

Lawsuit stop at 4
3rd examiners

03-0826

56

Sponsorship
rights have been
intended
jurisdiction

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 03-082)

TO: Alan J. Lasee
President of the Senate
Room 219 South, State Capitol
Madison, Wisconsin 53702

For parents should
not be allowed
to sue

sign of "no
chiropractic org"
not defiled
all have to be allowed

non
protest

Am. Chiro
interest -

Define
give advice
health & safety
advantage

PLEASE TAKE NOTICE that the CHIROPRACTIC EXAMINING BOARD is
submitting in final draft form rules relating to minor changes to conform the rules to current
practices and to correct oversights and problematic language in the current rules, especially
related to the board's adoption of Part IV of the national examination in lieu of a state-
administered examination to demonstrate clinical competence.

If you have any questions concerning the final draft form or desire additional information,
please contact Pamela Haack at 266-0495.

Bel Collectively
needs to look at
this

pt. 4 does not
No where will need
graduate or technical
scope of practice
important licensure
tested on state

Exam Dev. Proj Standard

44 other states Proj

Board already uses 1-3

recurrence
would pass

2002

Trend
always has to
be adjusted
this pt 4
more physically
developed w/ current
resources

State State passes
Yankee take a lot
Pass 85%
who take it

exam
Natl exam 75%
who take it
Pass

App all licensure
Natl Examination
Change is pt 4 -
til last

Clinical practical
physical Diag.
X-ray instr.
We exam, not access
to broad range of
expertise - PhD
schools in WI NOT

regardless of
as often as Nat'l
Bel thought pt 4 was
ground zero

Commenced Nat'l exam
tends to pass more people
than it should
dev. current knowledge
as present in rules
State exam had numerous
challenges especially during
crisis

Proposed by Board
Planned - Dr. Simon
Conway - allied
health of WI
Consideration change
Highly controversial
When Behrman
Trade Assoc. notified
Dr. Conway, opposition
open letter sent
to Board.

3-2-1
7-14 Elim w/ Practical exam details
120 licensure sub.

No
P
Can't has called against
3rd step - emergency
rules
Emergency rule
Caught elim rule
P exam
Natl Board not designed
acceptance of exam
consumed
Part all pts -

**STATE OF WISCONSIN
CHIROPRACTIC EXAMINING BOARD**

**IN THE MATTER OF RULE-MAKING
PROCEEDINGS BEFORE THE
CHIROPRACTIC EXAMINING BOARD**

**: REPORT TO THE LEGISLATURE
: ON CLEARINGHOUSE RULE 03-082
: (s. 227.19 (3), Stats.)**

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

No new or revised forms are required by these rules.

III. FISCAL ESTIMATES:

The Department of Regulation and Licensing will incur \$500 in costs to print and distribute the rule change.

IV. STATEMENT EXPLAINING NEED:

This proposed rule-making order makes numerous minor changes to the existing rules regulating the practice of chiropractic, mainly to conform the rules to current practices but also to correct oversights and problematic language in current rules. This proposed rule-making order also changes the advance time required for consideration of applications based on the change to accept Part IV of the national examination.

This proposed rule-making removes a never-used option for direct board approval of a college or university and transfers that responsibility to the United States Office of Education or its successor, and creates a mechanism for the board to be able to consider applicants with foreign degrees. Also, this rule-making expands and clarifies the scope of disciplinary actions and malpractice claims that the board may consider in approving a preceptor.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on October 16, 2003. The following individuals appeared:

Opposed

Carmel J. Raihala, DC, DBA Metzler & Raihala Chiropractic
Randall Adams, DC, DACBOH, MS, Adams Chiropractic Clinic
Michael Anderson, DC, Anderson Chiropractic Office
Dan A. Farah, DC, Bayport Chiropractic Clinic
Paul M. Bekkum, DC, Atlas Chiropractic Clinic

- Judy Davis, DC, Accent Chiropractic
- Elena Boles, DC, Boles Chiropractic Centre
- Jodi Griffith, DC, Toftness Chiropractic Clinic
- Rick Behncke, DC, Douglas and Mork Chiropractic Office, S.C.
- David Stalheim, DC, Stalheim Chiropractic, S.C.
- Douglas Cox, DC, Gonstead Clinic of Chiropractic
- James Stoenner, DC, Gonstead Clinic of Chiropractic
- T. Raymond Clinton, DC, Gonstead Clinic of Chiropractic
- Sandra Chilson, DC, Gonstead Clinic of Chiropractic
- Harold Dykema, DC, Dykema Chiropractic Office, S.C.
- Kimberly A. Johnson, DC, Johnson Chiropractic Office
- Alan Zelm, DC, Zelm Chiropractic Center, S.C.
- Steve Douglas, DC, Douglas and Mork Chiropractic Office, S.C.
- Robert W. Miclot Jr., DC, Miclot Chiropractic Office
- Leon Klusmeyer, DC, Chiropractic Wellness Center
- Jo Ellen Manville, DC, Manville Chiropractic, L.L.C.
- David Schmitz, DC, Schmitz Chiropractic Clinic
- Pamela J. Thompson, DC, Chiropractic Health Center
- Cindy Puent, DC, Black River Chiropractic Center
- F. J. Passineau, DC, Passineau Chiropractic Industrial Health Services
- Jay Meverden, DC, Meverden Sports & Family Chiropractic
- George Varish III., DC, CCOHC, Varish Chiropractic Clinics, L.L.P
- Ruth Jean, DC, Black River Chiropractic Center, S.C.
- David Reif, DC, Platta Chiropractic & Therapeutic Massage
- Bruce K. Platta, DC, Platta Chiropractic & Therapeutic Massage
- Brett Hoefl, DC, Hoefl Chiropractic Office
- Jeremy Frigo, DC, Frigo Chiropractic
- Timothy J. Peterson, DC, Peterson Chiropractic Clinic, L.L.C.
- Ronald D. Peterson, DC, Peterson Chiropractic Clinic, L.L.C.
- Julia Hobbins, DC, Prairie Chiropractic
- Bernie Erenberger, DC, Downtown Chiropractic
- Daniel J. Wautlet, DC, DACRB, Diplomate American Chiropractic Rehabilitation Board
- Gerald V. Beyerl, DC, Chiropractic Service of Marshfield
- Victoria Zueger, DC, O'Connor Chiropractic Office, S.C.
- John Nowicki, DC, Niagara Chiropractic
- Jeffrey Winter, DC, Winter Chiropractic
- William Tomcek, DC, Tomcek Chiropractic
- Thomas Potisk, DC, Potisk Chiropractic Office
- Charles L. Nieuwenhuis, DC
- Michael D. Berglund, DC, Berglund Health & Wellness Center
- Joseph K. Murphy, DC
- John C. Murphy, DC
- Nancy A. Budish, DC
- Gregg Bakke, DC
- Alan Resch, DC
- Daniel E. Hyatt, DC

