

STATEMENT OF SCOPE

Chiropractic Examining Board

Rule No.: Chapter Chir 2

Relating to: Examinations

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The Chiropractic Examining Board will conduct an evaluation and update of ch. Chir 2 to ensure the provisions of s. Chir 2.01 relating to scheduling of examinations and s. Chir 2.12 relating to the practical examination are consistent with current examination practices and applicable Wisconsin statutes. The Board will also update a reference in s. Chir 2.03.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The Board has identified the need for an evaluation and update of its rules as identified above to ensure they are consistent with current examination practices and applicable Wisconsin statutes. In addition, s. Chir 2.03 incorrectly references chs. Chir 1 to 11. The proposed rules will update this reference to chs. Chir 1 to 13. The alternatives of either partially updating or not updating these rules would be less beneficial to affected entities.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

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., sets forth the parameters of an agency’s rule-making authority, stating an agency, “may promulgate rules interpreting provisions of any statute enforced or administered by the agency. . .but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 446.02 (3), Stats., provides the Chiropractic Examining Board shall require each applicant for licensure to successfully complete the following examinations:

- Parts I, II, III, and IV of the examination administered by the National Board of Chiropractic Examiners. An applicant successfully completes Part III of that examination if the applicant scores at least 438 on that part. An applicant successfully completes Part IV of that examination if the applicant scores at least 475 on that part.

- An examination approved by the examining board that tests the applicant's knowledge of the laws of this state relating to the practice of chiropractic, including the provisions of this chapter and any rules promulgated by the examining board under s. 446.02, Stats.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule :

40 hours

6. List with description of all entities that may be affected by the proposed rule :

Wisconsin licensed chiropractors and their patients.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule :

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

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