
- growing **competition**



# Part I – Innovation in DC Education



How COVID-19 has pushed companies  
over the technology tipping point—and  
transformed business forever

**Can you spot the Blockbusters  
vs the Netflixes?**



# Part I – Innovation in DC Education



The screenshot shows the US News website's navigation bar with categories like 'Colleges', 'Grad Schools', and 'Online Colleges'. The breadcrumb trail indicates the article's location: 'Home / Education / Best Graduate Schools / Top Medical Schools / A Guide to Accelerated Med S...'. The main title is 'A Guide to Accelerated, 3-Year Medical Schools', and the subtext reads 'The shorter program allows students to shave off a year of educational expenses.' The author is Ilana Kowarski, and the article is dated August 12, 2022. Below the title are social media sharing icons for Facebook, Twitter, and LinkedIn, along with a 'Save' button. The main image depicts a group of medical students in white coats and scrubs gathered around a table, looking at a laptop. To the right of the image is an advertisement for Ameritrade and a Google Ads notification box with options to 'Stop seeing this ad' and 'Why this ad?'. At the bottom of the image, a caption states: 'A three-year medical degree program typically focuses on a particular area of medicine and includes fewer elective rotations to help reduce the risk of student burnout. (GETTY IMAGES)'

# Part I – Innovation in DC Education

Yale SCHOOL OF MEDICINE  
*Physician Assistant Online Program*

About Admissions Curriculum Students Alumni News Preceptors [Apply](#)

## Yale School of Medicine Physician Assistant Online Program

[Request More Information](#)

What is your highest level of education completed?

— Select —

[Next Step](#)

### Why Is Yale PA Online Right for You?

Yale School of Medicine (YSM) is advancing the physician assistant (PA) profession by educating the highly proficient PAs the country needs. As the nationwide shortage of primary care physicians grows<sup>1</sup>, YSM is bringing more health care practitioners to patients with Yale's hybrid physician assistant program. Yale's PA Online Program awards a Master of Medical Science (MMSc) degree and prepares graduates to seek licensure as physician assistants.

Our hybrid program prepares patient-focused clinicians who can choose to learn in their own communities. The program blends online classes and coursework with in-person clinical rotations and three immersions on the Yale campus, so students can earn a degree from YSM without relocating.



# Part I – Innovation in DC Education



**Tufts**  
UNIVERSITY

SCHOOL OF MEDICINE  
Doctor of  
Physical Therapy  
Program

**Become a  
Doctor of Physical  
Therapy in just  
seven semesters.**

**Accelerated, hybrid,  
transformational DPT.**



# Part I – Innovation in DC Education



**Baylor University** | Professional Education

**Robbins College of Health and Human Sciences**

## Doctor of Physical Therapy

Live anywhere—and start your career sooner—with the only two-year hybrid DPT program in the South Central United States. Employment and NPTE pass rates at 98%+ one-year post graduation.



# Part I – Innovation in DC Education



## ARTICLE 4. Requirements for Licensure [2080 - 2099] (Article 4 added by Stats. 1980, Ch. 1313, Sec. 2.)

2084. (a) Medical schools accredited by a national accrediting agency approved by the board.



### § 1399.530. General Requirements for an Approved Program.

(a) A program for instruction of physician assistants shall meet the following requirements for approval:

(1) The educational program shall be established in educational institutions accredited by an accrediting agency recognized by Council for Higher Education Accreditation ("CHEA") or its successor organization, or the U.S. Department of Education, Division of Accreditation, which are affiliated with clinical facilities that have been evaluated by the educational program.

## Article 5: Educational Standards

### §2650. Physical Therapist and Physical Therapist Assistant Educational Requirements

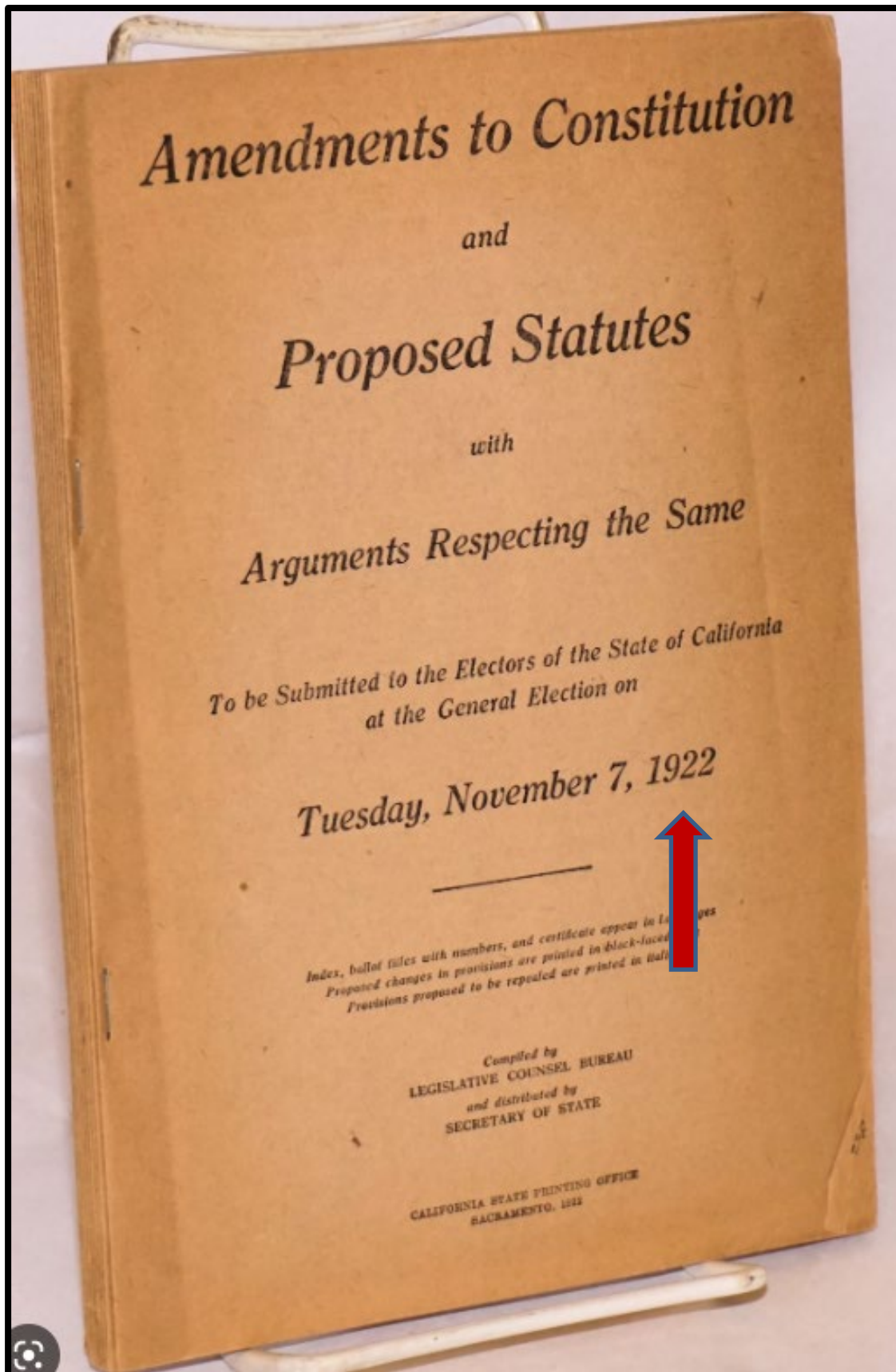
(a) The physical therapist education requirements are as follows:

(1) Except as otherwise provided in this chapter, each applicant for a license as a physical therapist shall be a graduate of a professional degree program of an accredited postsecondary institution or institutions approved by the board and shall have completed a professional education program including academic course work and clinical internship in physical therapy.