Duane D. Kimball, DC
Eric Davidson, DC, Davidson Chiropractic Office
Robert F. Swenson, DC, Swenson Chiropractic, S.C.
Howard Henning, DC, Henning Chiropractic, S.C.
Dennis R. Smith, Smith Chiropractic Clinic
Scott D. Newcomer, DC, Zastrow Chiropractic Clinic S.C.
Ross S. Royster, DC, Madison Chiropractic L.L.C.
Warren L. Silbaugh, DC, Silbaugh Chiropractic Clinic
Gary A. Fischer, DC, Chiropractic and Physical Therapy
Steven E. Schuelke, DC, Peshtigo Chiropractic Office
Robert Sell, DC, Family Chiropractors, Inc
Mark Anderson, DC, Family Chiropractors, Inc
Eric Clausen, DC, Family Chiropractors, Inc
Amy Nussbaum-Schubbe, DC, Nussbaum Chiropractic L.L.C.
Jim Markovich, DC, Markovich Chiropractic
Warren Witkowski, DC, Witkowski Chiropractic Clinic
Richard J. Kemp, DC, Kemp Clinic of Chiropractic
Thomas Leuthner, DC, Leuthner Chiropractic Clinic
Jon A. Peterson, DC, Boots Chiropractic & Wellness Center S.C.
William J. Boots, DC, Boots Chiropractic & Wellness Center S.C.
James R. Boots, DC, Boots Chiropractic & Wellness Center S.C.
David M. Whitty, DC, Whitty Chiropractic
Roxanne F. Best, DC, Dykema Chiropractic Office, S.C.
Chris Clifford, DC, Back to Health Chiropractic Rehabilitation Center
Jerry A. Twit, DC, Twit Chiropractic Clinic
Patrick O'Connor, DC, O'Connor Chiropractic Office S.C.
Lori Bents, DC, Bents Chiropractic Center S.C.
Ryne D. DeVries, DC, Black River Chiropractic Center S.C.
Richard Glessing, DC, Chiropractic Clinic, INC
Jeff Lyne, DC
Eileen Isom, DC
Sherry L. Walker, DC
Kenneth Ruedlke, DC
Dale W. Brockman, DC
Lisa Sadowski, DC
Sean Duffy, DC
Mark D. Peterson, DC
Martin L. Hazuka, DC
Christopher Kroll, DC
Brian Maisel, DC
Mark R. Wollff, DC
Thomas Siegel, DC
Jason Smith, DC
Peter J. Kish, DC
R.T. Michalski, DC
Dennis A. Bulgrin, DC

Allen Orth, DC
Nancy A Budish, DC
Charles L. Nieuwenhuis, DC
Michael D. Berglund, DC
Dale W. Brockman, DC
Daniel E. Joseph, DC
Joel Sperling, DC
Teresa Paulsrud, DC
Christine M. Krsko, DC
Nancy Weidner, DC
Wendy Varish, DC
Tim Baron, DC
John G. Rutsch, DC
Tim & Kathy DeFlorian, DC
Randy Strickland, DC
Stephen D. Schlosser, DC
Keith J. Oudenhoven, DC
Daniel E. Maiman, DC
Integrity Sports Medicine, DC
John P. Wagener, DC
Carmel J. Raihala, DC
Bevier H. Sleight, III., DC
Cheryl Metzler, DC
Teresa M. Paulsrud, DC
Bradley N. Paulsrud, DC
Timothy P. Wolter, DC
Gerald H. Retzlaff, DC
James D. Webley, DC
Christine M. Krsko, DC
Ross H. Kading, DC
Nancy Weidner, DC
John P. Wagener, DC
Mark A. Dull, DC
Dennis A. Abegglen, DC
Ryan T. Hansen, DC
John C. Murphy, DC
Chad W Schultz, DC
Marty J Lorentz, DC

30

135 total
9 passed

Favor

Brian J. Brost, DC, Black River Chiropractic Center, S.C.
John Fisher, DC, Fisher Chiropractic Center
Margaret Mertens, DC
Thomas H. Nelson, DC

4

The main opposition to this proposed rule-making order was replacing the Wisconsin state examination with the national examination (Part IV). Majority stated opinion is that "It would weaken state standards and reputation, plus professionalism of chiropractors."

The board is of the opinion that going to the national examination has solid reliability and validity and appears to be less subjective. It is set up in a fashion to measure a candidate's minimum competence fairly and equally, which is something that the state examination did not exhibit. The board does not feel that by using the national examination there would be harm to the public. It would provide consistency in the measurement of minimum competency, and will protect the public by assuring minimum competence.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 5.c. There are some laser applications that claim not to be invasive. By including "invasive" with "laser application" it helps distinguish between the two.

All of the remaining recommendations suggested in the Clearinghouse Report were accepted in whole.

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : CHIROPRACTIC EXAMINING BOARD
CHIROPRACTIC EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 03-092)

PROPOSED ORDER

An order of the Chiropractic Examining Board to repeal Chir 2.02 (7), 2.05, 2.06, 2.08, 2.09, 2.10, the Note following 2.11 (2), 3.01, 3.03 (2) (k), the Note following 10.01 (2), 10.04 and 10.06; to renumber and amend Chir 9.06 (intro.) and (1) to (6); to amend Chir 2.02 (intro.), the Note following 2.02 (intro.), (3), the Note following 2.02 (3), (4), (6) (a) and (b), 2.03 (2) (intro.), 2.04, 2.07 (3), 2.11 (2) and (3), chapter Chir 3 (title), 3.02 (title), (1) (intro.), (c), (d), (2) and (3) (a), 3.03 (1) (intro.), (b), (c) 1., 2. and 3., (e), (h) and (2) (d) to (g), the Note following 3.03 (2) (k), the Note following 3.035 (1) (b) and (2), 3.04, 3.06, 3.07, 3.09, the Note following 4.04 (3), 4.05 (1) (b) 3., the Note following 4.05 (2) (d) 3., 5.02 (1) (a) and (b), the Note following 5.02 (4) (a) 1., 5.02 (4) (a) 6., the Note following 5.02 (6), 6.02 (14), 9.03 (3) (intro.), (4), (5) and the Note following 9.03 (5), the Note following 9.04 (5), 9.05 (1) (intro.) and (a), the Note following 9.05 (1) (f), 10.01 (1) and (2), the Note following 10.03; and to create Chir 2.01 (3), 5.01 (1) (e), 5.02 (1) (h), 9.06 (2), 10.02 (3) and a Note following 11.02 (8), relating to minor changes to conform the rules to current practices and to correct oversights and problematic language in current rules, especially related to the board's adoption of Part IV of the national examination in lieu of a state-administered examination to demonstrate clinical competence.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2), 446.02 and 446.04, Stats.

Statutes interpreted: Chapter 446, Stats.

This proposed rule-making order makes numerous minor changes to the existing rules regulating the practice of chiropractic, mainly to conform the rules to current practices but also to correct oversights and problematic language in the current rules.

SECTION 1 moves text from two other locations in the rules, Chir 2.02 (7) and Chir 3.03 (2) (k), to a more logical location.

