



**VIRTUAL/TELECONFERENCE
CHIROPRACTIC EXAMINING BOARD**
Virtual, 4822 Madison Yards Way, Madison
Contact: Will Johnson (608) 266-2112
January 30, 2025

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

9:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of October 31, 2024 (5-8)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements and Recognition**
 - 1. Introduction and Welcome – DSPS Secretary Hereth
- E. Administrative Matters – Discussion and Consideration (9-30)**
 - 1. Department, Staff, and Board Updates
 - 2. 2025 Meeting Dates (9)**
 - 3. Annual Policy Review (10-12)**
 - 4. Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities (13-30)**
 - 5. 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. – 7/1/2028
 - f. Meschefske, Daniel – 7/1/2025
- F. Legislation and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (31-40)**
 - 1. Discussion: SS 075-24 Chir 5, relating to continuing education (32-39)
 - 2. Pending and Possible Rulemaking Projects (40)**

- H. Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration**
 - 1. Consider Attendance: 2025 98th FCLB Annual Educational Conference – April 30-May 4, 2025 – St. Louis, MO
- I. Education and Examination Matters – Discussion and Consideration
- 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. Credentialing Matters

1. License Renewal Reviews

- a. E.Y.S. – Continuing Education Waiver Request (IA# 492446) **(41-48)**
- b. J.S. – Continuing Education and CPR Waiver Request (PAR# 530312) **(49-54)**

M. DLSC Matters

1. Case Closings

- a. 23 CHI 005 – R.M.J. **(55-60)**
- b. 24 CHI 001 – J.M.R. **(61-78)**

N. Deliberation of Items Added After Preparation of the Agenda

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

O. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

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

ADJOURNMENT

NEXT MEETING: APRIL 17, 2025

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 any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that the meeting at which final action may be taken against the credential be held in open session. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE
CHIROPRACTIC EXAMINING BOARD
MEETING MINUTES
OCTOBER 31, 2024**

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

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

CALL TO ORDER

Amy Heffernan, Chairperson, called the meeting to order at 8:37 a.m. A quorum was confirmed with six (6) members present.

ADOPTION OF AGENDA

MOTION: Barbara Bradley moved, seconded by Kathleen Hendrickson, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF AUGUST 1, 2024

MOTION: Kris Erlandson moved, seconded by Barbara Bradley, to approve the Minutes of August 1, 2024, as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Delegation of Authorities

Delegation to Monitoring Liaison

MOTION: Amy Heffernan moved, seconded by Kathleen Hendrickson, to delegate authority to the Monitoring Liaison(s) to make any determination on Orders under monitoring and to refer to the Full Board any matter the Monitoring Liaison deems appropriate. Motion carried unanimously.

Delegation to Department Monitor

MOTION: Kris Erlandson moved, seconded by Barbara Bradley, to delegate authority to the Department Monitor as outlined below:

1. to grant reinstatement of licensure if education and/or costs are the sole condition of the order and the credential holder has submitted the required proof of completion for approved courses and paid the costs.
2. to suspend the license if the credential holder has not completed Board ordered education and/or paid costs and forfeitures within the time specified by the Board order. The Department Monitor may remove the suspension and issue an order when proof of completion and/or payment has been received.

3. to suspend the license (or remove stay of suspension) if a credential holder fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if credential holder ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. to grant or deny approval when a credential holder proposes treatment providers, mentors, and supervisors unless the Order specifically requires full-Board or Board designee approval.
5. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete Board ordered continuing, disciplinary, or remedial education.
6. to grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by a credential holder.
7. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete a Board ordered evaluation or exam.

Motion carried unanimously.

PRELIMINARY PUBLIC HEARING – SCOPE STATEMENT 075-24: CHIR 5, RELATING TO CONTINUING EDUCATION

MOTION: James Damrow moved, seconded by Daniel Meschefske, to affirm the Board has provided an opportunity to receive public comments concerning Scope Statement (SS) 075-24 Chir 5, relating to continuing education. Additionally, after consideration of all public comments and feedback the Board approves SS 075-24 for implementation. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Discussion: SS 075-24 Chir 5, relating to continuing education

MOTION: Kris Erlandson moved, seconded by Daniel Meschefske, to designate Amy Heffernan to serve as liaison to DSPS staff for drafting Chir 5, relating to continuing education. Motion carried unanimously.

2025 Biennial Report on Administrative Rules pursuant s. 227.29, Stats.

MOTION: James Damrow moved, seconded by Daniel Meschefske, to authorize the Chairperson, or highest-ranking officer, or longest serving member of the board, in order of succession, to review and approve the report required under Wis. Stat. 227.29 for submission in March 2025 to the Joint Committee for Review of Administrative Rules. Motion carried unanimously.

CLOSED SESSION

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

The Board convened into Closed Session at 10:32 a.m.

DLSC MATTERS

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

22 CHI 015 – Richard L. Horaitis

MOTION: James Damrow moved, seconded by Amy Heffernan, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Richard L. Horaitis, DLSC Case Number 22 CHI 015. Motion carried unanimously.

