

CERTIFICATE

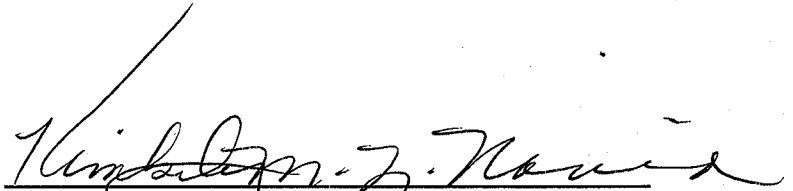
**STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING**

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Kimberly Nania, Director, Bureau of Health Service Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Chiropractic Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Chiropractic Examining Board on the 18th day of September, 1997.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 18th day of September, 1997.


Kimberly Nania, Director, Bureau of Health Service Professions, Department of Regulation and Licensing

95-059

17-01-97

Received 9/19/97

2:30pm

STATE OF WISCONSIN
CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : CHIROPRACTIC EXAMINING BOARD
CHIROPRACTIC EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 95-059)

ORDER

An order of the Chiropractic Examining Board to renumber Chir 6.015; to repeal and recreate Chir 6.02 (15); and to create Chir 6.015 (intro.) and (1) relating to advertising.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b) and 227.11 (2), Stats.

Statutes interpreted: s. 446.04 (1), (4), and (5), Stats.

In this proposed rule-making order, the Chiropractic Examining Board proposes to revise chapter Chir 6, relating to standards of professional conduct by chiropractors. The proposed order clarifies the existing prohibition against the use of advertising which is false, deceptive and misleading by providing specific descriptions of a number of advertising practices which are false, deceptive and misleading. The additional information includes a definition of "advertisement" to provide notice of the scope of professional communication which comprises advertising by chiropractors.

TEXT OF RULE

SECTION 1. Chir 6.015 is renumbered Chir 6.015 (2).

SECTION 2. Chir 6.015 (intro.) and (1) are created to read:

Chir 6.015 (intro.) In this section:

(1) "Advertisement" means any communication disseminated or intended to be disseminated to the public which is likely to or intended to induce, directly or indirectly, the rendering of professional services by the chiropractor named in or identified by the communication. "Advertisement" includes professional business cards, professional announcement cards, office signs, letterhead, telephone directory listings, directories or listings of health care practitioners, and communications which are likely to or intended to induce, directly or indirectly, the rendering of professional services by the chiropractor named in or

identified by the communication in newspapers, broadsides, flyers, radio, television, books, magazines, or motion pictures.

SECTION 3. Chir 6.02 (15) is repealed and recreated to read:

Chir 6.02 (15) Advertising in a manner which is false, deceptive or misleading. An advertisement which does any of the following is false, deceptive or misleading:

- (a) Contains a misrepresentation of fact.
- (b) Is likely to mislead or deceive because of a failure to disclose material facts.
- (c) Is intended to or is likely to create false or unjustified expectations of favorable results.
- (d) Fails to prominently disclose complete details of all variables and material factors relating to any advertised fee.
- (e) Contains any representation or implication that in reasonable probability will cause an ordinarily prudent person to misunderstand or be deceived.
- (f) Includes reference to or implies specialization or advanced training unless all of the following are true:
 - 1. The specialty is recognized by a council of the American chiropractic association or the international chiropractors association.
 - 2. The specialty requires at least 300 hours of postgraduate credit hours and passage of a written examination approved by the American chiropractic association or the international chiropractors association.
 - 3. The title applied to the specialty by the chiropractor is the title applied by the American chiropractic association or the international chiropractors association.
- (g) Includes reference to or implies advanced training unless all of the following are true:
 - 1. The postgraduate training was received in one, unified program approved by the American chiropractic association or the international chiropractors association, or through one, unified program at a college accredited by the council on chiropractic education and approved by the board.
 - 2. The chiropractor has completed at least 100 hours of postgraduate training in the area in which the chiropractor claims advanced training.

3. The postgraduate training program includes successful completion of a written examination as a requirement for successful completion of the training program.

(h) Appears in any classified directory, listing or other compendium under a heading, which when considered together with the advertisement, has the capacity or tendency to be deceptive or misleading with regard to the profession or professional status of the chiropractor.

(i) Implies that the chiropractic services provided will result in emotional or spiritual benefits.

(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register pursuant to s. 227.22 (2) (intro.), Stats.

Dated 9-18-97

Agency Terry K. Freitag, D.C.
Chairperson
Chiropractic Examining Board

g:\rules\chiroad
9/9/97



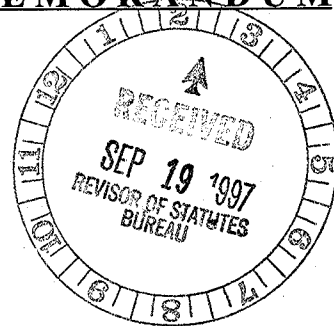
State of Wisconsin
DEPARTMENT OF REGULATION AND LICENSING
CORRESPONDENCE/MEMORANDUM

DATE: September 19, 1997

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela A. Haack, Administrative Rules Coordinator
Department of Regulation and Licensing
Office of Administrative Rules

SUBJECT: Final Order Adopting Rules



Agency: CHIROPRACTIC EXAMINING BOARD

Clearinghouse Rule 95-059

Attached is a copy and a certified copy of a final order adopting rules. Would you please publish these rules in the register.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.