SECTION 2 changes the advance time required for consideration of applications based on the change to accept Part IV of the national examination and changes the address for requesting applications; updates the name of the United States Office of Education, allows for future changes in the name, and creates a mechanism for the board to be able

to consider applicants with foreign degrees; removes a never-used option for direct board approval of a college or university and transfers that responsibility to the U.S. Office of Education or its successor; creates a mechanism for the board to be able to consider applicants with foreign degrees; and updates the name of the United States Office of Education, allows for future changes in the name.

*Kanawals
concern*

SECTION 3 deletes language that is moved to a more logical location by SECTION 1.

SECTION 4 removes language that has been rendered obsolete by the acceptance of Part IV of the national examination.

SECTION 5 removes language that has been rendered obsolete by the acceptance of Part IV of the national examination.

SECTION 6 removes two sections that have been rendered obsolete by the acceptance of Part IV of the national examination.

SECTION 7 removes language that has been rendered obsolete by the acceptance of Part IV of the national examination.

SECTION 8 removes three sections that have been rendered obsolete by the acceptance of Part IV of the national examination.

SECTION 9 removes language that has been rendered obsolete by the acceptance of Part IV of the national examination.

SECTION 10 removes language that has been rendered obsolete by the acceptance of Part IV of the national examination.

SECTION 11 removes language that has been rendered obsolete by the acceptance of Part IV of the national examination.

SECTION 12 removes language related to a credentialing distinction that is not observed.

SECTION 13 removes a section related to a credentialing distinction that is not observed

SECTION 14 removes obsolete language related to a credentialing distinction that is not observed; changes "evidence" to "verification" to avoid licensees sending in continuing education certificates; clarifies that the certificates need to be kept and sent in only on request; allows the CPR requirement to be waived; clarifies that a person may return to practice once requirements are met; removes obsolete language related to a credentialing distinction that is not observed; and clarifies that continuing education must be up-to-date for reinstatement.

SECTION 15 clarifies the meaning of "jurisdiction"; creates a means by which a foreign degree may be recognized; changes language to conform to language in another section,

s. Chir 2.02 (3); removes obsolete language related to a state practical exam; changes language to conform to language in s. Chir 3.03 (1) (e); permits a chiropractic college to be accredited by an agency other than the Council on Chiropractic Education (CCE); acknowledges another source of practical examination scores; and deletes language which is moved to a more logical location, s. Chir 2.01 (3).

SECTION 16 deletes language that is moved to a more logical location by SECTION 1.

SECTIONS 17 and 18 change the address for requesting applications and makes the temporary permit less restrictive.

SECTION 19 provides for a temporary permit to practice chiropractic to individuals licensed in another state or country.

SECTION 20 removes obsolete language related to a credentialing distinction that is not observed.

SECTION 21 clarifies a current and common use of titles, and changes a mandate to audit insurance to a discretionary decision.

SECTION 22 grants the board the discretion to waive the CPR requirement.

SECTION 23 deletes information concerning board review of approved programs and provides current address for requesting a list of approved programs.

SECTION 24. clarifies a current practice question

SECTION 25 changes the address for requesting lists of specific courses of instruction.

SECTION 26 grants the board the discretion to waive or postpone the continuing education requirement.

SECTION 27 grants the board the discretion to approve a provider of continuing education not listed in the rule and clarifies that continuing education credit will not be granted for instruction in techniques or practices that the board has determined are unsafe or ineffective.

SECTION 28 adds a requirement that an instructor of continuing education be qualified.

SECTION 29 changes the address for requesting applications.

SECTION 30 adds the United States Office of Education or its successor as an accrediting organization.

SECTION 31 changes the address for requesting continuing education approval forms.

SECTION 32 adds specific instances to the general rule against fraud to make it easier to enforce.

SECTION 33 clarifies the source of forms.

SECTION 34 changes the address for requesting forms.

SECTION 35 clarifies the source of forms, and expands and clarifies the scope of disciplinary actions and malpractice claims that the board may consider in approving a preceptor.

SECTION 36 changes the address for requesting forms.

SECTION 37 expands the authority to declare that a graduate chiropractor participating in a preceptorship has passed or failed a licensing examination to include the national board.

SECTION 38 creates a provision and criteria allowing the board to approve a replacement preceptor.

SECTION 39 changes a reference to "preliminary patient history" to a more logical place and conforms the language of the definition of "adjunctive services to s. 446.02 (7) (b), Stats., and moves a description of "preliminary patient history" to a more logical spot by combining a note with the preceding line.

SECTION 40 deletes the note combined above.

SECTION 41 moves language from Chir 10.06 to a more logical spot.

SECTION 42 removes language related to an annual review of programs that is not performed.

SECTION 43 removes language because preliminary patient history has been added to the definition of adjunctive services.

SECTION 44 deletes language which has been moved to a more logical spot.

SECTION 45 creates a note in the chapter on patient records to remind chiropractors of the responsibility to observe federal rules and regulations regarding the privacy of such records.

TEXT OF RULE

SECTION 1. Chir 2.01 (3) is created to read:

Chir 2.01 (3) An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

SECTION 2. Chir 2.02 (intro.), the Note following 2.02 (intro.), (3), the Note following 2.02 (3), (4) and (6) (a) and (b) are amended to read:

Chir 2.02 Applications. (intro.) An applicant ~~for the practical examination demonstrating clinical competence for license licensure~~ as a chiropractor shall make an application on a form prescribed by the board at least 30 days prior to the date of the next scheduled ~~examination~~ board meeting and shall also submit:

Note: Applications are available upon request ~~to the board office, from the Department of Regulation and Licensing, Chiropractic Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53702~~ 53708.

(3) An official certified transcript sent directly to the board from a college or university or post-secondary technical college accredited by ~~an accrediting body listed as nationally recognized by the secretary of the federal department of education or a an agency approved by the United States Office of Education or its successor, or from a foreign school determined to be equivalent to an accredited college or post-secondary technical college showing completion by the applicant of a minimum of 60 credits in post-secondary academic education as specified in s. 446.02 (2), Stats.~~

Note: Accrediting bodies nationally recognized by the ~~secretary of the federal department of education~~ United States Office of Education include the New England Association of Schools and Colleges, the Middle States Association of Colleges and Schools, the North Central Association of Colleges and Schools, the Northwest Association of Schools and Colleges, the Southern Association of Colleges and Schools, and the Western Association of Schools and Colleges.

(4) An official certified transcript sent directly to the board from a chiropractic college accredited by the ~~commission on accreditation of the council on chiropractic education, or approved by the board~~ Commission on Accreditation of the Council on Chiropractic Education (CCE) or by an agency approved by the United States Office of Education or its successor, or from a foreign school determined to be equivalent to an accredited college of chiropractic by the CCE or another approved accrediting agency.

(6) (a) An official certified transcript sent directly to the board from a college or university accredited by an accrediting body listed as nationally recognized by the secretary of the federal department of education, or from a foreign school determined to be equivalent to an accredited college or university by an approved accrediting agency.

