STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION DOA-2049 (R03/2012) DIVISION OF EXECUTIVE BUDGET AND FINANCE 101 EAST WILSON STREET, 10TH FLOOR P.O. BOX 7864 MADISON, WI 53707-7864 FAX: (608) 267-0372

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

Type of Estimate and Analysis     Original □ Updated □ Corrected		
2. Administrative Rule Chapter, Title and Number Chir 12		
3. Subject Nutritional counseling certification		
4. Fund Sources Affected ☐ GPR ☐ FED ☑ PRO ☐ PRS ☐ SEG ☐ SEG-S	5. Chapter 20, Stats. Appropriations Affected 20.165(1)(g)	
6. Fiscal Effect of Implementing the Rule  ☐ No Fiscal Effect ☐ Increase Existing Revenues  ☐ Indeterminate ☐ Decrease Existing Revenues	<ul> <li>Increase Costs</li> <li>Could Absorb Within Agency's Budget</li> <li>□ Decrease Cost</li> </ul>	
7. The Rule Will Impact the Following (Check All That Apply)  State's Economy  Local Government Units  Specific Businesses/Sectors  Public Utility Rate Payers  Small Businesses (if checked, complete Attachment A)		
8. Would Implementation and Compliance Costs Be Greater Than S  Yes No	\$20 million?	
9. Policy Problem Addressed by the Rule The Board conducted an evaluation and update of ch. Chir 12 to ensure the definitions under s. Chir 12.01, the criteria for granting a certificate for nutritional counseling under s. Chir 12.02, and the criteria for approval of nutritional counseling educational programs under s. Chir 12.03 are consistent with current professional and academic practices and applicable Wisconsin statutes. As a result, the following updates have been made:		
• A definition of "patient" is added to the definitions under s. Chir 12.01.		
• The requirement under s. Chir 12.03 (2) (a) 5. that program subject matter is generally taught at the undergraduate or postgraduate level of a chiropractic college and relates to improving the clinical skills of a chiropractor is revised. The revised requirement is that program subject matter contributes to the advancement, extension, and enhancement of the clinical skills of a chiropractor and fosters the enhancement of general or specialized practice and values.		
Other provisions throughout ch. Chir 12 have been a drafting standards.	revised to provide clarity and conform to current	
10. Summaryof the businesses, business sectors, associations repmay be affected by the proposed rule that were contacted for contacted rule was posted on the Department of Safety a solicit comments from businesses, representative associations affected by the rule. No comments were received.	omments.  nd Professional Services' website for 14 days in order to s, local governmental units, and individuals that may be	
11. Identify the local governmental units that participated in the dev No local governmental units participated in the development		

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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)

The 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.

The Department estimates one-time administrative costs of \$63.99. These costs may be absorbed in the agency budget.

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

The benefit to implementing the rule is providing consistency with current professional and academic practices and applicable Wisconsin statutes. If the rule is not implemented, it will continue to not provide a definition of "patient."

14. Long Range Implications of Implementing the Rule

The long range implication of implementing the rule is consistency with current professional and academic practices and applicable Wisconsin statutes.

15. Compare With Approaches Being Used by Federal Government None

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

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

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

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

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

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