(2) Unless otherwise specified by the board by regulation, the educational requirements shall include instruction in the subjects prescribed by the Commission on Accreditation in Physical Therapy Education (CAPTE) of the American Physical Therapy Association or Physiotherapy Education Accreditation Canada and shall include a combination of didactic and clinical experiences. The clinical experience shall include at least 18 weeks of full-time experience with a



# Part I – Innovation in DC Education



Article 4.	Approved School and Qualifications of Applicants.....	25
	Section	
	§ 330.	Application for Approval.
	§ 331.1.	Approval and Eligibility.
	§ 331.2.	Inspection and Survey.
	§ 331.3.	Supervision.
	§ 331.4.	Financial Management.
	§ 331.5.	Records.
	§ 331.6.	Catalog.
	§ 331.7.	Calendar.
	§ 331.8.	Faculty.
	§ 331.9.	Student Faculty Ratio.
	§ 331.10.	Faculty Organization.
	§ 331.11.	Scholastic Regulations.
	§ 331.12.1.	Curriculum.
	§ 331.12.2.	Curriculum.
	§ 331.12.3.	Eligibility to Take Board Examination.
	§ 331.13.	Physical Facilities.
	§ 331.14.	Quality of Instruction.
	§ 331.15.	Violations or Failure to Comply.
	§ 331.16.	Definition of Board.

## §331.7. Calendar.

Each school may elect to use the semester, trimester or four-quarter term system.


A school calendar shall designate the beginning and ending dates of terms or semesters, the vacation periods and legal holidays observed, and the dates for semester and final examinations. The recitation or lecture period shall be not less than 50 minutes in length. The school may operate on a five or six-day week or any combination thereof, but the total number of hours of instruction shall be not less than 30 hours nor more than 35 hours per week. The total number of hours provided for each complete student's course, leading to the degree of Doctor of Chiropractic, shall be not less than 4,400 hours distributed over four academic years of nine months each.



# Part I – Innovation in DC Education

## §331.7. Calendar.

Each school may elect to use the semester, trimester or four-quarter term system.


A school calendar shall designate the beginning and ending dates of terms or semesters, the vacation periods and legal holidays observed, and the dates for semester and final examinations. The recitation or lecture period shall be not less than 50 minutes in length. The school may operate on a five or six-day week or any combination thereof, but the total number of hours of instruction  not less than 30 hours nor more than 35 hours per week. The total number of hours provided for each complete student's course, leading to the degree of Doctor of Chiropractic, shall be not less than 4,400 hours distributed over four academic years of nine months each.

## §331.8. Faculty.


All faculty members shall meet the standards of the Council on Chiropractic Education.





## §331.9. Student Faculty Ratio.


 (a) The full-time equivalent student-faculty ratio shall be at least one full-time professor to every fifteen (15) students enrolled in the school.

(b) A full-time professor is one who devotes a minimum of 38 hours per week to his academic duties.

 (c) The maximum enrollment for any class in laboratory or clinical work shall be limited to the number which may, by Board standards, sufficiently be trained with the equipment and facilities available in such laboratory clinic.

 (d) All classes and laboratory sessions, including clinics, shall be conducted under the presence and supervision of a full-time professor.

 (e) There shall be one instructor for each twenty-five (25) students in the laboratory and/or clinic courses.

 (f) Attendance. In order to obtain credit for a course, a student shall have been present in class at least 90 percent of the time and shall have received a passing letter grade. When the absence exceeds 10 percent, the student shall be automatically dropped from the class.

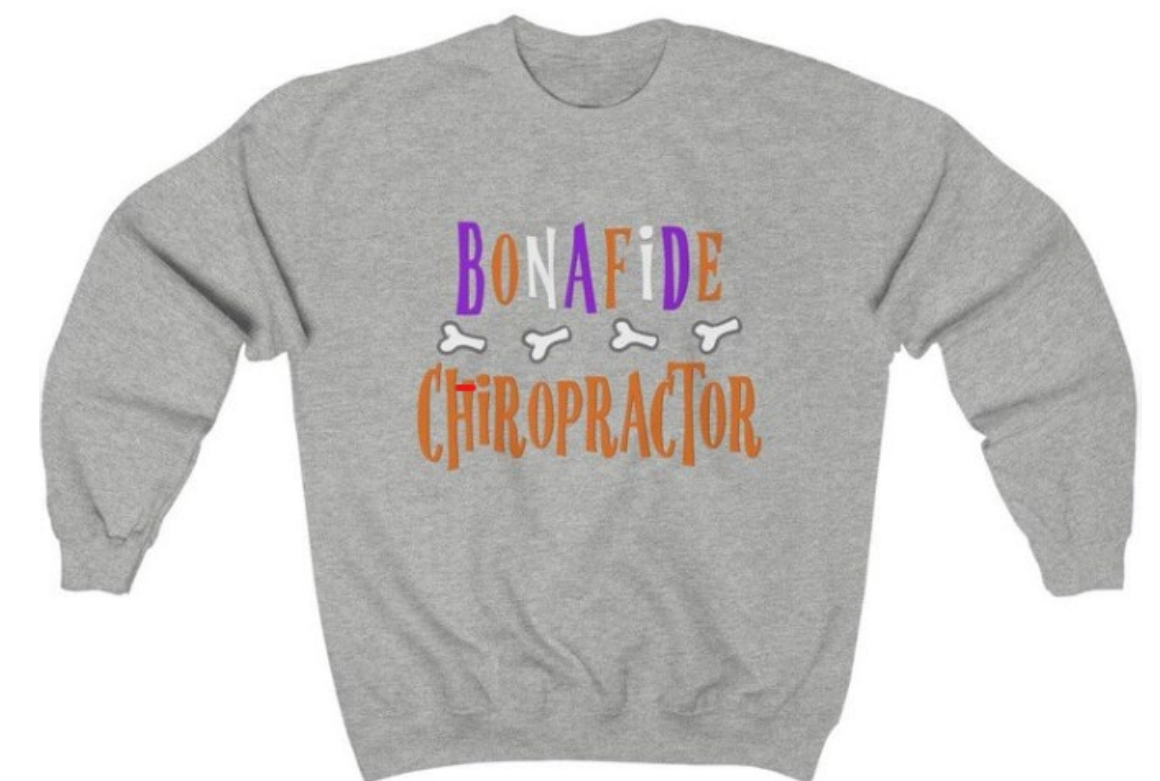
If the absences have been due to illness or other excusable reasons and if evidence of these reasons can be submitted, the student may apply for readmission through the dean's office and may be given credit for attendance upon the recommendation of his instructor and completion of course requirements.



