

STATEMENT OF SCOPE

Chiropractic Examining Board

Rule No.: Chapter Chir 5

Relating to: Continuing Education

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 a comprehensive review and update of ch. Chir 5, including 1) the requirements for approval of continuing education programs, 2) circumstances under which online continuing education may be permitted, and 3) the current process of reviewing and approving continuing education programs and how that process may be expedited.

The Board will also update ch. Chir 5 to reflect s. 440.035 (2), Stats., as created by 2017 Wisconsin Act 59, which specifies that, except as otherwise permitted in chs. 440 to 480, Stats., an examining board may require a credential holder to submit proof of completion of continuing education programs or courses only if a complaint is made against the credential holder.

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:

As described above, the Board has identified the need for a comprehensive review and update of ch. Chir 5 to ensure that its provisions are consistent with current practices and applicable Wisconsin statutes and that the Board's review and approval of continuing education programs is completed as efficiently as possible. 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, "[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains . . ."

Section 446.02 (1) (b), Stats., provides that no person may engage in the practice of chiropractic or attempt to do so or hold himself or herself out as authorized to do so, unless such person "[s]ubmits evidence satisfactory to the examining board that the person meets the requirements of continuing education for license renewal as the examining board may require . . ."

Section 446.025 (3) (b), Stats., provides "[a] chiropractic radiological technician shall, at the time that he or she applies for renewal of a certificate ...submit evidence satisfactory to the examining board that he or she has completed at least 12 continuing educational credit hours in programs established by rules promulgated by the examining board."

Section 446.026 (3) (b), Stats., provides “[a] chiropractic technician shall, at the time that he or she applies for renewal of a certificate ...submit evidence satisfactory to the examining board that he or she has completed at least 6 continuing educational credit hours in programs established by rules promulgated by the examining board.”

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

90 hours

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

Wisconsin credentialed chiropractors, chiropractic radiological technicians, and chiropractic technicians, as well as sponsors and providers of continuing education required to be completed by persons with these credentials.

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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