24 CHI 0011 – Timothy E. McRoberts

MOTION: Kris Erlandson moved, seconded by Barbara Bradley, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Timothy E. McRoberts, DLSC Case Number 24 CHI 0011. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Kris Erlandson moved, seconded by Barbara Bradley, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 10:55 a.m.

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

MOTION: James Damrow moved, seconded by Kathleen Hendrickson, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

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

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

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

ADJOURNMENT

MOTION: James Damrow moved, seconded by Bradley, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:59 a.m.


DRAFT

CHIROPRACTIC EXAMINING BOARD
2025 Meeting Dates

Meeting Date	Start time	Location	Agenda Item Deadline
Thursday, January 30, 2025	9:30 AM	Virtual	1/20/25
Thursday, April 17, 2025	9:30 AM	Virtual	4/7/25
Thursday, July 17, 2025	9:30 AM	Virtual	7/7/25
Thursday, October 23, 2025	9:30 AM	Virtual	10/13/25

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brenda Taylor, Board Services Supervisor		2) Date when request submitted: 12/1/2024	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date: First Meeting of 2025	5) Attachments: <input checked="" type="checkbox"/> Yes	6) How should the item be titled on the agenda page? Administrative Matters: Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session	8) Is an appearance before the Board being scheduled? <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: Board SharePoint Site: https://dsps.boards.wisconsin.gov/			
<p>Please be advised of the following Policy Items:</p> <ol style="list-style-type: none"> 1. In-Person and Virtual Meetings: Depending on the frequency of scheduled meetings, discussion topics, and member availability, DSPTS may host one or more in-person meetings. Virtual connection options are available for all board meetings. 2. Attendance/Quorum: Thank you for your service and commitment to meeting attendance. If you cannot attend a meeting or have scheduling conflicts impacting your attendance, please let us know as soon as possible. A quorum is required for Boards, Sections, and Councils to meet pursuant to Open Meetings Law. Connect to / arrive at meetings 10 minutes before posted start time to allow for audio/connection testing, and timely Call to Order and Roll Call. Virtual meetings include viewable onscreen materials and A/V (speaker/microphone/video) connections. 3. Walking Quorum: Board/Section/Council members must not collectively discuss the body's business outside a properly noticed meeting. If several members of a body do so, they could be violating the open meetings law. 4. Mandatory Training: All Board Members must complete Public Records and Ethics Training, annually. Register to set up an account in the Cornerstone LearnCenter online portal or Log in to an existing account. 5. Agenda Deadlines: Please communicate agenda topics to your Executive Director before the agenda submission deadline at 12:00 p.m., eight business days before a meeting. (Attachment: Timeline of a Meeting) 6. Travel Voucher and Per Diem Submissions: Please submit all Per Diem and Reimbursement claims to DSPTS within 30 days of the close of each month in which expenses are incurred. (Attachment: Per Diem Form) Travel Vouchers are distributed on travel approval. 7. Lodging Accommodations/Hotel Cancellation Policy: Lodging accommodations are available to eligible members for in-person meetings. Standard eligibility: the member must leave home before 6:00 a.m. to attend an in-person meeting by the scheduled start time. <ol style="list-style-type: none"> a. If a member cannot attend a meeting, they must cancel their reservation with the hotel within the applicable cancellation timeframe. b. If a meeting is changed to occur remotely, is canceled, or rescheduled, DSPTS staff will cancel or modify reservations as appropriate. 8. Inclement Weather Policy: In inclement weather, the DSPTS may change a meeting from an in-person venue to a virtual/teleconference only. 			
11) Authorization			
		12/02/2024	
<p>Directions for including supporting documents:</p> <ol style="list-style-type: none"> 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director 			

Timeline of a Meeting

8 business days prior to the meeting: All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

7 business days prior to the meeting: The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

5 business days prior to the meeting: The approved agenda is returned to the Board Administration Specialist for agenda packet production and compilation.

4 business days prior to the meeting: Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

Agenda Item Examples:

- Approval of the Agenda and previous meeting Minutes
- Open Session Items
 - Public Hearings (relating to Administrative Rules)
 - Administrative Matters
 - Legislation and Policy Matters
 - Administrative Rules Matters
 - Credentialing Matters
 - Education and Exam Issues
 - Public Agenda Requests
 - Current Issues Affecting the Profession
 - Public Comments
- Closed Session items
 - Deliberations on Proposed Disciplinary Actions
 - Stipulations
 - Administrative Warnings
 - Case Closings
 - Monitoring Matters
 - Professional Assistance Procedure (PAP) Issues
 - Proposed Final Decisions and Orders
 - Orders Fixing Costs/Matters Relating to Costs
 - Credentialing Matters
 - Education and Exam Issues

Thursday of the Week Prior to the Meeting: Agendas are published for public notice on the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

1 business day after the Meeting: "Action" lists are distributed by staff detailing board actions on closed session business.

5 business days after the Meeting: "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

Department of Safety and Professional Services

PER DIEM REPORT

INSTRUCTIONS: Record board-related activities by date, indicate relevant purpose code, the duration of time spent in B-code activities, location, and activity description. Only one \$25.00 per diem payment will be issued on any given calendar day. Submit one form per month and within 60 days of the last activity being reported. Send completed forms to your Board's Administrative Specialist.