Kansas may have concern

stating that the applicant has graduated from that college or university with a bachelor's degree.

(b) An official certified transcript sent directly to the board from a college of chiropractic accredited by the ~~council on chiropractic education and approved by the board~~ Council on Chiropractic Education (CCE) or by an agency approved by the United States Office of Education or its successor, or from a foreign school determined to be equivalent to an accredited college of chiropractic by the CCE or another approved accrediting agency, stating that the applicant has graduated from the college with the degree of doctor of chiropractic.

SECTION 3. Chir 2.02 (7) is repealed.

SECTION 4. Chir 2.03 (2) (intro.) is amended to read:

Chir 2.03 (2) PRACTICAL EXAMINATION DEMONSTRATING CLINICAL COMPETENCE. (intro.) An applicant shall pass ~~each part of~~ a practical examination demonstrating clinical competence which includes the following ~~parts~~:

SECTION 5. Chir 2.04 is amended to read:

Chir 2.04 Unauthorized assistance or cheating on examinations. The board may withhold the grade, deny release of grades or deny issuance of a credential of an applicant who gives or receives unauthorized assistance during the state law ~~or practical~~ examination ~~demonstrating clinical competence~~, violates rules of conduct of an examination, or otherwise cheats or acts dishonestly respecting an examination. The board may consider this applicant for retesting at a future time.

SECTION 6. Chir 2.05 and 2.06 are repealed.

SECTION 7. Chir 2.07 (3) is amended to read:

Chir 2.07 (3) PRACTICAL EXAMINATION DEMONSTRATING CLINICAL COMPETENCE. To pass the practical examination demonstrating clinical competence, an applicant shall receive a grade determined by the board to represent minimum competence to practice ~~on each part of the examination~~.

SECTION 8. Chir 2.08, 2.09 and 2.10 are repealed.

SECTION 9. Chir 2.11 (2) is amended to read:

Chir 2.11 (2) PRACTICAL EXAMINATION DEMONSTRATING CLINICAL COMPETENCE. An applicant who fails the practical examination demonstrating clinical competence ~~due to the failure of one part of the examination may retake the failed part only. An applicant who fails the practical examination demonstrating clinical~~

~~competence due to the failure of 2 or more parts of the practical examination~~ shall be required to retake the entire practical examination demonstrating clinical competence.

SECTION 10. The Note following Chir 2.11 (2) is repealed.

SECTION 11. Chir 2.11 (3) is amended to read:

Chir 2.11 (3) **LIMITATION ON REEXAMINATION.** If an applicant does not pass ~~all parts of~~ the examinations under subs. (1) and (2) within 2 years of the first attempt, the applicant shall retake and pass the entire practical examination demonstrating clinical competence and state law examination in order to be licensed.

SECTION 12. Chapter Chir 3 (title) is amended to read:

CHAPTER Chir 3 (title)

LICENSE REGISTRATION AND RENEWAL

SECTION 13. Chir 3.01 is repealed.

SECTION 14. Chir 3.02 (title), (1) (intro.), (c), (d), (2) and (3) (a) are amended to read:

Chir 3.02 (title) ~~Biennial registration~~ License renewal. (1) **REQUIREMENTS FOR RENEWAL.** (intro.) To renew and obtain a new ~~certificate of registration~~ license a licensee shall, by December 31 of the even-numbered year following initial licensure and every 2 years thereafter, file with the department:

(c) ~~Evidence~~ Verification that the licensee has, during the biennial period immediately preceding application, completed the continuing education requirement specified in s. 446.02 (1) (b), Stats., except that the requirement may be waived if the licensee was not practicing in Wisconsin during that period. Licensees shall retain original documents showing attendance at programs for at least 4 years from the time that credit is claimed for the continuing education program. Licensees shall deliver their original documents or copies to the board upon request.

(d) Evidence that the licensee is certified in cardiopulmonary resuscitation or has been granted a waiver of the requirement by the board.

(2) **REQUIREMENTS FOR LATE RENEWAL.** A licensee who fails to meet the requirements in sub. (1) by the renewal date shall cease and desist from practice as a chiropractor until all requirements for renewal are met. Within 5 years following the renewal date, a licensee may renew and obtain a new ~~certificate of registration~~ license by filing with the department the materials specified in sub. (1) and a late renewal fee specified in s. 440.08 (3) (a), Stats.

(3) REQUIREMENTS FOR REINSTATEMENT. (a) *Reinstatement following failure to renew.* A licensee who fails to renew within 5 years of the renewal date may be reinstated by meeting requirements in sub. (2), completing continuing education requirements for the previous biennium, and may be required to take an examination prescribed by the board.

SECTION 15. Chir 3.03 (1) (intro.), (b), (c) 1., 2. and 3., (e), (h) and (2) (d) to (g) are amended to read:

Chir 3.03 Licensure by endorsement. (1) QUALIFICATIONS. (intro.) The board shall grant a license to a chiropractor who holds a valid license by the proper authorities of any other jurisdiction state or country provided the applicant:

(b) Has graduated from a college of chiropractic accredited by the council on chiropractic education and Council on Chiropractic Education (CCE) or by an agency approved by the United States Office of Education or its successor, or from a foreign school determined to be equivalent to an accredited college of chiropractic by the CCE or another approved accrediting agency.

*Kansas
(concern?)*

(c) 1. Has graduated from a reputable college of chiropractic, if If the applicant first applied for any a license to practice chiropractic in any jurisdiction state or country before July 1, 1960, the applicant must have graduated from a reputable college of chiropractic.

2. Has If the applicant first applied for a license to practice chiropractic in any state or country between July 1, 1960 and June 30, 1998, the applicant must have completed at least the first 2 years of a baccalaureate degree program a minimum of 60 credits in post-secondary academic education at a college or university accredited by an accrediting body nationally recognized by the secretary of the United States department of education, if the applicant first applied for any license to practice chiropractic in any jurisdiction on or after July 1, 1960 the Council on Chiropractic Education (CCE) or by an agency approved by the United States Office of Education or its successor, or from a foreign school determined to be equivalent to an accredited college of chiropractic by the CCE or another approved accrediting agency.

3. Has If the applicant first applied for a license to practice chiropractic in any state or country on or after July 1, 1998, the applicant must have graduated with a baccalaureate degree from a college or university accredited by an accrediting body nationally recognized by the secretary of the United States department of education, the Council on Chiropractic Education (CCE) or by an agency approved by the United States Office of Education or its successor, or from a foreign school determined to be equivalent to an accredited college of chiropractic by the CCE or another approved accrediting agency.

(e) Has successfully completed a practical examination demonstrating clinical competence which, in the board's judgment, is substantially

equivalent to the practical examination demonstrating clinical competence ~~administered~~
accepted by the board.

(h) Has not had a license or other credential limited, suspended or
revoked by a licensing or regulatory authority in Wisconsin or other ~~jurisdiction~~ state or
country.

