

## Chapter Chir 5

### CONTINUING EDUCATION

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**Note:** Chapter Chir 5 as it existed on February 29, 1996, was repealed and a new chapter Chir 5 was created effective March 1, 1996.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

(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.

(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.

**History:** Cr. Register, February, 1996, No. 482, eff. 3-1-96; am. (1), (2) (intro.), (a) and (3), Register, March, 1998, No. 507, eff. 4-1-98; renum. (1) to be (1) (a), cr. (1) (b) to (d), Register, June, 2001, No. 546, eff. 7-1-01; CR 03-082: cr. (1) (e) Register July 2004 No. 583, eff. 8-1-04; CR 06-051: cr. (1) (f) and (g) Register November 2006 No. 611, eff. 12-1-06; CR 08-093: cr. (1) (h) Register October 2009 No. 646, eff. 11-1-09; CR 11-019: am. (title), (1) (a), (2) (a), (b), (3), r. and recr. (1) (c), (d), (e), (f), r. (1) (g), (h), cr. (1g), (1r) Register September 2011 No. 669, eff. 10-1-11; CR 21-065: am. (1) (a), (d) to (f), cr. (1) (g), (h), am. (1g) (a), cr. (1) (c), am. (1r) (a), cr. (1r) (c), (d), am. (2) (b), (3), cr. (4), (5) Register June 2022 No. 798, eff. 7-1-22; correction in (1) (f) made under s. 35.17, Stats., Register June 2022 No. 798.

**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.

(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.
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 stan-

dards 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.

**History:** Cr. Register, February, 1996, No. 482, eff. 3-1-96; am. (1) (a) to (c), renum. (1) (d) to be (1) (g) and am., cr. (1) (d) to (f), r. and recr. (2) and (4), cr. (6), Register, March, 1998, No. 507, eff. 4-1-98; CR 03-082: am. (1) (b) and (4) (a) 6., cr. (1) (h) Register July 2004 No. 583, eff. 8-1-04; CR 08-093: cr. (1m) Register October 2009 No. 646, eff. 11-1-09; CR 11-019: cr. (1) (b) (title), (bm), (2) (am), (4) (a) 5m., am. (1) (c), (e) Register September 2011 No. 669, eff. 10-1-11; CR 21-065: am. (1) (intro.), renum. (1) (a) to (1) (a) (intro.) and am., cr. (1) (a) 1. to 4., r. (1) (b) (title), am. (1) (b), r. (1) (bm) (title), am. (1) (bm), (c), cr. (1) (cm), am. (1) (f), (h), (2) (a), r. (3), (4) Register June 2022 No. 798, eff. 7-1-22; correction in (1m) made under s. 13.92 (4) (b) 7., Stats., Register June 2022 No. 798.

**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 accredi-

tation 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 pro-

gram 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.

**History:** CR 21-065: cr. Register June 2022 No. 798, eff. 7-1-22.

**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.

**History:** CR 21-065: cr. Register June 2022 No. 798, eff. 7-1-22; correction in (1) (a) made under s. 35.17, Stats., Register June 2022 No. 798.