Purpose Codes:

A CODE Official meetings including Board Meetings, Hearings and Examinations and Test Development Sessions (automatic day of per diem) Examples: board, committee, board training or screening panels; Senate Confirmation hearings, legislative and disciplinary hearings, or informal settlement conferences; test administration, test review or analysis events, national testing events, tour of test facilities, etc.

B CODE Other (One (1) per diem will be issued for every five (5) hours spent in category B, per calendar month): i.e., review of disciplinary cases, consultation on cases, review of meeting materials, board liaison work, e.g., contacts regarding Monitoring, Professional Assistance Procedure, Credentialing, Education and Examinations

Name of Examining Board or Council	Board or Council Member's Name
Month	Year
Employee ID Number	

Date	Purpose Code A or B	Duration of B activity Hours: Minutes	Where Performed (Home, DSPS, or City, State)	Activity Describe Activity Performed (see purpose codes)
TOTALS				

CLAIMANT'S CERTIFICATION The Board/Council member named above, certifies, in accordance with § 16.53, Wis. Stats., that this account for per diem, is just and correct; and that this claim is for service necessarily incurred in the performance of duties required by the State, as authorized by law. (Rev.04/24)

Board Member Approval & Date: _____

TOTAL DAYS CLAIMED: _____ @ \$25.00 = _____ Supervisor Approval & Date: _____

**Chiropractic Examining Board
2024 Officers, Liaisons, and Authorities**

ELECTION OF OFFICERS	
Chairperson	Amy Heffernan
Vice Chairperson	Kris Erlandson
Secretary	Daniel Meschefske

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

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Paralegal Richanda Turner, on behalf of Attorney Jameson Whitney		2) Date when request submitted: 01/16/25 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Chiropractic Examining Board			
4) Meeting Date: 01/30/2025	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Reaffirming 2024 delegations and new 2025 delegations	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: The Board members need to review and consider reaffirming 2024 delegations and new delegations for 2025.			
11) Authorization			
<i>Richanda Turner</i>		01/16/2025	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



State of Wisconsin

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

CORRESPONDENCE / MEMORANDUM

DATE: January 1, 2025

TO: Board, Council, and Committee Members

FROM: Legal Counsel

SUBJECT: Liaison Definitions and Delegations Explanations

Overall Purpose of Liaison Appointments

Each Board/Section (Board) has inherent authority that is established in our Wisconsin Statutes. This authority may change from Board to Board. Further information on your Board's authority can be found in Wis. Stat. ch. 15. Generally, each Board has authority to grant credentials, discipline credential holders, and set standards for education and examinations. In order to efficiently accomplish these tasks, Boards may appoint Liaisons. Liaisons assist with the operations of the Boards' purpose by weighing in on legislative matters, traveling to national conferences, or communicating with stakeholders.

The Department asks that each year the Boards make Liaison appointments to assist the Board and Department to accomplish these tasks in an efficient manner. Your practical knowledge and experience, as an appointed member of a professional board, are essential in making determinations regularly. The Liaison positions listed below assist the Department to complete operations between Board meetings. In most cases, Liaisons can make decisions for the full Board in their designated area. However, these areas are determined through the delegation process. Please note, a Liaison may also decide to send the delegated matter to the full Board for consideration as appropriate. Delegations assist the Board in defining the roles and authorities of each Liaison and other Board functions.

Liaison Definitions

Credentialing Liaison: The Credentialing Liaison is empowered by the Board to review and make determinations regarding certain credential applications. The Credentialing Liaison may be called on by Department staff to answer questions that pertain to qualifications for licensure, which may include whether a particular degree is suitable for the application requirements, whether an applicant's specific work experience satisfies the requirements in statute or rule for licensure, or

whether an applicant's criminal or disciplinary history is substantially related to the practice of the profession in such a way that granting the applicant a credential would create a risk of harm to the public. Questions will likely be sent by Department staff to the Credentialing Liaison via email and may include application materials. The Credentialing Liaison serves a very important role in the credentialing process.

Monitoring Liaison: The Monitoring Liaison is empowered by the Board to make decisions on any credential that is limited either through a disciplinary order or initial licensure. The Department Monitors will send requests from credential holders to the Monitoring Liaison. These requests vary wildly. A common request could be to remove a limitation that has been placed on a credential or to petition for full licensure. The Monitoring Liaison can review these requests and make decisions on behalf of the Board. The Board has the authority to grant decision making latitude to their liaison to any degree. If the Monitoring Liaison has a question on a request, it is advisable for the Liaison to consult further with Department staff or bring the matter to the full Board for consideration.

Professional Assistance Procedure (PAP) Liaison: PAP is a voluntary program open to credential holders with substance abuse issues who wish to seek help by being held accountable through treatment and monitoring by the Department and Board. As part of PAP, the credential holder enters into an agreement with the Department to undergo testing, counseling, or other rehabilitation. The PAP Liaison's role includes responding to credential holders' requests for modifications and terminations of provisions of the agreement. Similar to the Monitoring Liaison, the Department Monitors will send requests from credential holders to the PAP Liaison for further review.

