

**CERTIFICATE**



**STATE OF WISCONSIN  
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES**

*I, Tom Ryan, Executive Director, Division of Policy Development in the Wisconsin Department of Safety and Professional Services and custodian of the official records of the Chiropractic Examining Board, do hereby certify that the annexed rules relating to license renewal were duly approved and adopted by the Chiropractic Examining Board.*

*I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.*

*IN TESTIMONY WHEREOF, I have hereunto set my hand at 1400 East Washington Avenue, Madison, Wisconsin this 28<sup>th</sup> day of June, 2018.*

A handwritten signature in black ink, appearing to read "Tom Ryan", written over a horizontal line.

**Tom Ryan, Executive Director  
Division of Policy Development  
Department of Safety & Professional Services**

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 17-058)

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ORDER

An order of the Chiropractic Examining Board to amend ch. Chir 3 (title) and Chir 3.02 (1) (intro.), relating to license renewal.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:**

Section 440.08 (2) (a) 24., Stats.

**Statutory authority:**

Sections 15.08 (5) (b) and 227.11 (2) (a), Stats.

**Explanation of agency authority:**

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., discusses the parameters of an agency’s rule-making authority, stating an agency “may promulgate rules interpreting the provisions of the statute, but a rule is not valid if it exceeds the bounds of correct interpretation. . .” This section allows an agency to promulgate administrative rules that interpret the statutes it enforces or administers as long as the proposed rule does not exceed proper statutory interpretation. Section 227.01 (1), Stats., defines agency as a board. The Chiropractic Examining Board falls within the definition of agency and is therefore allowed to apply s. 227.11 (2) (a), Stats., to statutes it administers.

**Related statute or rule:**

None.

**Plain language analysis:**

The rules revise the title of ch. Chir 3 to better reflect the content of the chapter and revise the license renewal deadline under s. Chir 3.02 (1) (intro.) from December 31 to December 15 to align with the renewal date under s. 440.08 (2) (a) 24., Stats.

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

None.

**Comparison with rules in adjacent states:**

**Illinois:** Rules of the Illinois Department of Financial and Professional Regulation specify the requirements for renewal of a license to practice chiropractic in Illinois (68 Ill. Adm. Code 1285.120).

**Iowa:** Rules of the Iowa Board of Chiropractic specify the requirements for renewal of a license to practice as a chiropractic physician in Iowa (645 IAC 41.8).

**Michigan:** Rules of the Michigan Department of Licensing and Regulatory Affairs specify the requirements for renewal of a license to practice chiropractic in Michigan (Mich Admin Code, R 338.12008).

**Minnesota:** Rules of the Minnesota Board of Chiropractic Examiners specify the requirements for renewal of a license to practice chiropractic in Minnesota (Minnesota Rules, Part 2500.1000).

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

The rules revise the title of ch. Chir 3 to better reflect the content of the chapter and update the license renewal deadline specified in s. Chir 3.02 (1) (intro.) to align with the renewal date under s. 440.08 (2) (a) 24., Stats. No additional factual data or analytical methodologies were used to develop the rules.

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

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

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis document is attached.

**Effect on small business:**

These rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at [Kirsten.Reader@wisconsin.gov](mailto:Kirsten.Reader@wisconsin.gov), or by calling (608) 267-2435.

**Agency contact person:**

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, P.O. Box

8366, Madison, Wisconsin 53708; telephone 608-261-4472; email at  
DSPSAdminRules@wisconsin.gov.

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

The deadline for submission of comments was December 21, 2017.

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TEXT OF RULE

SECTION 1. Chapter Chir 3 (title) is amended to read:

CHAPTER CHIR 3

LICENSE RENEWAL LICENSURE

SECTION 2. Chir 3.02 (1) (intro.) is amended to read:

**Chir 3.02 (1) REQUIREMENTS FOR RENEWAL. (intro.)** To renew and obtain a new license a licensee shall, by December ~~31~~ 15 of the even-numbered year following initial licensure and every 2 years thereafter, file with the department all of the following:

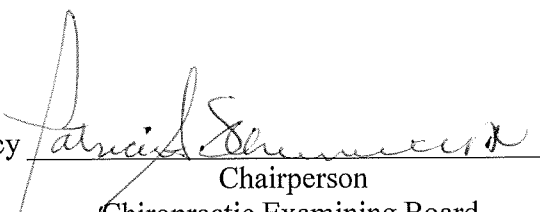
SECTION 3. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

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(END OF TEXT OF RULE)

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Dated 6/28/2018

Agency   
Chairperson  
Chiropractic Examining Board

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original    Updated    Corrected

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2. Administrative Rule Chapter, Title and Number

Chir 3

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3. Subject

License renewal

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4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

5. Chapter 20, Stats. Appropriations Affected

20.165(1)(g)

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6. Fiscal Effect of Implementing the Rule

No Fiscal Effect    Increase Existing Revenues    Increase Costs  
 Indeterminate    Decrease Existing Revenues    Could Absorb Within Agency's Budget  
 Decrease Cost

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7. The Rule Will Impact the Following (Check All That Apply)

State's Economy    Specific Businesses/Sectors  
 Local Government Units    Public Utility Rate Payers  
 Small Businesses (if checked, complete Attachment A)

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8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes    No

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9. Policy Problem Addressed by the Rule

The proposed rules revise the title of ch. Chir 3 to better reflect the content of the chapter and revise the license renewal deadline under s. Chir 3.02 (1) (intro.) from December 31 to December 14 to align with the renewal date under s. 440.08 (2) (a), Stats.

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10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

The proposed rule was posted on the Department of Safety and Professional Services' website for 14 days in order to solicit comments from businesses, representative associations, local governmental units, and individuals that may be affected by the rule. No comments were received.

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11. Identify the local governmental units that participated in the development of this EIA.

No local governmental units participated in the development of this EIA.

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12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

This proposed rule will not have a significant impact on specific businesses, business sectors, public utility rate payers, local governmental units, or the state's economy as a whole.

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13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit to implementing the rule is providing clarity and updated references. If the rule is not implemented, it will continue to provide an outdated reference to the license renewal deadline.

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14. Long Range Implications of Implementing the Rule

The long range implication of implementing the rule is clarity and updated references.

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15. Compare With Approaches Being Used by Federal Government

None

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## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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

**Illinois:** Rules of the Illinois Department of Financial and Professional Regulation specify the requirements for renewal of a license to practice chiropractic in Illinois (68 Ill. Adm. Code 1285.120).

**Iowa:** Rules of the Iowa Board of Chiropractic specify the requirements for renewal of a license to practice as a chiropractic physician in Iowa (645 IAC 41.8).

**Michigan:** Rules of the Michigan Department of Licensing and Regulatory Affairs specify the requirements for renewal of a license to practice chiropractic in Michigan (Mich Admin Code, R 338.12008).

**Minnesota:** Rules of the Minnesota Board of Chiropractic Examiners specify the requirements for renewal of a license to practice chiropractic in Minnesota (Minnesota Rules, Part 2500.1000).

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17. Contact Name

Dale Kleven

18. Contact Phone Number

(608) 261-4472

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