# Part I – Innovation in DC Education

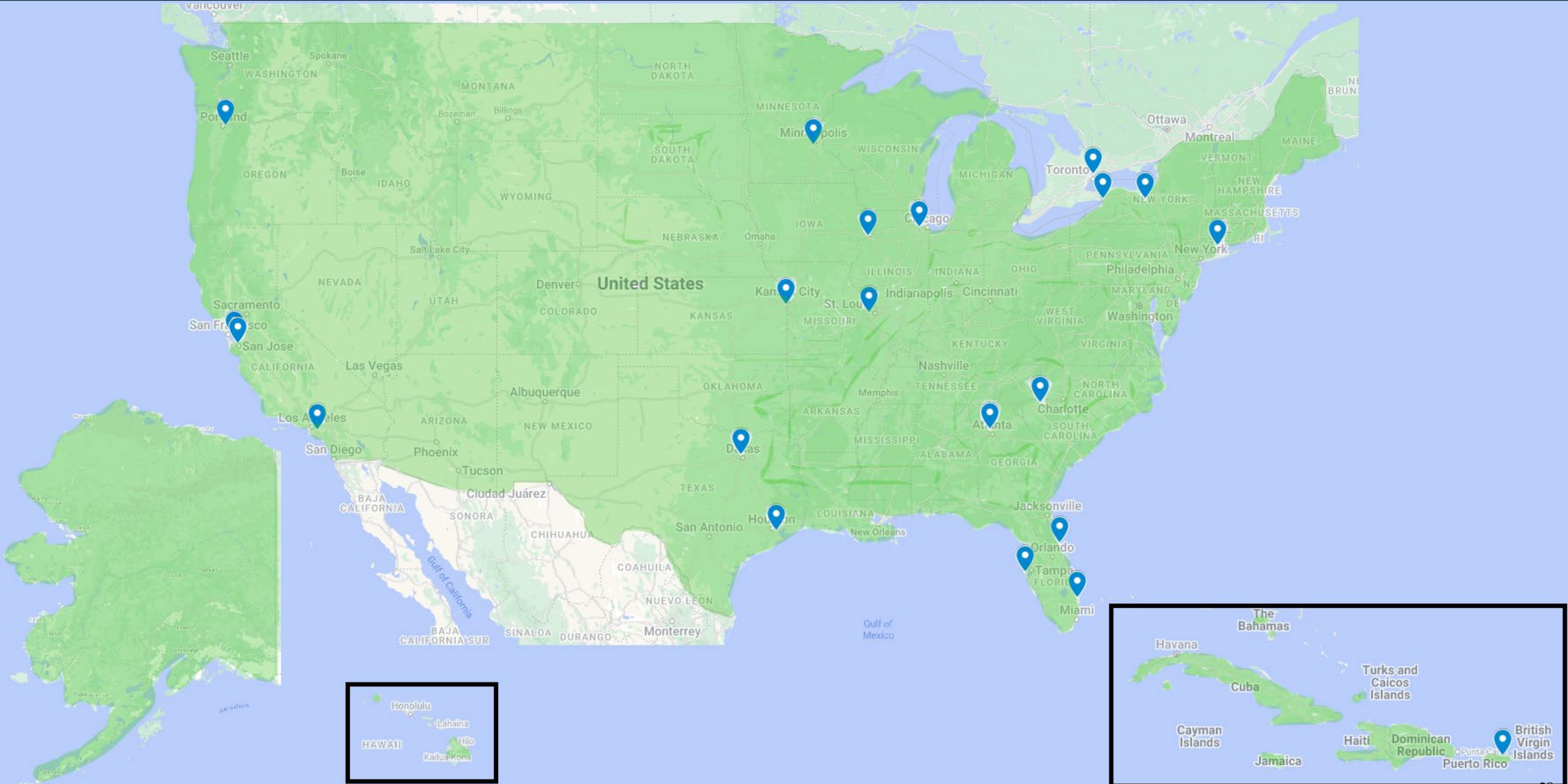
Is either a graduate or a final semester student of a **bona fide reputable doctor of chiropractic degree program**. {REF: TX Occupations Code Title 3 Subtitle C CH 201 Chiropractors Sec 201.302(a)(3) Licensing Examination Application}

A bona fide reputable doctor of chiropractic degree program that satisfies Sec 201.302(a)(3) is one that: **(1) has entrance requirements** → **course of instruction as high as those of a better class of doctor of chiropractic degree programs in the United States**; **(2) maintains a resident course of instruction equivalent to: (A) not less than four terms of eight months each; or (B) not less than the number of semester hours required by The University of Texas for a bachelor of arts or bachelor of science degree**; (3) provides a course of instruction in the fundamental subjects listed in Section 201.305(b); and (4) has the necessary teaching staff and facilities for proper instruction in all of the fundamental subjects listed in Section 201.305(b). {REF: TX Occupations Code Title 3 Subtitle C CH 201 Chiropractors Sec 201.303(d) Educational Requirements}