Education and Examination Liaison: Some Boards are required by statute or rule to approve qualifying education and examinations. The Education and Examination Liaison provides guidance to Department staff to exercise authority of the Board to approve or decline examinations and educational programs. This determination requires a level of professional expertise and should be performed by a professional member of the Board. For some Boards, the Education and Examination Liaison will also be tasked with approving continuing education programs and courses.

Legislative Liaison: The Legislative Liaison is permitted to act and speak on the Board's behalf regarding pending and enacted legislation or actions being considered by the legislature outside of Board meetings. The Legislative Liaison is not the Board's designated lobbyist and should exercise their delegated authority carefully.

Travel Authorization Liaison: The Travel Authorization Liaison is authorized to approve a Board member to travel to events and speak or act on the Board's behalf between Board meetings. The Travel Authorization Liaison is called upon to make decisions when sufficient notice was not received, and the full Board could not determine a representative to travel. The Travel Authorization Liaison is tasked with making determinations if the Board appointed representative is not able to attend or if the Board becomes authorized to send additional members as scholarship and funding streams can be unpredictable.

Communication Liaison: The Communication Liaison responds to questions that arise on behalf of the Board. The Communication Liaison works with the Department to cultivate an appropriate response which will be sent by the Executive Director or Board Counsel. The Communication Liaison **can** be responsible for all types of communication on behalf of the Board. However, the Board can appoint a separate **Website Liaison** to work with DSPS staff to make changes and ensure the Board webpage contains updated and accurate information. Additionally, for the Boards that are required by statute to produce a newsletter or digest, the Board can appoint a separate **Newsletter/Digest Liaison** to assemble and approve content for those communications.

Screening Panel Members: Screening Panel Members review incoming complaints against credential holders and determine which complaints should be opened for investigation and which complaints should be closed without further action. The complexity and amount of work in this role depends substantially on your Board. As a member of the Screening Panel, you are asked to apply your professional expertise to determine if a complaint alleges unprofessional conduct.

Delegations Explanations

CREDENTIALING DELEGATIONS

The overall purpose of credentialing delegations is to allow the credentialing process to proceed as efficiently and effectively as possible.

Delegation of Authority to Credentialing Liaison (Generic)

MOTION EXAMPLE: to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications.

PURPOSE: To allow a representative of the Board to assist Department staff with credentialing applications and eliminate the need for the entire Board to convene to consider credential application content or questions. Additionally, it is most efficient to have the designated liaison who has assisted with the credentialing process be able to effectuate decisions which require a signature.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION EXAMPLE: to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review.

PURPOSE: To permit Department staff to efficiently issue credentials and eliminate the need for Board/Section/Liaison review when all credentialing legal requirements are met in an application. This delegation greatly decreases workload on Board members and cuts down processing time on applications.

Delegation of Authority for Predetermination Reviews

MOTION EXAMPLE: to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f).

PURPOSE: In general, the Wisconsin Fair Employment Act (codified in Wis. Stat. Ch. 111) prohibits licensing agencies from discriminating against applicants because of their arrest and/or conviction record. However, there are exceptions which permit denial of a license in certain circumstances. Individuals who do not possess a license have a legal right to apply for a determination of whether they are disqualified from obtaining a license due to their conviction record. This process is called “Predetermination.” Predetermination reviews must be completed within 30 days. This delegation allows Department Attorneys to conduct predetermination reviews and efficiently make these legal determinations without need for Board/Section/Liaison review.

Delegation of Authority for Conviction Reviews

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the relevant professional practice.

PURPOSE: As used here, “substantially related” is a legal standard that is used in the Wisconsin Fair Employment Act. The concept of what is “substantially related” is informed by case law. This delegation permits Department Attorneys to independently conduct conviction reviews and efficiently approve applications if convictions are not substantially related to the practice of the profession. Applications that contain conviction records that may be substantially related to the practice of a profession will still be submitted to the Credentialing Liaison for input.

Delegation to DSPS When Applicant’s Disciplinary History Has Been Previously Reviewed

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where Applicant’s prior discipline has been approved for a previous credential and there is no new discipline.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison for a lower-level credential.

Delegation to DSPS When Applicant’s Conviction History Has Been Previously Reviewed

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous credential and there is no new conviction record.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of conviction history that has already been reviewed and approved for a lower-level credential.

Delegation of Authority for Reciprocity Reviews

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve reciprocity applications in which the out of state license requirements meet Wisconsin license requirements. (specific legal standards are referenced in the motion depending on credential/profession type).

PURPOSE: Applications via reciprocity or endorsement require comparison of Wisconsin licensing requirements to the licensing requirements of another jurisdiction. These reviews consider the legal standard for reciprocity, which varies by profession, as well as the specified legal requirements to obtain licensure in the profession. This delegation permits Department Attorneys to independently conduct reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

Delegation of Authority for Military Reciprocity Reviews

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09.

