

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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| 1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected | 2. Date 08/10/21 |
| 3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Chir 5 | |
| 4. Subject Continuing Education | |
| 5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S | 6. Chapter 20, Stats. Appropriations Affected 20.165(1)(g) |
| 7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget | |
| 8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A) | |
| 9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0 | |
| 10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| 11. Policy Problem Addressed by the Rule The Chiropractic Examining Board conducted a comprehensive review 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. As a result of this review, the following updates have been made: <ul style="list-style-type: none">• Beginning with the license registration period ending on December 15, 2024, chiropractors, chiropractic technicians, and chiropractic radiological technicians will be able to acquire a portion of their required continuing education credit hours through participation in online continuing education programs approved by the Board.• A provision under s. Chir 5.01 (3) concerning the Board's ability to request verification of attendance at a continuing education program has been revised 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.• The American Chiropractic Association (ACA) has been removed from s. Chir 5.02 (1) (a) as an allowable continuing education program sponsor, as the ACA is not one of the allowable program sponsors enumerated in s. 446.028, Stats.• An additional requirement has been added in order for a college of chiropractic, medicine, or osteopathy to be considered an approved continuing education program sponsor under s. Chir 5.02 (1) (a). Specifically, the college must have accreditation that is in good standing from an accrediting agency whose recognition by the United States Department of Education is current.• The requirement under s. Chir 5.02 (1) (b) that program subject matter be generally taught at the undergraduate or postgraduate level of a chiropractic college and relate to improving the clinical skills of a chiropractor is revised. The revised requirement is that 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 and values. | |

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- Requirements that specifically pertain to online continuing education programs have been created under s. Chir 5.02 (1) (cm). Specifically, an online continuing education program must require two-way real-time interactive communication between the participant and the instructor, and include a written assessment instrument and means to furnish each participant with evidence of having attended the program.
- Provisions from ss. Chir 5.02 and 5.03 concerning an application for approval of a continuing education program have been removed and consolidated into a new s. Chir 5.04. Section Chir 5.04 as created reduces the lead time required for submission of an application from 75 days to 60 days. It also provides an expedited approval process for program sponsors who successfully complete a compliance review of a random sample of continuing education programs that were approved for the previous 2-year registration period.
- Other provisions throughout ch. Chir 5 have been revised to correct references to the registration period end date, provide clarity, and conform to current drafting standards.

12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.

The rule was posted for 14 days on the Department of Safety and Professional Services' website to solicit comments on the potential economic impact. No comments were received.

13. Identify the Local Governmental Units that Participated in the Development of this EIA.

None.

14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

No economic or fiscal impacts are anticipated for specific businesses, sectors, ratepayers, local governments, or the state's economy as a whole. A total of \$763.16 in one time costs and an ongoing fiscal impact of \$1,618.41 are anticipated to be absorbed within the operating budget of the Department of Safety and Professional Services.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit to implementing the rule is consistency with current practices and applicable Wisconsin statutes and increased efficiency of the Board's review and approval of continuing education programs. If the rule is not implemented, the rules will not reflect current practices and applicable Wisconsin statutes.

16. Long Range Implications of Implementing the Rule

The long range implication of implementing the rule is consistency with current practices and applicable Wisconsin statutes and increased efficiency of the Board's review and approval of continuing education programs.

17. Compare With Approaches Being Used by Federal Government

None

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois: Rules of the Illinois Department of Financial and Professional Regulation regulate continuing medical education (CME) for chiropractic physicians practicing in Illinois [68 Ill. Adm. Code 1285.110]. The rules address CME hours requirements, acceptable CME programs and activities, requirements for CME sponsors and formal CME programs, certification of compliance with CME requirements, CME earned in other jurisdictions, and the waiver of CME requirements. The Illinois Emergency Management Agency accredits chiropractic radiographers, who are defined as persons other than a licensed practitioner who perform medical radiation procedures and apply x-radiation to the human body for diagnostic evaluation of skeletal anatomy, while under the general supervision of a licensed chiropractor [32 Ill. Adm. Code 401.20]. The rules of the Agency address continuing education requirements for renewal of accreditation as a chiropractic radiographer [32 Ill. Adm. Code 401.140 b)]. Illinois does not have an equivalent license classification for chiropractic technicians.

Iowa: Rules of the Iowa Board of Chiropractic regulate continuing education (CE) for chiropractors practicing in Iowa [645 IAC 44]. The rules address required CE hours, standards for CE activities, and exemptions from CE requirements.

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Iowa does not have an equivalent license classification for chiropractic radiological technicians or chiropractic technicians.

Michigan: Rules of the Michigan Department of Licensing and Regulatory Affairs regulate continuing education (CE) for chiropractors practicing in Michigan [Mich Admin Code, R 338.12037 to R 338.12042]. The rules address required CE hours, acceptable CE programs and activities, and approval of CE programs. Michigan does not have an equivalent license classification for chiropractic radiological technicians or chiropractic technicians.

Minnesota: Rules of the Minnesota Board of Chiropractic Examiners regulate continuing education (CE) for chiropractors practicing in Minnesota [Minnesota Rules, parts 2500.1200 to 2500.2000]. The rules address required CE hours, CE program approval and approval criteria, approval of CE sponsors, and the waiver or deferment of CE requirements. The Minnesota Department of Health registers chiropractic radiologic technologists [Minn. R. 4732.0570 to 4732.0585]. There are no continuing education requirements for maintaining registration. Minnesota does not have an equivalent license classification for chiropractic technicians.

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
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