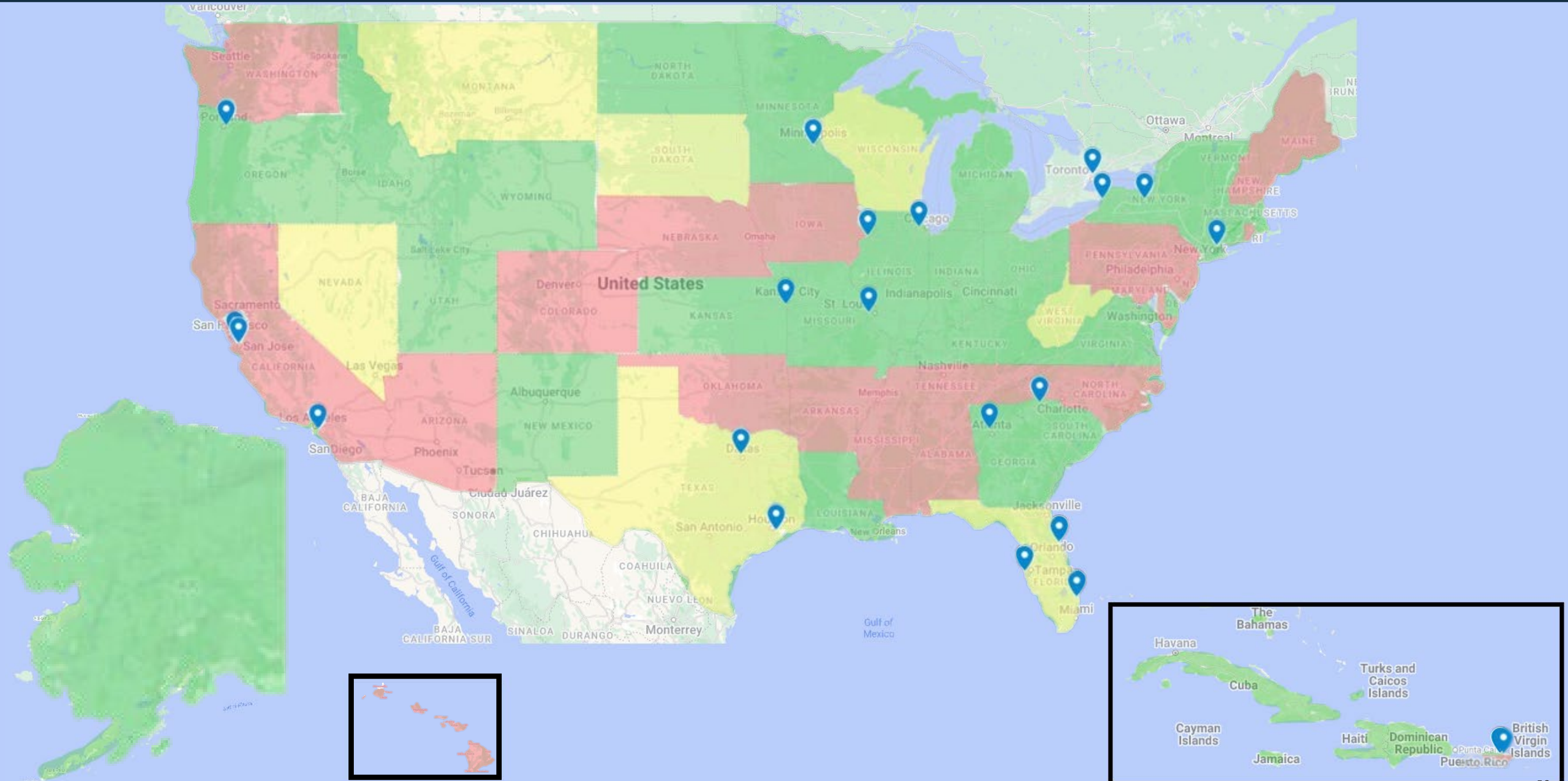


# Regulatory Landscape (MD, DO, DPT, OTD, DMD)

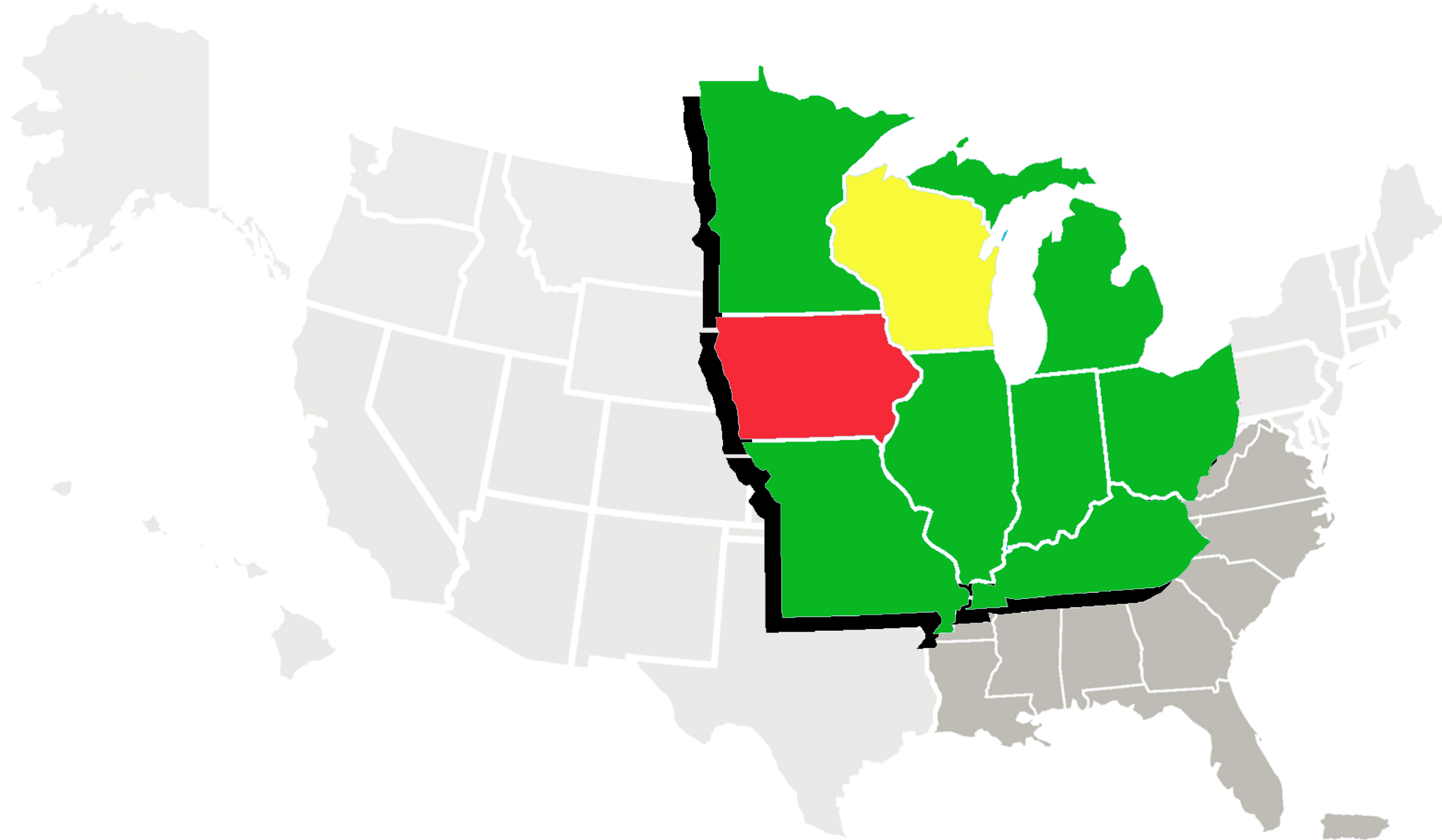




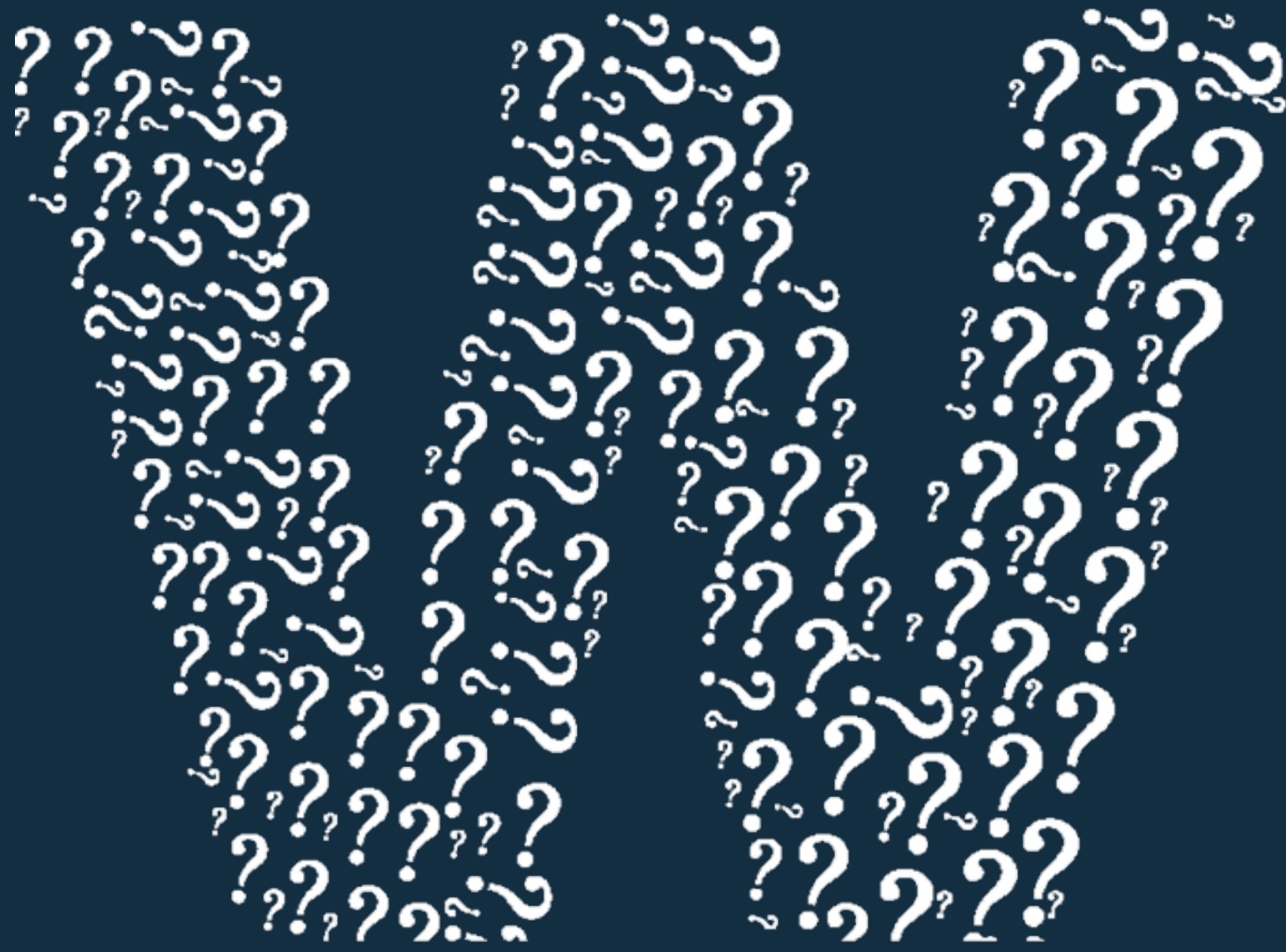
# Regulatory Landscape (DCP)