(2) (d) A certified transcript from a chiropractic college accredited by the
~~commission on accreditation of the council on chiropractic education, or approved by the~~
~~board, Commission on Accreditation of the Council on Chiropractic Education (CCE) or~~
by an agency approved by the United States Office of Education or its successor, or from
a foreign school determined to be equivalent to an accredited college of chiropractic by
the CCE or another approved accrediting agency, sent directly to the board by the
college.

(e) A certified transcript verifying that the applicant has a
bachelor's degree from a college or university accredited by an accrediting body
nationally recognized by the ~~secretary of the federal department of education~~ United
States Department of Education, or from a foreign school determined to be equivalent to
an accredited college or university by an approved accrediting agency, if the applicant
first applies for any license to practice chiropractic in any jurisdiction on or after July 1,
1998. The transcript shall be sent directly to the board by the college or university.

(f) Verification of successful completion of a practical
examination demonstrating clinical competence ~~which, in the board's judgment, is~~
~~substantially equivalent to the practical examination demonstrating clinical competence~~
accepted by the board. The verification shall be forwarded directly to the board from the
state that administered the examination or from the national board.

(g) Proof of successful completion of the special purpose
examination in chiropractic or the initial licensure examination of the national board of
chiropractic examiners. The proof of completion shall be forwarded directly to the board
from the institution that administered the examination.

SECTION 16. Chir 3.03 (2) (k) is repealed.

SECTION 17. The Note following Chir 3.03 (2) (k) is amended to read:

Note: Applications are available upon request ~~to the board office located at~~ from
the Department of Regulation and Licensing, Chiropractic Examining Board, 1400 East
Washington Avenue, P.O. Box 8935, Madison, WI Wisconsin 53708.

SECTION 18. The Note following Chir 3.035 (1) (b) is amended to read:

Note: Applications are available upon request ~~to~~ from the Department of Regulation and Licensing, Chiropractic Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 19. Chir 3.035 (2) is amended to read:

Chir 3.035 (2) ~~A~~ The board may issue a temporary permit to practice chiropractic issued by the board is valid for 10 calendar days during the 12 month period immediately following its effective date, but no single period of practice under the temporary permit may exceed 3 calendar days to an individual who is licensed to practice chiropractic in another state or country. The applicant, ~~or holder of~~ for a temporary permit shall inform the board, in writing, of the locations at which and the dates on which the applicant or holder of the temporary permit will be practicing requests to practice under the temporary permit, prior to engaging in practice under the temporary permit and shall request the issuance of a temporary permit. The board may issue a temporary permit for a reasonable time period based on the activity.

SECTION 20. Chir 3.04 is amended to read:

Chir 3.04 Display of license. The license ~~and certificate of biennial registration~~ shall be displayed in a prominent place by every person licensed and currently registered by the board.

SECTION 21. Chir 3.06 and 3.07 are amended to read:

Chir 3.06 Professional title. A licensee shall use the suffix "D.C." or "Chiropractor" immediately following his or her surname for proper identification. The title "Doctor" or "Dr." may be used if "Chiropractor" is used following the name.

Chir 3.07 Professional liability insurance. Every chiropractor practicing in the state of Wisconsin shall have professional liability insurance coverage in effect at all times in the amount of at least \$100,000 for each occurrence and \$300,000 for all occurrences in one year. The board ~~shall~~ may conduct random audits of chiropractors licensed and practicing in this state, and institute disciplinary proceedings against any chiropractor who fails to submit proof that he or she has insurance coverage meeting the minimum limits required by this section.

SECTION 22. Chir 3.09 is amended to read:

Chir 3.09 Cardiopulmonary resuscitation certification. Every chiropractor shall obtain certification in cardiopulmonary resuscitation at least every 2 years. The board may grant a waiver of this requirement in cases of hardship or retirement from practice.

SECTION 23. The Note following Chir 4.04 (3) is amended to read:

Note: ~~The board annually reviews for approval programs offered or approved by the council on chiropractic education, American chiropractic registry of radiographic technicians, the university of Wisconsin, the Wisconsin vocational, technical and adult education system, hospital training and other programs.~~ A list of board-approved programs is available upon request from the ~~board office~~ Department of Regulation and Licensing, Chiropractic Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 24. Chir 4.05 (1) (b) 3. is amended to read:

Chir 4.05 (1) (b) 3. Acupuncture by needle insertion or invasive laser application.

SECTION 25. The Note following Chir 4.05 (2) (d) 3. is amended to read:

Note: A list of courses of instruction in therapeutic ultrasound and galvanic therapy approved by the board is available upon request from the ~~board office at~~ Department of Regulation and Licensing, Chiropractic Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 26. Chir 5.01 (1) (e) is created to read:

Chir 5.01 (1) (e) The board may grant a waiver, partial waiver or postponement of the continuing education requirements in cases of hardship.

SECTION 27. Chir 5.02 (1) (a) and (b) are amended to read:

Chir 5.02 (1) (a) The program is sponsored by the Wisconsin chiropractic association, the American chiropractic association, the international chiropractors association, a college of chiropractic approved by the board, ~~or~~ a college of medicine or osteopathy accredited by an agency recognized by the United States department of education, or another chiropractic organization approved by the board.

(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). The board will not approve credit for continuing education regarding a technique or practice which the board has determined to be unsafe or ineffective.

SECTION 28. Chir 5.02 (1) (h) is created to read:

Chir 5.02 (1) (h) The instructor is qualified to present the course.

SECTION 29. The Note following Chir 5.02 (4) (a) 1. is amended to read:

Note: Application forms are available on request ~~to the board office located in~~ from the Department of Regulation and Licensing, Chiropractic Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 30. Chir 5.02 (4) (a) 6. is amended to read:

Chir 5.02 (4) (a) 6. Describe the names and qualifications of all instructors, and if applicable, whether an instructor of the program who is an undergraduate or postgraduate faculty member of a sponsoring college was appointed in accordance with accreditation standards of the ~~council on chiropractic education~~ Council on Chiropractic Education (CCE) or by an agency approved by the United States Office of Education or its successor.

SECTION 31. The Note following Chir 5.02 (6) is amended to read:

Note: Continuing education approval request forms are available upon request ~~to the board office at~~ from the Department of Regulation and Licensing, Chiropractic Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 32. Chir 6.02 (14) is amended to read:

Chir 6.02 (14) Obtaining or attempting to obtain any compensation for chiropractic services by fraud, including billing for services not rendered or submitting a claim for a fraudulent diagnosis.

SECTION 33. Chir 9.03 (3) (intro.), (4), (5) and the Note following Chir 9.03 (5) are amended to read:

Chir 9.03 (3) (intro.) Certifies to the board, on forms supplied by the ~~board~~ department:

(4) Certifies to the board, on forms supplied by the ~~board~~ department, that all chiropractors who participate as preceptors are faculty of the chiropractic college.

(5) Certifies to the board, on forms supplied by the ~~board~~ department, that the chiropractor preceptor and the chiropractic student have agreed on the goals of the preceptor program to be completed by the chiropractic student.