PURPOSE: The law permits service members, former service members, and their spouses to be licensed if they hold licensure in other jurisdictions that qualify them to perform acts authorized by the credential they are seeking in Wisconsin. This is a shortened path to licensure that does not require meeting the specific requirements/standards for licensure/reciprocity in a profession. By law, the Department/Board must expedite the issuance of a reciprocal license via military reciprocity. This delegation permits Department Attorneys to independently conduct military reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

Delegation of Authority for Application Denial Reviews

MOTION EXAMPLE: to delegate authority to the Department's Attorney Supervisors to serve as the Board designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential.

PURPOSE: When an application is denied, the applicant has a legal right to appeal the denial determination. Applicants must meet a specified legal standard in order to have an appeal granted. Additionally, Wisconsin law sets specific time frames for appeal decisions. This delegation permits Department Attorney Supervisors to independently review and efficiently act on requests for hearing as a result of a denial of a credential.

Delegation to Department Attorneys to Approve Duplicate Legal Issue

MOTION EXAMPLE: to delegate authority to Department Attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues for that credential holder.

PURPOSE: The intent of this delegation is to be able to approve prior discipline by the Board for the renewal applicant. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison.

Delegation to Department Attorneys to Approve Prior Discipline

MOTION EXAMPLE: to delegate authority to Department Attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing.

PURPOSE: In order to continue improving processing application legal reviews in a timely matter, this delegation gives Department Attorneys authority to approve prior professional discipline which meets all of the following criteria: (1) it is at least ten years old; (2) it resulted in a monetary penalty, remedial education, and/or reprimand; and (3) the previously disciplined credential is currently in good standing.

MONITORING DELEGATIONS

The overall purpose of monitoring delegations is to be able to enforce the Boards orders and limited licenses as efficiently and effectively as possible. Monitoring delegations have two categories: delegations to the Monitoring Liaison and delegations to the Department Monitor.

Delegation of Authority to Department Monitor

MOTION EXAMPLE: to delegate authority to the Department Monitor:

- a. to grant full reinstatement of licensure if education is the only limitation and credential holder has submitted the required proof of course completion.
- b. to suspend the credential if the credential holder has not completed Board ordered education, paid costs, paid forfeitures, within the time specified by the Board Order.
- c. to lift a suspension when compliance with education and costs provisions have been met.

PURPOSE: These delegations allow for the Department Monitor to automatically act on requests when certain criteria are met or not met without needing to burden the Monitoring Liaison. The Board can set their own criteria for what actions they would like to be handled by the Department, the Monitoring Liaison, and the full Board.

Delegation of Authority to Monitoring Liaison

MOTION EXAMPLE: to delegate authority to the Monitoring Liaison to approve or deny all requests received by the credential holder.

PURPOSE: These delegations allow the Board to set criteria for what decisions can be made by the Board member(s) serving as the Monitoring Liaison and what matters should be decided by the full Board.

Education and Examination Delegations

MOTION EXAMPLE: to delegate authority to the Education and Examination Liaison(s) to address all issues related to qualifying education, continuing education and examinations. Motion carried unanimously. (Differs by Board)

PURPOSE: Some Boards are responsible for approving qualifying educational programs or continuing education courses. A delegation is executed in order for an Education and Examination Liaison to make these determinations on behalf of the Board and with assistance of the Department. Additionally, some Boards review examinations and individual scores to qualify for a credential.

MISCELLANEOUS DELEGATIONS

Document Signature

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

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

PURPOSE: To take the action approved at Board meetings, the Department may need to draft correspondence and/or Orders after the meetings have adjourned. These actions then need to be signed by a Board Member. This interaction usually takes place over email and a Board member can authorize the use of his/her signature that is kept on file.

Urgent Matters

MOTION EXAMPLE: in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

PURPOSE: Allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.

Delegation to Chief Legal Counsel-Due to Loss of Quorum

MOTION EXAMPLE: to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

PURPOSE: Sometimes Boards can struggle to meet quorum necessary to conduct business. This happens for a multitude of reasons, but this delegation allows for the Boards to have disciplinary cases decided by Chief Legal Counsel if the Board fails to meet quorum for two consecutive meetings.

Delegation to Chief Legal Counsel-Stipulated Resolutions

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

PURPOSE: For matters of public safety, it may be necessary to take immediate action on a stipulated agreement rather than allowing a credential holder to continue practicing unencumbered until the next scheduled meeting. This delegation allows CLC to act on behalf of the Board when there is a stipulated agreement. A stipulated agreement is an agreement to which all relevant parties have consented to the terms.

Voluntary Surrenders

MOTION: to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter.

MOTION: to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19.

PURPOSE: Credential holders can ask the Boards to accept surrender of their credentials at any time. These delegations are in place for the different situations that arise from those requests. If a credential holder is seeking to surrender their credential because they wish to leave the profession, that can be processed with this delegation by the Department if they have no pending disciplinary complaints. If the credential holder wishes to surrender while they have a pending disciplinary complaint, that request is reviewed by the individual Board member assigned to the case.

DLSC Pre-screening

MOTION EXAMPLE: to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases where the credential holder has failed to respond to allegations contained in the complaint when requested by intake (case will be opened on failure to respond and the merits of the complaint).

