

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

The Department estimates one-time administrative costs of \$3,406.75. 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 practices and standards and applicable Wisconsin statutes. If the rule is not implemented, it will continue to reflect outdated practices and standards.

14. Long Range Implications of Implementing the Rule

The long-range implication of implementing the rule is consistency with current professional practices and standards 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 statutes specify conduct that may subject a chiropractor to disciplinary action (225 ILCS 60/22). Rules of the Illinois Department of Financial and Professional Regulation (68 Ill. Adm. Code 1285.240) set forth standards to be used in determining:

- What constitutes dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.
- What constitutes immoral conduct in the commission of any act, including commission of an act of sexual misconduct related to a licensee's practice.
- What constitutes gross negligence in the practice of medicine.

Iowa: Iowa statutes specify conduct that may lead to the suspension or revocation of a chiropractic license, or may subject the licensee to discipline (Iowa Code 2017, sections 147.55 and 151.9). The following are identified:

- Fraud in procuring a license.
- Professional incompetency.
- Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of the licensee's profession or engaging in unethical conduct or practice harmful or detrimental to the public.
- Habitual intoxication or addiction to the use of drugs.
- Conviction of a felony related to the profession or occupation of the licensee or the conviction of any felony that would affect the licensee's ability to practice as a professional chiropractor.
- Fraud in representations as to skill or ability.
- Use of untruthful or improbable statements in advertisements.
- Willful or repeated violations of the provisions of chapter 1088 or 272C of the Iowa statutes.
- Other acts or offenses as specified by board rule.

Rules of the Iowa Board of Chiropractic specify acts and offenses that may subject a chiropractor to disciplinary action (645 IAC 45.2). The Board has also by rule adopted 10 principles of chiropractic ethics relative to the practice of chiropractic in Iowa (645 IAC 43.2).

Michigan: Michigan statutes specify conduct that may subject a chiropractor to disciplinary action (MCL 333.16221). The statutes also provide an individual may not perform or order tests or use analytical instruments or adjustment apparatus that do not meet nationally recognized standards or that are not approved by the Michigan Board of Chiropractic (MCL 333.16423).

Rules of the Michigan Department of Licensing and Regulatory Affairs specify what is considered fraudulent, false, deceptive, or misleading advertising (Mich Admin Code, R 338.12014).

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Minnesota: Minnesota statutes specify conduct that may subject a chiropractor to disciplinary action (Minnesota Statutes 2016, section 148.10).

Rules of the Minnesota Board of Chiropractic Examiners specify standards for advertising, including prohibited advertisements and the use of professional designations (Minnesota Rules, parts 2500.0200 to 2500.0600).

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