Note: Forms may be obtained upon request from the Department of Regulation and Licensing, Chiropractic Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 34. The Note following Chir 9.04 (5) is amended to read:

Note: Forms may be obtained from the Department of Regulation and Licensing, Chiropractic Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 35. Chir 9.05 (1) (intro.) and (a) are amended to read:

Chir 9.05 (1) (intro.) Certifies to the board, on forms supplied by the ~~board~~ department, that:

(a) The chiropractor preceptor has been continuously licensed in Wisconsin for the previous 5 years, and that there are no pending disciplinary actions or malpractice claims against the chiropractor preceptor, and that there have been no disciplinary actions taken against the chiropractor preceptor within the last 3 years in any state or country. If any discipline has ever been imposed in any state or country on any professional license held by the preceptor, the preceptor shall provide details of the discipline for the board's review.

SECTION 36. The Note following Chir 9.05 (1) (f) is amended to read:

Note: Forms may be obtained upon request from the Department of Regulation and Licensing, Chiropractic Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 37. Chir 9.06 (intro.) and (1) to (6) are renumbered Chir 9.06 (1) (a) to (f) and as renumbered Chir 9.06 (1) (b) is amended to read:

Chir 9.06 (1) (b) A graduate chiropractor participating in a postgraduate preceptorship program is declared to have passed or failed a chiropractic licensing examination by any licensing authority or the national board.

SECTION 38. Chir 9.06 (2) is created to read:

Chir 9.06 (2) If a preceptorship is terminated under sub. (1) (d), (e) or (f), the board may approve a replacement preceptor proposed by the chiropractic student or graduate chiropractor who satisfies the requirements in s. Chir 9.05 (1) (a) and (c) to (f). The proposed chiropractor preceptor need not have been listed by the chiropractic college operating the preceptorship program.

SECTION 39. Chir 10.01 (1) and (2) are amended to read:

Chir 10.01 (1) "Adjunctive services" means services which are preparatory or complementary to chiropractic adjustments of the spine or skeletal articulations, or both. "Adjunctive services" include the taking of a preliminary patient history. "Adjunctive

services" does not include making a chiropractic diagnosis, analyzing a diagnostic test, or performing a chiropractic adjustment.

(2) "Preliminary patient history" means the process of gathering baseline data regarding a patient, including the nature of the chief complaint, family history, and medical history. The "preliminary patient history" is intended to provide a starting point for further inquiry by the chiropractor into the patient's condition.

SECTION 40. The Note following Chir 10.01 (2) is repealed.

SECTION 41. Chir 10.02 (3) is created to read:

Chir 10.02 (3) The chiropractor retains ultimate responsibility for the manner and quality of the service.

SECTION 42. The Note following Chir 10.03 is amended to read:

Note: The coursework specified in s. Chir 10.03 provides the training required by s. Chir 4.04. ~~The board annually reviews for approval programs offered or approved by the council on chiropractic education, American chiropractic registry of radiographic technicians, the university of Wisconsin, the Wisconsin technical college system, hospital training and other programs.~~ A list of board-approved programs is available upon request from the board office Department of Regulation and Licensing, Chiropractic Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

SECTION 43. Chir 10.04 is repealed.

SECTION 44. Chir 10.06 is repealed.

SECTION 45. A Note following Chir 11.02 (8) is created to read:

Note: Chiropractors should be aware that federal requirements, especially in the Health Insurance Portability and Accountability Act of 1996 (HIPAA), may have an impact on record-keeping requirements.

(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

The Department of Regulation and Licensing will incur \$500 in costs to print and distribute the rule change.

FINAL REGULATORY FLEXIBILITY ANALYSIS

These rules will have no significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Wis. Stats.

Chir CR03-082 (Housekeeping & practical exam) Draft to Leg 01-30-04



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Terry C. Anderson
Legislative Council Director

Richard Sweet
Clearinghouse Assistant Director

Laura D. Rose
Legislative Council Deputy Director

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 03-082

AN ORDER to repeal Chir 2.02 (7), 2.05, 2.06, 2.08, 2.09, 2.10, 2.11 (2) Note, 3.01, 10.01 (2) Note, 10.04, and 10.06; to amend Chir 2.02 (intro.) and Note, (3) (intro.) and Note, (4) and (6) (a) and (b), 2.03 (2) (intro.), 2.04, 2.07 (3), 2.11 (2) and (3), chapter Chir 3 (title), 3.02, 3.03, 3.035 (1) Note and (2), 3.04, 3.06, 3.07, 3.09, 4.04 (3) Note, 4.05 (1) (b) 3., (2) (d) 3. Note, 5.01 (4) (a) 1. Note, (4) (a) 6. and (6) Note, 5.02 (1) (a) and (b), 6.02 (14), 9.03 (3) (intro.) and (4) and (5), 9.04 (3) (intro.), (4) and (5), 9.05 (1) (intro.) and (a), 10.01 (1) and (2) and Chir 10.03 Note; to repeal and recreate Chir 9.06; and to create Chir 2.01 (3), 5.01 (1) (e) and (h), 10.02 (3) and Chir 11.02 (8) Note, relating to minor changes to conform the rules to current practices and to correct oversights and problematic language in the current rules, especially related to the board's adoption of Part IV of the national exam in lieu of a state-administered exam to demonstrate clinical competence.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

09-05-2003 RECEIVED BY LEGISLATIVE COUNCIL.

10-03-2003 REPORT SENT TO AGENCY.

RNS:PGC

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



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Terry C. Anderson
Legislative Council Director

Richard Sweet
Clearinghouse Assistant Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 03-082

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 October 2002.]

2. Form, Style and Placement in Administrative Code

- a. In the treatment clause of each SECTION, the word "Section" before "Chir" should be deleted.
- b. The text of each SECTION should begin with the full rule citation. For example, in SECTION 1, "Chir 2.01" should precede "(3)".
- c. Current rules that are not affected should not be shown. For example, s. Chir 2.02 (6) (intro.) should not be shown.
- d. Section Chir 2.02 (6) (a) and (b) should be in SECTION 5. Presently, the rule has two SECTIONS numbered SECTION 4.
- e. Stricken material should always precede immediately adjacent underscored material. [See s. 1.06 (1), Manual.] Section Chir 3.03 (1) (c) should be reviewed in this regard.
- f. Newly created subunits should not be underscored. For example, s. Chir 10.02 (3) should not be underscored.
- g. In the fiscal estimate, all of the dollar calculations have been left blank.

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

In s. Chir 9.06 (2), "sub. (1) (d), (e) or (f)" should replace "(1) (d), (e) or (f) above." In the third line, "s." should replace "sec." and "to" should replace "through."

