



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 02-020

AN ORDER to amend Chir 5.02 (1) (b) and (2) (a) and 5.03 (2), relating to continuing education courses to include material on chiropractic philosophy.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

02-07-02 RECEIVED BY LEGISLATIVE COUNCIL.

03-07-02 REPORT SENT TO AGENCY.

RNS:DD:ksm;tlu

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO



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Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

a. The department's analysis fails to mention the six hour maximum set forth in s. Chir 5.02 (2) (a).

b. In s. Chir 5.02 (1) (b), it appears that the underscored language may be deleted and "or to the philosophy of chiropractic" inserted after "chiropractor." In addition, "college" should be inserted after "chiropractic."

c. Is there a need for an initial applicability clause?

4. Adequacy of References to Related Statutes, Rules and Forms

The citation under "statutes interpreted" is incorrect. The correct citation is s. 446.02 (1) (b), Stats.

STATE OF WISCONSIN
CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : CHIROPRACTIC EXAMINING BOARD
CHIROPRACTIC EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 02-)

PROPOSED ORDER

An order of the Chiropractic Examining Board to amend Chir 5.02 (1) (b) and (2) (a), and Chir 5.03 (2) relating to continuing education courses to include material on chiropractic philosophy.

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. 446.02 (2), Stats.

Current rules regulating the approval of continuing education courses for the chiropractic profession restrict credit to program subject matter that relates to improving clinical skills. This rule-making order will permit approved continuing education courses in chiropractic to include subject material on chiropractic philosophy. This rule-making order broadens the categories of continuing education programs that can be approved to meet the requirements for the chiropractic profession. *Mentioned to hr. max / premium*

TEXT OF RULE

Bd. may approve continuing ed. program which meets following requirements:
SECTION 1. Chir 5.02 (1) (b) is amended to read:

Chir 5.02 (1) (b) The program subject matter relates to improving the clinical skills of a chiropractor and is generally taught at the undergraduate or postgraduate level of a chiropractic college meeting the requirements of s. Chir 2.02 (6) (b), or the program subject matter relates to the philosophy of chiropractic and is taught at the undergraduate level of a chiropractic college meeting the requirements of s. Chir 2.02 (6) (b). *college*

SECTION 2. Chir 5.02 (2) (a) is amended to read:

Chir 5.02 (2) (a) Continuing education programs may include subject material other than that which relates to improving the clinical skills of a chiropractor ~~and is generally taught at the undergraduate or postgraduate level of a chiropractic college, meeting the requirements of s. Chir 2.02 (6) (b)~~ or the philosophy of chiropractic. However, only the parts of the program which relate to improving the clinical skills of a chiropractor and are generally taught at the

~~undergraduate or postgraduate level of a chiropractic college~~ or the philosophy of chiropractic are eligible for credit. A maximum of 6 hours of continuing education credit per biennium will be permitted for programs related to the philosophy of chiropractic.

SECTION 3. Chir 5.03 (2) is amended to read:

Bd. may deny approval of an application for any of following reasons!

Chir 5.03 (2) The emphasis of the program is on the business, management, or insurance aspects of a chiropractic practice rather than on improving the clinical skills of the chiropractor or the philosophy of chiropractic.

(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 _____ Agency _____
Chairperson
Chiropractic Examining Board

FISCAL ESTIMATE

1. The anticipated fiscal effect on the fiscal liability and revenues of any local unit of government of the proposed rule is: \$0.00.
2. The projected anticipated state fiscal effect during the current biennium of the proposed rule is: \$0.00.
3. The projected net annualized fiscal impact on state funds of the proposed rule is: \$0.00.

INITIAL REGULATORY FLEXIBILITY ANALYSIS

These proposed rules will be reviewed by the department through its Small Business Review Advisory Committee to determine whether there will be an economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Stats.

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2/6/02