PURPOSE: Pre-screening delegations exist so the Board can define specific parameters where the Department can review disciplinary complaints and open those cases if they meet certain criteria. Boards also have the authority to set certain criteria that would allow the Department to review and close a case if the criteria is met.

Delegation to Handle Administrative Rule Matters

MOTION EXAMPLE: to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried unanimously.

PURPOSE: In order to advance the administrative rules process, action may need to occur between meetings. This allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.

CHIROPRACTIC EXAMINING BOARD
2024 DELEGATIONS
JANUARY 18, 2024
OCTOBER 31, 2024

All Combined Delegations for 2024

Delegation of Authorities

Review and Approval of 2023 Delegations

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

Document Signature Delegations

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

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

Delegated Authority for Urgent Matters

MOTION: Amy Heffernan moved, seconded by Kris Erlandson, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Loss of Quorum

MOTION: Kris Erlandson moved, seconded by Amy Heffernan, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

Delegation to Chief Legal Counsel for Stipulated Resolutions

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

Monitoring Delegations

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: Amy Heffernan moved, seconded by Daniel Meschefske, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Board Chairperson. Motion carried unanimously.

Delegation to Monitoring Liaison

MOTION: Amy Heffernan moved, seconded by Kathleen Hendrickson, to delegate authority to the Monitoring Liaison(s) to make any determination on Orders under monitoring and to refer to the Full Board any matter the Monitoring Liaison deems appropriate. Motion carried unanimously.

Delegation to Department Monitor

MOTION: Kris Erlandson moved, seconded by Barbara Bradley, to delegate authority to the Department Monitor as outlined below:

1. to grant reinstatement of licensure if education and/or costs are the sole condition of the order and the credential holder has submitted the required proof of completion for approved courses and paid the costs.
2. to suspend the license if the credential holder has not completed Board ordered education and/or paid costs and forfeitures within the time specified by the Board order. The Department Monitor may remove the suspension and issue an order when proof of completion and/or payment has been received.
3. to suspend the license (or remove stay of suspension) if a credential holder fails to enroll and participate in an Approved Program for drug and alcohol testing within 30

days of the order, or if credential holder ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.

4. to grant or deny approval when a credential holder proposes treatment providers, mentors, and supervisors unless the Order specifically requires full-Board or Board designee approval.
5. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete Board ordered continuing, disciplinary, or remedial education.
6. to grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by a credential holder.
7. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete a Board ordered evaluation or exam.

Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison

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

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: Kris Erlandson moved, seconded by Kathleen Hendrickson, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: Amy Heffernan moved, seconded by Daniel Meschefske, to delegate authority to the Department Attorneys to make decisions regarding

predetermination applications pursuant to Wis. Stat. § 111.335(4)(f).
Motion carried unanimously.

Delegation of Authority for Conviction Reviews

MOTION: Amy Heffernan moved, seconded by Kathleen Hendrickson, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of chiropractic. Motion carried unanimously.

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

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

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

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

Delegated Authority for Application Denial Reviews

MOTION: Kris Erlandson moved, seconded by Amy Heffernan, to delegate authority to the Department's Attorney Supervisors to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Delegation of Authority for Military Reciprocity Reviews

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

Pre-Screening Delegation to Open Cases

MOTION: Amy Heffernan moved, seconded by Eugene Yellen-Shiring, to delegate pre-screening decision making authority to the Department screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.

4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

Pre-Screening Delegation to Close Cases

MOTION: Kris Erlandson moved, seconded by Amy Heffernan, to delegate pre-screening decision making authority to the Department screening attorney for closing cases as outlined below:

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

Motion carried unanimously.

Delegation to Department Attorneys to Approve Duplicate Legal Issue

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

Voluntary Surrenders

MOTION: Eugene Yellen-Shiring moved, seconded by Daniel Meschefske, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

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

Education and Examination Liaison(s) Delegation

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

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

MOTION: Amy Heffernan moved, seconded by Daniel Meschefske, to authorize the Department staff to provide national regulatory related bodies with all board member contact information that the Department retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: James Damrow moved, seconded by Kris Erlandson, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to rule changes within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Legislative Liaison Delegation

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

Travel Authorization Liaison Delegation

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

Preceptor Liaison(s) Delegation

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

Delegation to Department Attorneys to Approve Prior Discipline

MOTION: [Board member name] moved, seconded by [Board member name], to delegate authority to Department Attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing. Motion carried [].

Delegation to Handle Administrative Rule Matters

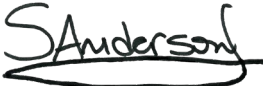
MOTION: [Board member name] moved, seconded by [Board member name], to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried [].

Review and Approval of 2024 Delegations including new modifications

MOTION: [Board member name] moved, seconded by [Board member name], to reaffirm all delegation motions made in 2024, as reflected in the January 30, 2025 agenda materials, which were not otherwise modified or amended during the January 30, 2025 meeting. Motion carried [].