5. Clarity, Grammar, Punctuation and Use of Plain Language

- a. In s. Chir 2.02 (intro.), the word “an” should be inserted before “application.”
- b. Should the address information contained in the note at the end of s. Chir 3.03 be modified as it has been in other notes relating to application availability? See s. Chir 4.05 (2) (d) 3. (note).
- c. In s. Chir 4.05 (1) (b) 3., what constitutes “*invasive* laser application” as opposed to “laser application”. In other words, how invasive must the procedure be? Also, s. Chir 4.05 (1) (b) (intro.) already provides “invasive procedures, such as:” and then it lists the procedures, which presently contain “laser application.” Is it necessary to list “invasive” with “laser application” since par. (b) (intro.) already provides that?
- d. In s. Chir 5.01 (1) (h), the note following s. Chir 5.01 (4) (a) 1, s. Chir 5.01 (4) (a) 6, and the note following s. Chir 5.01 (6), it is unclear in how those sections pertain to s. Chir 5.01. It appears that those changes are intended to apply to s. Chir 5.02.

Jim Doyle
Governor

WISCONSIN DEPARTMENT OF
REGULATION & LICENSING

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TTY: 608-267-2416

Donsia Strong Hill
Secretary



October 21, 2003

Senator Joseph Leibham, Co-Chairperson
Joint Committee for the Review of Administrative Rules
Room 409 South, State Capital
Madison, Wisconsin 53702

Representative Glenn Grothman, Co-Chairperson
Joint Committee for Review of Administrative Rules
15 North, State Capital
Madison, WI 53702

Re: Request for Extension of an Emergency Rule of the
Chiropractic Examining Board (Wis. Stat. § 227.24(2))

Dear Senator Leibham and Representative Grothman:

I am writing on behalf of the Chiropractic Examining Board (Board) to request extension of an emergency rule relating to the passing and retaking of the practical chiropractic examination. The rule repeals Chir 2.09 and amends Chir 2.03 (2) (into.), 2.07 (3) and 2.11 (2) and (3) and was effective June 28, 2003.

Extension of the emergency rule is necessary to avoid threats to public peace, health, safety and welfare. On December 19, 2002, the Board approved the national practical examination conducted by the National Board of Chiropractic Examiners (NBCE) as the Board's practical examination for determining clinical competence of chiropractic candidates in Wisconsin. The Board determined that the national practical examination is a better measure of competence than was the state examination previously administered by the board and that the public health, safety and welfare warrant that the national practical examination be instituted immediately. Currently, forty-four states accept or require the NBCE practical examination in lieu of their own practical examination. The Board was authorized to approve the NBCE practical examination under Wis. Stat. § 440.07 (2) and Wis. Stat. § 446.02. The Board's decision to adopt the (NBCE) practical examination was contrary to the opinions of some practitioners who have challenged the Board's decision and questioned the validity of the grades issued by the Board. The rule changes herein conform the terminology used in the board's rule with the textual description of the national practical examination and resolve doubts about the examination grades issued to applicants who have completed the national practical examination.

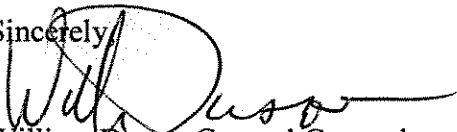
The Board has begun to promulgate a permanent rule to replace the emergency rule. Under Wis. Stat. § 227.24 (1) (c), the emergency rule is in effect until November

25, 2003. A proposed rule, Clearinghouse Rule 03-082, includes the emergency rule modifications along with other housekeeping changes. A hearing on CR 03-082 was held by the Chiropractic Examining Board on October 16, 2003. The Chiropractic Examining Board will review the testimony and all of the written comments received from the public at its December 18, 2003 meeting and the Board's final draft will then be submitted for legislative review. Without an extension of the emergency rule, it is not possible for the Board to complete the process of promulgating the permanent rule prior to the expiration date of the emergency rule.

Please find attached a copy of the emergency rule. On behalf of the Chiropractic Examining Board I am requesting that the Joint Committee for Review of Administrative Rules extend the emergency rule for a period of 60 days under its authority in Wis. Stat. § 227.24 (2).

Thank you for your consideration of this request.

Sincerely,



William Dusso, General Counsel
Department of Regulation and Licensing

cc: Chiropractic Examining Board
Donsia Strong Hill, Secretary, DRL

Jim Doyle
Governor

WISCONSIN DEPARTMENT OF
REGULATION & LICENSING

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TTY: 608-267-2416

Donsia Strong Hill
Secretary



October 24, 2003

Senator Carol Roessler, Chair
Senate Committee on Health, Children, Families, Aging and Long-Term Care
State Capitol, 8-S
Madison, Wisconsin

Re: Request for extension of emergency rule.

Dear Senator Roessler:

Please find attached a copy of the request of the Chiropractic Examining Board to the Joint Committee for Review of Administrative Rules for extension of an emergency rule concerning the Board's practical examination of chiropractic candidates. If you have questions, please contact me at 1-2385.

Thank you,

A handwritten signature in cursive script that reads "Joel Garb".

Joel Garb, Paralegal

STATE OF WISCONSIN
CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE : ORDER ADOPTING
CHIROPRACTIC EXAMINING BOARD : EMERGENCY RULES

ORDER

An order of the Chiropractic Examining Board to repeal Chir 2.09; and to amend Chir 2.03 (2) (intro.), 2.07 (3) and 2.11 (2) and (3), relating to passing and retaking the practical examination.

Analysis prepared by the Department of Regulation.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 446.02 (2) and (3g), Stats.

Statutes interpreted: s. 446.02 (1) (b), (2) (a) and (3), Stats.

These rule changes will conform the terminology in the current rules with the textual description of the national practical examination conducted by the National Board of Chiropractic Examiners, adopted in December 2002 by the Chiropractic Examining Board, and resolve doubts about the examination scores issued to applicants who complete the national practical examination.

TEXT OF RULE

SECTION 1. Chir 2.03 (2) (intro.) is amended to read:

Chir 2.03 (2) PRACTICAL EXAMINATION DEMONSTRATING CLINICAL COMPETENCE. (intro.) An applicant shall pass ~~each part of~~ a practical examination demonstrating clinical competence which includes the following ~~parts~~:

SECTION 2. Chir 2.07 (3) is amended to read:

Chir 2.07 (3) PRACTICAL EXAMINATION DEMONSTRATING CLINICAL COMPETENCE. To pass the practical examination demonstrating clinical competence, an applicant shall receive a grade determined by the board to represent minimum competence to practice ~~on each part of the examination~~.

SECTION 3. Chir 2.09 is repealed.

SECTION 4. Chir 2.11 (2) and (3) are amended to read:

Chir 2.11 (2) PRACTICAL EXAMINATION DEMONSTRATING CLINICAL COMPETENCE. An applicant who fails the practical examination demonstrating clinical competence ~~due to the failure of one part of examination may retake the failed part only. An applicant who fails the practical examination demonstrating clinical competence due to the failure of 2 or more parts of the practical examination~~ shall be required to retake the entire practical examination demonstrating clinical competence.

