

Statement of Scope
Chiropractic Examining Board

Rule No.: Chir 1, 4, 10, and 11

Relating to: Delegation of services to health care professionals

Rule Type: Permanent

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

N/A

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

The objective of the proposed rule is to update chs. Chir 4 and 10 to reflect the provisions of 2017 Wisconsin Act 180, relating to a chiropractor's authority to delegate adjunctive services and x-ray services to certain health care professionals.

As part of the update, the statutory definition of "health care professional" under s. 446.01 (1v), Stats., will be added to the definitions in ch. Chir 1 and the term "health care professionals" as used in s. Chir 11.02 (4) will be compared against this definition and possibly revised.

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:

Current rules address the delegation of adjunctive services to chiropractic technicians and the delegation of x-ray services to chiropractic radiological technicians. The rules will be updated to reflect the provisions 2017 Wisconsin Act 180, relating to a chiropractor's authority to delegate adjunctive services and x-ray services to certain health care professionals.

The proposed rule will create new policy by, as required under s. 446.02 (7) (c), Stats., establishing standards and procedures a chiropractor must use to verify a health care professional has adequate education, training, and experience to perform a delegated adjunctive service safely. The alternative of not updating the rules would be contrary to this statutory requirement.

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 446.02 (7) (c), Stats., provides "[a] chiropractor who delegates the performance of a service that is adjunctive to the practice of chiropractic to a person who is not licensed under this chapter shall verify, according to standards and procedures established by the examining board by rule, that the person has adequate education, training and experience to perform the delegated service safely, and is responsible for that person's performance of the delegated service."

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

State employees will spend approximately 80 hours developing this proposed rule.

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

Chiropractors who delegate adjunctive and x-ray services and health care professionals who are delegated those services

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.

Contact Person: Dale Kleven, Administrative Rules Coordinator, (608) 261-4472,
DSPSAdminRules@wisconsin.gov