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Sofia Anderson – Administrative Rules Coordinator		2) Date when request submitted: 01/17/2025	
Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting			
3) Name of Board, Committee, Council, Sections: Chiropractic Examining Board			
4) Meeting Date: January 30, 2025	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rules Matters – Discussion and consideration 1. Discussion: SS 075-24 Chir 5, relating to continuing education. 2. Pending and possible rulemaking projects.	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Attachments: 1. Chir 5 redlined chapter. 2. Chiropractic Rules Projects Chart.			
11) Authorization			
		01/17/25	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Chapter Chir 5
CONTINUING EDUCATION

Chir 5.01 Continuing education requirements for credential renewal.

Chir 5.02 Approval of continuing education programs.

Chir 5.04 Application for approval of a continuing education program.

Chir 5.05 Application for expedited approval of a continuing education program.

Note: Chapter Chir 5 as it existed on February 29, 1996, was repealed and a new chapter Chir 5 was created effective March 1, 1996.

Chir 5.01 Continuing education requirements for credential renewal.

(1)

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

(b) Continuing education requirements for license renewal apply to the first full 2-year period in which a chiropractor is licensed.

(c) The board may grant a waiver, partial waiver, or postponement of the continuing education requirements in cases of hardship.

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

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

(f) Up to 2 credits of course work completed to become proficient in cardiopulmonary resuscitation certification as required in s. Chir 3.09 and the use of an automated external defibrillator as required in ss. Chir 2.02 (6) (c), 3.02 (1) (e), and 3.03 (1) (i), may be counted as 2 continuing education credit hours.

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

Commented [SA1]: Proposed repeal in CR 24-027: Chir 3, relating to CPR requirement. Final Rule Draft is currently being reviewed by the Governor's office.

Commented [SA2]: May be affected if we change the online CE requirements to 4 hrs of asyn and 4 hrs synch?

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

(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.

(1g)

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

(b) The board may grant a waiver, partial waiver, or postponement of the continuing education requirements in cases of hardship.

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

(1r)

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

(b) The board may grant a waiver, partial waiver, or postponement of the continuing education requirements in cases of hardship.

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

(d) Up to one credit of course work completed to become proficient in cardiopulmonary resuscitation certification and the use of an automated external defibrillator may be counted as one continuing education credit hour.

(2) Continuing education credit hours may apply only to the 2-year license period in which the credit hours are acquired, unless either of the following applies:

(a) The continuing education credit hours required of a particular chiropractor, chiropractic radiological technician, or chiropractic technician as a consequence of a disciplinary proceeding, informal settlement conference, or resolution of an investigation into the conduct or competence of the chiropractor, chiropractic radiological technician, or chiropractic technician may not be counted towards the fulfillment of generally applicable continuing education requirements.

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

(3) To obtain credit for completion of continuing education programs, a chiropractor, chiropractic radiological technician, or chiropractic technician shall certify on the application for credential renewal that all continuing education credits have been completed as required under this section.

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

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

Chir 5.02 Approval of continuing education programs.

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

(a) The program is sponsored by one of the following:

1. The Wisconsin Chiropractic Association.
2. The International Chiropractors Association.
3. A college of chiropractic with accreditation that is in good standing from the Council on Chiropractic Education or another accrediting agency whose recognition by the United States department of education is current.
4. A college of medicine or osteopathy with accreditation that is in good standing from an accrediting agency whose recognition by the United States department of education is current.

5. A member-based state or national chiropractic organization that satisfies all of the following:

a. The organization is an entity that is described in section 501 (c) of the Internal Revenue Code and that is exempt from federal income tax under section 501 (a) of the Internal Revenue Code and has existed as an entity that is described in section 501 (c) of the Internal Revenue Code for at least 5 years.

b. The purpose of the organization is not solely providing continuing education programs.

c. The organization engages in measurable advocacy efforts to promote the chiropractic profession.

(b) For a continuing education program required under s. [Chir 5.01 \(1\) \(a\)](#), 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.

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

(c) The program sponsor agrees to provide a responsible person to monitor and verify the attendance of each registered chiropractor, chiropractic radiological technician, or chiropractic technician, as applicable, participating in the program, and the program sponsor agrees to assume responsibility for the accuracy of the continuing education credit awarded to each participant, to keep the records of attendance for 4 years from the date of the program, and to furnish each participant with evidence of having attended the program.

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

1. The program is at least 50 percent synchronous and provides interactive communication between the participant and the instructor.

OR

Commented [SA3]: Added provision in s. 446.028 (1) (a) 5., Stats., by 2021 WI Act 253.

Commented [SA4]: Board requested at the October meeting to be presented with two scenarios: 1) all online CE is synchronous and 2) 4 hrs are asynchronous and 4 hrs are synchronous.

1. The program is at least 50 percent consists of 4 hours of asynchronous instruction and 4 hours of synchronous instruction and provides interactive communication between the participant and the instructor.

2. The program includes an instrument that is designed to ensure the chiropractor, chiropractic radiological technician, or chiropractic technician, as applicable, actively participated in the presentation of material.