# FCLB District II – Red/Yellow States







**WHAT?**  
**CAN WE DO.**



September 22, 2023  
FCLB District II Regional Meeting

*Part II:  
CCE Standards Revision Update*

# Part II - Standards Review Update

- Year 1 (2020) SRTF appointed. CCE staff provides feedback from DCPs and Academy
- Year 2 (2021) CCE Staff gather feedback and subcommittees assigned to produce Draft 1
- Diversity, Equity and Inclusion Workgroup (DEI)
  - Student Outcomes Workgroup
  - Group 1 (Standards A, C, D, and J)
  - Group 2 (Standards H & Meta-Competencies)
  - Group 3 (Standards B, E, F, G, and I)
- Year 3 (2022) Council reviews Draft 1 and makes recommendations to SRTF. SRTF compiles Draft 2 and provides for 60-day public comment (PC) period.
- Year 4 (2023) SRTF and Council review PC for revisions. Council recommended 3 workgroups:
- Program length
  - Standard E and I
  - Standard G & Policy 7
- Year 5 (2024) SRTF completes revisions for Final Draft. Council reviews, edits and releases for 60-day PC. SRTF reviews PC and create edits. Council reviews SRTF Report, Final Draft of the revised Standards and public comment; approves final document (Effective Jan 2025). Staff posts new Standards to website and updates any corresponding policies and manuals.
- Year 6 (2025) Council approves publications. Standards effective. Training for DCPs and Academy.
- Year 7 (2026) Continued training for DCPs and Academy.
- Year 8 (2027) CCE Staff gather feedback regarding Standards from DCPs and Academy members.

# Part II - Standards Review Update

Following reviewing of public comment, SRTF proposed 19 changes:

- 15 were minor in nature
- Four (4) were not considered minor

In addition, the Council reviewed SRTF feedback, and formed three workgroups:

- Faculty & research/scholarship
- Student support services, admissions and Alternative Admissions Track Plan (AATP)
- Quantitative requirements for program length



# Standard I – Research and Scholarship

## I. Research and Scholarship

The DCP demonstrates its commitment to research and scholarship by establishing mission-congruent goals and objectives that supports and expect conducts and supports research and scholarly activities congruent with its mission, goals, and objectives and strategic plan intended to advance chiropractic education and improve the quality of health care in chiropractic clinical practice.

### Context

#### 1. Scope

The DCP actively engages its personnel and students in research and scholarship by developing related expectations consistent with the program's mission, goals, and objectives. Processes involving the DCP's faculty and administration establish the expectations for research and scholarship through specific elements in the mission, goal and objective statements, strategic plan, and/or program documents. Expectations for research and scholarship include a plan, involving most, if not all, of its faculty as well as students and staff. The plan leads to outcomes that will improve the quality of and promote innovation in chiropractic education and advance the understanding and application of chiropractic clinical practice. Additionally, research and scholarship informs the instructional objectives and content of the DCP with respect to research methodology and values, and guide faculty clinicians in the care of their patients. Research and scholarship are conducted in accordance with programmatic/institutional policies, external legal requirements, and accepted research practices.

# Standard I – Research and Scholarship

## 32. Support

Research and scholarship are supported by appropriate levels of physical, financial and human resources. The DCP provides the workload allocation and assignment of faculty responsibilities, budgetary infrastructure and resources, including an Institutional Review Board (IRB), necessary to meet its commitments to research and scholarship and to foster the outcomes it expects of its personnel support research activities. Appropriate policies and procedures are in place to manage and guide support the conduct and management of internally and externally supported funded research projects and scholarly activities scholarship and for to ensure the protection of human and/or animal subjects.

## 32. Outcomes

Research and scholarship ~~within~~ as defined by the DCP ~~occurs in one or more of the following areas: (1) Discovery – the development and creation of new knowledge resulting from basic science, clinical, psychosocial, and educational methodology studies; (2) Application – the integration and application of existing knowledge to clinical practice and teaching; (3) Integration – the critical analysis and review of existing literature; and (4) Teaching – the critique, analysis, and dissemination of knowledge about teaching, learning, evaluation and assessment.~~ Measures and thresholds for research and scholarship outcomes are set, and tracked and used to inform program improvements by the DCP. Research and scholarship position the DCP to apply for grant funding that contributes to the advancement of chiropractic education and clinical practice; promote internal/external collaborations; and result in publications and professional presentations.

# Standard E - Faculty

## 2. ~~Curricular Attributes~~Expectations Curriculum and Professional Development

The faculty are involved in the development, assessment and refinement of the curriculum. In addition, they demonstrate ~~currency in their discipline, ongoing development of expertise and~~ use of resources in teaching theory and instructional methodology, effective curriculum and course design and development, and assessment of student achievement in both didactic subject matter and in the attainment of clinical competencies. Faculty members are provided opportunities for professional development to improve their content expertise and competence, their instructional skills, and their capabilities in research and scholarship. The DCP establishes expectations for, and documents programmatic improvements resulting from, faculty engagement in these opportunities. Faculty members are afforded ~~appropriate~~ academic freedom and utilize a curriculum delivery model/method endorsed by the DCP as appropriate for the instructional content being delivered.

## 3. ~~Professional Development and~~ Evaluation

~~Faculty members are provided opportunities for professional development to improve their content expertise and competence, their instructional skills, and their capabilities in research and scholarship.~~ Faculty members are evaluated on a regular basis, and appropriate processes and criteria are in place to govern advancement in rank based upon performance expectations.



# Standard G – Student Admissions

The DCP admits students who possess academic and personal attributes consistent with the DCP's mission. Admitted students must have completed a baccalaureate degree at an institution accredited by an agency recognized by the U.S. Department of Education or an equivalent foreign agency.