3. The program includes means to furnish each participant with evidence of having attended the program.

(d) A program sponsor shall not assign or delegate its responsibilities to monitor or record attendance, provide evidence of attendance, validate course content, or provide information on instructors or other aspects of the program unless the assignment or delegation is specifically identified in the application for approval and approved by the board.

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

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

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

(h) A course instructor of the program has qualifications appropriate for presenting the course.

(1m) The board shall approve a continuing education program that is approved under s. [46.03 \(38\)](#), Stats., to provide instruction in the use of an automated external defibrillator. Subsections [\(1\)](#), [\(2\)](#), and [\(6\)](#) do not apply to programs approved under this section.

(2)

(a) Continuing education programs may include subject material that does not meet the requirements under sub. [\(1\)\(b\)](#). However, only the parts of the program that include subject material that meets the requirements under sub. [\(1\)\(b\)](#) are eligible for credit.

(am) Continuing education programs may include subject material other than that which relates to improving the clinical skills of a chiropractic radiological technician or chiropractic technician. However, only the parts of the program which relate to improving the clinical skills of a chiropractic radiological technician or chiropractic technician, as applicable, are eligible for credit.

(b) Any presentation, program content, materials or displays for the advertising, promotion, sale or marketing of equipment, devices, instruments or other material of any

kind or purpose shall be kept separate from the program content and presentation for which approval is applied and granted.

(c) Programs shall be approved for one hour of continuing education for every 50 minutes of instruction.

(5) Continuing education credit may not be awarded for meals or break periods.

(6) The sponsor of an approved program shall ensure that the program is carried out and presented as represented to and approved by the board, and that all responsibilities of the program sponsor, an instructor, and any person or entity delegated or assigned a responsibility relating to a program approved by the board are fulfilled.

Chir 5.04 Application for approval of a continuing education program.

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

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

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

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

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

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

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

1. A specific description of the assignment or delegation.

2. The name and address of the person or entity who is assigned or delegated to perform the responsibility, and a description of the qualifications of that person or entity to perform the responsibility.

3. A description of the method by which the program sponsor intends to assure that the delegated or assigned responsibility is performed.

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

- (2) An application shall be complete as required under sub. (1) and filed with the board no later than 60 days prior to the program date or, for an online continuing education program, the date on which the program will first be eligible for continuing education credit. An application is considered complete when all information required to be submitted with the application is received by the board.
- (3) The board may require an applicant to submit information in addition to that described in sub. (1) that is necessary to determine if the applicant meets the requirements of this chapter.
- (4) The board shall grant approval of an application if the board determines the program and program sponsor materially meet the requirements under this chapter. If the board does not take action within 50 days of submission of a completed application, the course shall be approved for the first scheduled date that it is eligible for continuing education credit and shall remain approved unless the board takes further action.
- (5) The board shall deny approval of an application for any of the following reasons:
 - (a) The program or program sponsor does not meet requirements established in this chapter.
 - (b) The emphasis of the program is on the business, management, or insurance aspects of a chiropractic practice rather than on improving the clinical skills of the chiropractor, chiropractic radiological technician, or chiropractic technician, as applicable.
 - (c) The board determines the program sponsor has not provided adequate assurance that responsibilities delegated or assigned to others will be satisfactorily performed.
 - (d) The program sponsor, an instructor, or a person delegated or assigned a responsibility has a financial, personal or professional interest which conflicts directly with the performance of responsibilities in this chapter.
 - (e) Failure on the part of a program sponsor, an instructor, or a person delegated or assigned a responsibility to carry out a program as represented to and approved by the board or as provided in this chapter.
 - (f) The program subject matter relates to practice that is prohibited under s. [Chir 4.05](#).

Chir 5.05 Application for expedited approval of a continuing education program.

- (1) A program sponsor under s. [Chir 5.02 \(1\) \(a\)](#) may submit an application for expedited approval of a continuing education program if the program sponsor had a minimum of 20 continuing

education programs approved for the previous 2-year registration period and one of the following requirements is met:

(a) A review by the board of a random selection of 10 percent of the program sponsor's continuing education programs approved for the previous 2-year registration period found that all of the selected programs materially meet all of the requirements under s. [Chir 5.02 \(1\)](#) and were awarded continuing education credit as provided under s. [Chir 5.02 \(2\)](#) and [\(5\)](#). The review by the board shall occur within the first 6 months following the 2-year registration period.

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

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

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

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

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

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

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

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

Chiropractic Examining Board
Rule Projects (updated 01/17/2025)

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Current Stage	Next Step
24-027	062-23	02/21/2026	Chir 3	Cardiopulmonary Resuscitation (CPR) Requirement	Final Rule Draft and Legislative Report submitted to Governor for review on July 24, 2024.	After Governor's approval, final rule draft and legislative report can be submitted to the Legislature for review.
Not Assigned Yet	Not Assigned Yet	Not Assigned Yet	Chir 5	Continuing Education	Drafting rule.	EIA Comment Period, Clearinghouse Review, and Public Hearing.
24-046	034-23	11/30/2025	Chir 12	Nutritional Counseling Certification	Legislative Review.	If Legislature does not have objections, rule can be adopted after the legislative review period ends.