Alternatively, students may matriculate into the program having obtained 90 semester hours at an institution(s) accredited by an agency recognized by the U.S. Department of Education or an equivalent foreign agency;

- 1) if those students have a cumulative GPA of 3.0 or higher on a 4.0 scale for the 90 semester hours; or,
- 2) if those students have a cumulative GPA between 2.75 and 2.99 on a 4.0 scale for the 90 semester hours with a minimum of 24 semester hours in life and physical science courses appropriate as undergraduate preparation for chiropractic education as determined by the DCP.

# Standard F – Student Support Services

- Addition of DEI language
- Removal of "campus safety"
- Elimination of difficult-to-assess items
- Focus on data-informed improvements
- “The DCP monitors each student’s academic progress and implements policies and procedures that dictate active interventions based upon student needs, including academic support services to optimize the ability of admitted students to succeed in the program, e.g., transitional studies, tutorials, academic advising, and study strategies. Further, an academic plan is formulated for each student who fails to make satisfactory academic progress in accordance with DCP policies.”

# Standard 2.H Curriculum, Competencies and Outcome Assessments

## Standard H

The DCP curriculum contains a minimum of 4,200 instructional hours for equivalent, under the terms and conditions of CCE Policy 2 for the doctor of chiropractic degree, thus ensuring the program is commensurate with professional doctoral level education in a health science discipline. The didactic and clinical education components of the curriculum, wherever offered and however delivered, are structured and integrated in a manner that enables the graduate to demonstrate attainment of all required meta-competencies outcomes necessary to function as a doctor of chiropractic/chiropractic physician. Best practices in assessment of student learning, regardless of instructional modality, measure student proficiency in the identified meta-competency outcomes and produce data that are utilized to guide programmatic improvements. A ~~portion of the~~ minimum of 1,000 instructional hours will be accomplished in a patient care setting and will involve the direct delivery of patient care.

The DCP has a health care quality management system that measures the structure, process and outcomes of care and uses these data to improve the quality of patient care and inform curricular improvements and student learning.

# Standard 2.H Curriculum, Competencies and Outcome Assessments

## CCE Policy 2

## Competency-Based Education (Draft)

In lieu of the 4,200 instruction hours as a measure of student learning, a DCP may utilize competency-based education (CBE) if the program has obtained substantive change approval from the Council. CBE focuses on meeting competency and uses standardized performance requirements or demonstration of learning independent of the time it takes a student to reach the desired level of performance. A DCP utilizing a CBE approach designs an academic model in which the time it takes to demonstrate mastery of CCE meta-competencies varies while learning expectations are held constant. The DCP must evidence:

- Communication of clear information to students prior to matriculation outlining the structure and expectations of the instructional delivery model, tuition and fees, and academic policies that apply to students in a CBE program.
- Assessment of “credit hour equivalences” for the competencies and learning outcomes of the program in relation to the typical assignment of credit hours.
- Maintenance of a transcript for each student, documenting both the competencies earned and the equivalent courses or credit hours.
- Articulation of robust competencies, which are transferable and observable knowledge and skills required for students to succeed in the profession.
- Development of standardized learning outcomes that aim to measure targets/thresholds when knowledge is successfully applied in a demonstrable way, therefore evidencing competencies.
- The use of assessment tools that ensure students and instructors are calibrated to the targets/thresholds expected and are used to measure performance.
- Individual student mastery of all competencies prior to progression into the next stage of their academics.
- Adequate advising, remediation or other resources needed for students to demonstrate mastery of CCE meta-competency outcomes.
- Faculty interaction with students is initiated on a regular basis by one or more qualified faculty members who have subject matter expertise in the discipline of the course.
- Documented regular and substantive faculty interaction, which is intentionally designed in the curriculum. The DCP’s effectiveness process evaluates the quality of this interaction.
- Faculty development necessary to support the use of innovative methods.
- The effectiveness of the academic model and corresponding continuous improvement process.



# Meta-Competency 6 (Cultural Competency) (new)

## META-COMPETENCY 6 –CULTURAL COMPETENCY

Cultural competency includes the knowledge, skills, and core professional attributes needed to provide care to patients with diverse values, beliefs, and behaviors, including the tailoring of health care delivery to meet patients' social, cultural, and linguistic needs. This competency requires the acknowledgement of the importance of culture, recognizing the potential impact of cultural differences, and adapting services to meet unique needs of patients in an effort to reduce disparities in healthcare delivery.

## CURRICULAR OBJECTIVE:

The program prepares students to -

A. Locate, Use relevant and critically appraised, and use relevant scientific literature and other evidence designed to bring awareness of each student's own personal biases and the social determinants of health that may impact the delivery of care to a diverse population.

B. Apply, analyze, and evaluate the role of sociocultural, socioeconomic, and diversity factors in contemporary society to meet the healthcare needs of persons, groups, and populations.

## OUTCOMES:

Students will be able to -

1) Communicate respectfully and effectively to patients of diverse social, cultural, and linguistic backgrounds in a manner that recognizes, affirms, and protects the dignity of individuals, families, and communities.

2) Design a care plan that considers and respects the culture of the patient and the patient's family.

# Standard 2.H.3 *Quality Patient Care*

## Clarification of sub-component and Incorporation of specific QA elements

### 3. Quality Patient Care

The DCP employs a quality assurance system to ~~obtain~~, evaluate and utilize data to improve the structure, process and outcomes of patient care. This system must demonstrate evidence of: ~~includes measurable outcomes and thresholds for performance set and tracked by the DCP. The delivery of patient care will comply with state and federal laws and regulations and applicable/accepted industry standards.~~

- a. standards of care that are patient-centered, evidence-informed, consistent with accepted industry standards, comply with applicable jurisdictional laws and regulations, and are provided in a format that facilitates assessment with measurable criteria;
- b. an ongoing review of a representative sample of patient records to assess the appropriateness, necessity, and quality of the care provided;
- c. thresholds for performance that are set, tracked, and reviewed by the DCP to inform improvements to patient care and the curriculum, where appropriate;
- d. mechanisms to address patient response to care and evolve treatment plans ~~identify treatment deficiencies and implement corrective measures~~ as appropriate; and,
- e. regular review of the instruments used and training of reviewers, at a minimum annually to improve the validity and reliability of the patient records audit process.

# Questions








**NBCE**  
DISTRICT II


**PRESENTER:**  
**LeRoy Otto, D.C.**  
NBCE Secretary  
District II Director

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## Discussion Points:

- 01** Jurisprudence Exams
- 02** EBAS
- 05** CBT Upgrade Project
- 03** SPEC
- 04** Part IV Project (PAD)
- 06** NBCE Strategic Planning



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# Jurisprudence Exams

## Value Proposition



### NBCE Comprehensive Service

- Applications
- Exam Development
- Exam Administration
- Cancellations
- Refunds
- Complaints
- Score Reporting



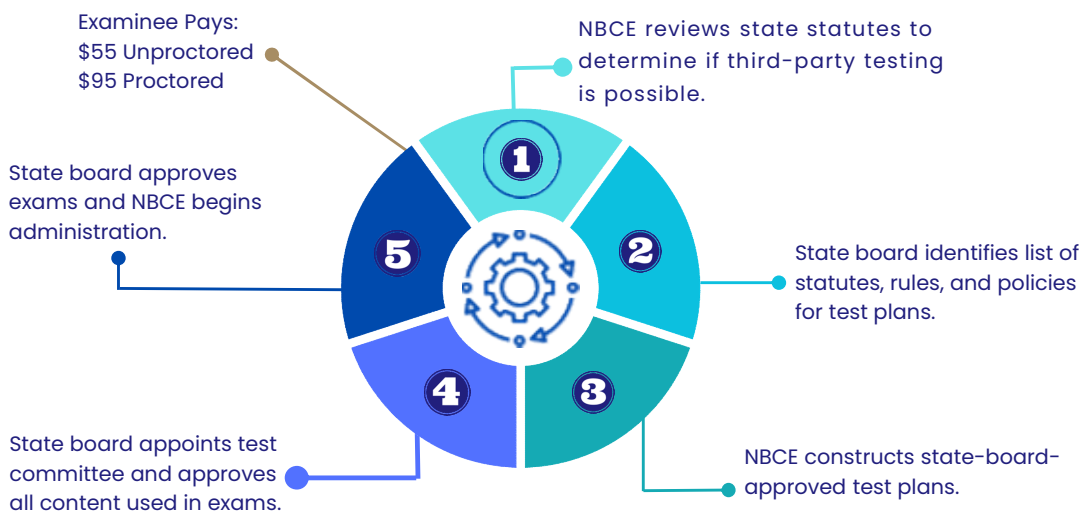
### Advantages and Benefits

- Legally Defensible Exams
- Productivity Gains by Eliminating Processing Hours
- No Start-Up Fees
- No Transition Fees

**All At No Cost To You**

# Jurisprudence

## Exam Development Process



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# Customized Jurisprudence Test Plan

## 1. LICENSE REQUIREMENTS (25%)

- 1a. License requirements/renewal/denial/status/fees – Practice Act 161.7
- 1b. Malpractice Insurance – Practice Act 161.9, 161.11
- 1c. Continuing education – State Rules & Regs 140:15-5-4, 140:15-8-2
- 1d. Tax compliance – State Rules & Regs 140:15-7-3

## 3. PATIENT CARE (25%)

- 3a. Scope of practice
  - Acupuncture, physiotherapy, injectables, animal, homeopathy, naturopathy - Practice Act 161.2-161.3
- 3b. Documentation – State Rules & Regs 140:15-7-5

## 2. OFFICE MANAGEMENT (25%)

- 2a. Delegated/Oversight authority
  - Chiropractic assistants/ radiologic technicians/ interns/preceptorships – Practice Act 161.17
- 2b. Patient records – State Rules & Regs 140:15-7-5
- 2c. Advertising/ marketing – State Rules & Regs 140: -7-5
- 2d. Billing practices/fees – State Rules & Regs 140: -7-5

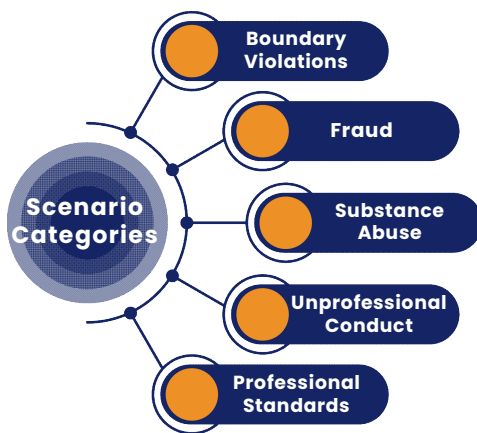
## 4. PROFESSIONAL CONDUCT (25%)

- 4a. Board of Examiners- Facts/terms/definitions/duties - Practice Act 161.4-5
- 4b. Board processes/ complaints/ actions – Practice Act 161.12
  - Suspension of license – Practice Act 161.13
- 4c. Advisory committees - Practice Act 161.6
- 4d. Rulemaking/ declaratory rulings – State Rules & Regs 140:1-7-1
- 4e. Unprofessional conduct
  - Sexual misconduct – State Rules & Regs 140:15-7-5
  - Ethics – Practice Act 161.18

*Once completed, non-proctored state exams can be administered by the NBCE 24 hours a day, 365 days a year.*

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**An EBAS essay exam assesses an individual's understanding of ethics and boundaries in a professional workplace environment, providing a snapshot of the participant's critical thinking.**

*Critical thinking plays a large role in ethics because it is the process where an individual determines for themselves whether something is right or wrong.*

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# Grading/Scoring



## Experienced Graders

EBAS graders have diverse backgrounds and all have regulatory experience.

- Executive Directors
- State Board Members
- Board Attorneys
- Administrative Law Judges



## Scoring

Each essay has a maximum score of 16 points. A passing score is 12 points.

Examinees who score below 12 points must only retake failed essay topics.

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# Exams



**Assessing Licensed Professionals**

**Boundaries, Unprofessional Conduct, Professional Standards, Substance Abuse, Fraud**



**Testing Profession-Specific**

**Chiropractic - Medical - Nurses - Dental**



**Exam \$400 Per Essay**

**Offered six days a week at Prometric Testing Centers.**



**Score Report 3 Weeks**

**Sent to the examinee and the designated regulatory board approximately three weeks after the exam is taken.**

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# Live CE Webinars

**In collaboration with Mark R. Brengelman, Attorney at Law PLLC**

- Previously the Assistant Attorney General of Kentucky.
- Assigned counsel and prosecuting attorney to numerous health profession licensure boards.
- Now focused on representing healthcare practitioners before licensure boards.



60-minute, interactive, live courses.



\$500 per course, paid by the examinee.



Participants receive a certificate of completion and summary of participation and level of understanding

## Remedial Course Content:

- ✓ Review of common laws that protect patients, staff, and the licensee.
- ✓ Examination of applicable state case law.
- ✓ Topics related to EBAS domains.
- ✓ One case study.

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# SPEC

## Special Purposes Examination for Chiropractic

SPEC is used when there is a need to re-evaluate previously licensed chiropractors when clinical competency is questioned. It is not used for initial licensing or for license renewal for those in good standing.

*SPEC may only be utilized at the request of state or foreign licensing agencies.*



Cases of malpractice.



When license has been suspended, revoked or lapsed.



After periods where a lapse in practice has occurred.

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# SPEC

## Special Purposes Examination for Chiropractic

### FORMAT



100 multiple-choice questions and 40 patient information cases.



All Items approved by a test committee comprised of state board members

### VALUE



Ensure appropriate level of competency.



Ensure clinical competency in cases of malpractice litigation.



Maintain public trust and consumer protection.

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## Special Purposes Examination for Chiropractic

# SPEC

After a SPEC Exam is requested by a state or foreign licensing agency, the computer-based exam may be taken at professional testing centers, 6 times per year.\*



Scores are released within 3 weeks of taking the exam.

*\*Available during the first full week of February, April, June, August, October, and December.*



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# SPEC vs EBAS

Although regulatory boards often require doctors to take both the SPEC and EBAS exams, each serves much different purpose.

## SPEC

Evaluates the competency of a chiropractor to practice.

## EBAS

Assesses individual understanding of ethics & boundaries in a professional workplace environment.

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## Project: CBT Upgrade

*The NBCE is working toward offering more testing opportunities for examinees.*



### Goal

Triple the number of times the Part I, II, III, and Physiotherapy exams are offered each year.

### Target

NBCE plans to initiate changes for the 2024 administrations



### Focus

Eliminate individual domains which will streamline development and scoring.

Align Parts I and II with the format of the Part III exam.

Exams will be scored at the global level instead of the domain level.

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## Part IV Advancement and Development (PAD) Project

### Part IV Redevelopment



After in-depth analysis of the best practices in practical testing and evaluating clinical exams at the chiropractic colleges, the NBCE initiated redevelopment of the Part IV exam to better simulate real world patient encounters while also introducing robust technology that will assist in the scoring and quality of the Part IV exam.

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## Part IV PAD Project

**Problem:** Research revealed the update would require a significant infrastructure and equipment investment at every test site.

**Solution:** After evaluating the cost and risks associated with delivering the redeveloped exams on Chiropractic College campuses, we have decided to move forward with researching and planning to move the Part IV exam to a centralized testing location.

**Next Steps:** During this research and planning phase, the NBCE will be reaching out to students, Doctor of Chiropractic programs in the United States, and State Board representatives to gather feedback.

### Research and Planning





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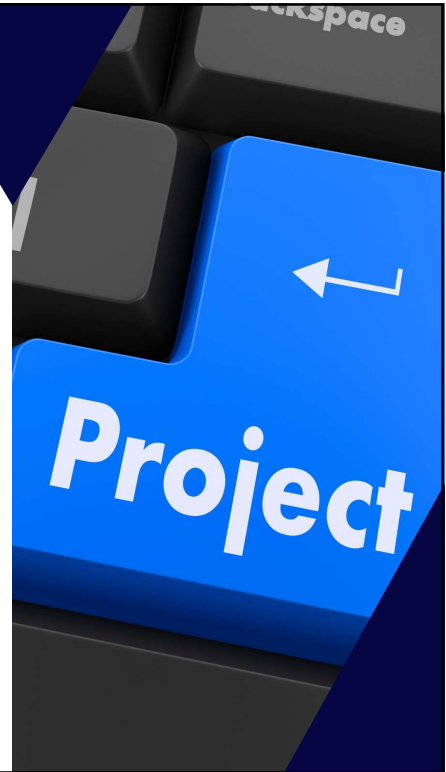
Part IV  
**PAD Project**

The innovations possible as a result of this extraordinary project has the potential to transform practical testing for Chiropractors for decades to come.

We encourage you to review our progress at [nbce.org/pad](http://nbce.org/pad).

Thank you for your support and participation as we take this essential step to enhance our mission!

*"Ensuring professional competency through excellence in testing."*



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**Strategic Planning**

*The NBCE Board of Directors is looking to the future and seeking to engage a wide range of voices to build a vision for the next 60 years.*

**Progress and Next Steps**



**Partnerships**

Established a partnership with Sharity, a woman-owned business, experienced in strategic planning for the chiropractic industry.

**Survey**

Completed a stakeholders survey (400+ sample size) of state board members, college faculty and leadership, associations, and NBCE staff.

**Focus Groups**

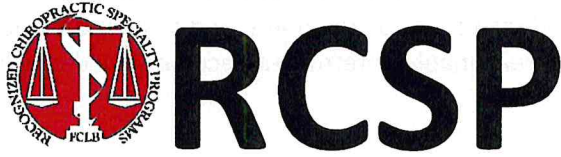
To further clarify survey results and gain deeper perspective, focus groups and one-on-one interviews were conducted with a diverse representative sample from the survey groups.

**Planning Session**

The November 2023 strategic planning session will utilize the survey and focus group responses to help evaluate and refine the NBCE vision and mission, while creating an action plan that realigns operations.







## Streamlining Chiropractic Specialty Program Recognition

In an effort to assist member boards in adapting their legal language to utilize the FCLB RCSP program, the Federation has developed suggestions for boards to review with their legal counsel. It is hoped that most boards will be able to promulgate Rules without needing to make changes in the Statute. This suggested model allows boards to continue to approve specialty program providers like they may do currently, while ALSO recognizing the RCSP program providers.

### RECOMMENDED STATUTE:

#### Section \_\_\_\_ . Delegated Authority.

- (A) The Board shall have the authority to control and regulate the practice of Chiropractic in [Name of Jurisdiction] including, but not limited to, the following:
- (1) Determining standards for recognizing and approving organizations that bestow /award recognition of advanced or specialty certification as a prerequisite of and condition to use by licensee of such designation.

#### Section \_\_\_\_ . Advertising and Promotional Materials

- (A) For purposes of advertising and representing to the public through any means, including promotional materials to patients or intended to induce prospective patients to engage in professional services, Chiropractors may accurately indicate their status as duly licensed by the Board. Chiropractors are prohibited from advertising, representing or using promotional materials of any type that are false, misleading, and deceptive or could be misleading to the public, including advertisements and materials intended to induce patients and prospective patients to engage in professional services. Chiropractors are prohibited from referring to themselves as a specialist, board certified, diplomate or any other words or phrases that indicate specialization, board certification or other advanced recognition, unless the issuer of such credential is approved by the Board under this section \_\_\_ and duly promulgated regulation hereunder.
- (B) The Board shall promulgate regulations addressing the criteria for any individuals, entities or organizations seeking recognition as a Board approved or recognized specialty or board certification entity, including the materials submitted to substantiate eligibility consistent with the below criteria. At a minimum, the criteria shall include the following:
- a. Verification of participant attendance;
  - b. Credible and verified relevance of content, including a sufficient number of education and experiential hours;
  - c. Credible assessment mechanism(s) to ensure competence in the field;

- d. Adequate faculty or other methods of delivery of content; and
- e. Adequate financial resources to implement and sustain the above criteria;
- f. Additional criteria reasonably determined necessary by the Board to carry out the intent of this statute.

(C) The Board shall promulgate regulations addressing the application and renewal processes for organizations seeking recognition as a Board approved specialty or board certification entity, including the materials submitted to substantiate initial eligibility and continued compliance with the above criteria. At a minimum, the application and renewal process shall include the following:

- a. Application forms;
- b. Documentation substantiating compliance with criteria in subsection (B) above;
- c. Relevant application fees not to exceed \$\_\_\_\_\_;
- d. Renewal forms, such renewal to occur at least on a biennial basis;
- e. Documentation substantiating continued compliance with criteria in subsection (B) above;
- f. Relevant renewal application fees not to exceed \$\_\_\_ on a biennial basis.
- g. Such other processes reasonably determined necessary by the Board to carry out the intent of this statute.

The Board decision as to meeting qualifications and renewal of recognition or approval shall be final and not subject to an administrative appeal.

#### RECOMMENDED RULE:

Pursuant to Article \_\_\_ Section \_\_\_, Delegation of Application Process

The Board may employ, cooperate, and contract the task of identifying chiropractic specialty program providers acceptable to the RCSP-Recognized Chiropractic Specialty Program (RCSP), or other approved entity, as satisfying the requirements of the Board for purposes of the specialty program recognition process. Pursuant to the legislative authority granted to the board, the Board hereby recognizes the requirements adopted from time to time of the Federation of Chiropractic Licensing Boards Recognized Chiropractic Specialty Program (FCLB RCSP) as the requirements of the Board. The Board, however, reserves the approval authority for all programs based on furtherance of professional development and related areas, and in the interest of the public protection objectives of the Act.

August 2023

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

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Pete Schramm, Licensing Examination Specialist		<b>2) Date when request submitted:</b> 10/23/2023 <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> 11/2/2023	<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> New Platform for CE Applications	
<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>	
<b>10) Describe the issue and action that should be addressed:</b> Preview utilization of CE Broker as platform for submitting continuing education applications			
<b>11) Authorization</b>			
Pete Schramm		10/23/2023	
<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.			