(3) LIMITATION ON REEXAMINATION. If an applicant does not pass ~~all parts of~~ the examination under subs. (1) and (2) within 2 years of the first attempt, the applicant shall retake and pass the entire practical examination demonstrating clinical competence and state law examination in order to be licensed.

FINDING OF EMERGENCY

The Chiropractic Examining Board finds that preservation of the public peace, health, safety or welfare necessitates putting the rule amendments described into effect prior to the time the amendments would take effect if the agency complied with the notice, hearing and publication requirements established for rule-making in ch. 227, Stats. The facts warranting adoption of these rule amendments under s. 227.24, Stats., are as follows:

On December 19, 2002, the Chiropractic Examining Board adopted the national practical examination conducted by the National Board of Chiropractic Examiners as the board's practical examination for determining clinical competence in Wisconsin. The board has determined that the national practical examination is a better measure of competence than was the state examination previously administered by the board and that the public health, safety and welfare warrant that the national practical examination be instituted immediately. The rule changes herein conform the terminology used in the board's rule with the textual description of the national practical examination and resolve doubts about the examination grades issued to applicants who complete the national practical examination.

The national practical examination describes the examination parts in different terms than are used in Chir 3.02, although the national practical examination covers the practice areas described in the existing rule. The rule amendments to s. Chir 2.03 (2) (intro.) resolve this difference.

This order deletes the reference in the board's current rule to passing "each part" of the examination. The national practical examination has one part and an applicant receives one grade for the part. In utilizing the national examination, the board approves the grading and grading procedures of the National Board of Chiropractic Examiners. Grade review procedures in s. Chir 2.09 are superfluous and the rule is repealed. The rule requiring reexamination is modified to avoid confusion over examination parts. The

board is proceeding with promulgating these rule changes through a proposed permanent rule-making order.

The emergency rules adopted in this order shall take effect on June 28, 2003.

Dated _____

Agency _____

Chairperson
Chiropractic Examining Board

g:\chiremergency6-25-03

Jim Doyle
Governor

Donsia Strong Hill
Secretary

**WISCONSIN DEPARTMENT OF
REGULATION & LICENSING**



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TTY: 608-267-2416

JAN 12 2004

January 9, 2004

Senator Carol Roessler, Chair
Senate Committee on Health, Children, Families, Aging and Long-Term Care
State Capitol, 8-S
Madison, Wisconsin

Re: Request for extension of emergency rule.

Dear Senator Roessler:

Please find attached a copy of the request of the Chiropractic Examining Board to the Joint Committee for Review of Administrative Rules for extension of an emergency rule concerning the Board's practical examination of chiropractic candidates. If you have questions, please contact me at 1-2385.

Thank you,

Joel Garb, Paralegal

Jim Doyle
Governor

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Donsia Strong Hill
Secretary



January 9, 2003

Senator Joseph Leibham, Co-Chairperson
Joint Committee for the Review of Administrative Rules
Room 409 South, State Capital
Madison, Wisconsin 53702

Representative Glenn Grothman, Co-Chairperson
Joint Committee for Review of Administrative Rules
15 North, State Capital
Madison, WI 53702

RE: Emergency Rules Extension for the Chiropractic Examining Board

Dear Senator Leibham and Representative Grothman:

I am writing on behalf of the Chiropractic Examining Board to request an extension of the emergency rule relating to the passing and retaking of the practical examination. An order of the Chiropractic Examining Board to repeal Chir 2.09, and to amend Chir 2.03 (2) (into.), 2.07 (3) and 2.11 (2) and (3), was enacted by emergency rule adoption June 28, 2003. The Joint Committee for Review of Administrative Rules extended the date of the emergency rule for 60 days on November 19, 2003. The emergency rule will expire January 24, 2004, unless an extension is granted by the Committee.

The background of the proposed rule as identified in previous correspondence to the Committee is as follows:

This rule conforms the terminology in the current rule with the textual description of the national practical examination conducted by the National Board of Chiropractic Examiners.

On December 19, 2002, the Chiropractic Examining Board adopted the national practical examination conducted by the National Board of Chiropractic Examiners as the board's practical examination for determining clinical competence of chiropractic candidates in Wisconsin. The board has determined that the national practical examination is a better measure of competence than was the state examination previously administered by the board and that the public health, safety and welfare warrant that the national practical examination be instituted immediately.

The rule changes herein conform the terminology used in the board's rule with the textual description of the national practical examination and resolve doubts about the examination grades issued to applicants who complete the national practical examination.


The national practical examination describes the examination parts in different terms than are used in Chir 3.02, although the national practical examination covers the practice areas described in the existing rule. The rule amendments to s. Chir 2.03 (2) (intro.) resolve this difference.

This rule deletes the reference in the board's current rule to passing "each part" of the examination. The national practical examination has one part and an applicant receives one grade for the part. In utilizing the national examination, the board approves the grading and grading procedures of the National Board of Chiropractic Examiners. Grade review procedures in s. Chir 2.09 are superfluous and the rule is repealed. The rule requiring reexamination is modified to avoid confusion over examination parts. The board is proceeding with promulgating these rule changes through a proposed permanent rule-making order.

The Chiropractic Examining Board has received numerous comments on its rule and did not complete its review of the rule and the comments at its December meeting, as anticipated. The Board meets again on January 22, 2004. The proposed rule as finally approved will then proceed to the legislature for consideration, a process which usually takes at least 37 days. The proposed rule must then be adopted by the Chiropractic Examining Board and properly published. Without an extension of the emergency rule a gap will exist between the expiration of the emergency rule and the effective date of the proposed rule.

Please find attached a copy of the emergency rule. On behalf of the Chiropractic Examining Board I am requesting that the Joint Committee for Review of Administrative Rules extend the emergency rule for a period of 60 days.

Sincerely,



William Dusso, General Counsel
Offices of Legal Counsel

cc: Chiropractic Examining Board
Bruce Olsen, Assistant Attorney General

STATE OF WISCONSIN
CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE : ORDER ADOPTING
CHIROPRACTIC EXAMINING BOARD : EMERGENCY RULES

ORDER

An order of the Chiropractic Examining Board to repeal Chir 2.09; and to amend Chir 2.03 (2) (intro.), 2.07 (3) and 2.11 (2) and (3), relating to passing and retaking the practical examination.

Analysis prepared by the Department of Regulation.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 446.02 (2) and (3g), Stats.

Statutes interpreted: s. 446.02 (1) (b), (2) (a) and (3), Stats.

These rule changes will conform the terminology in the current rules with the textual description of the national practical examination conducted by the National Board of Chiropractic Examiners, adopted in December 2002 by the Chiropractic Examining Board, and resolve doubts about the examination scores issued to applicants who complete the national practical examination.

TEXT OF RULE

SECTION 1. Chir 2.03 (2) (intro.) is amended to read:

Chir 2.03 (2) PRACTICAL EXAMINATION DEMONSTRATING CLINICAL COMPETENCE. (intro.) An applicant shall pass ~~each part of~~ a practical examination demonstrating clinical competence which includes the following parts:

SECTION 2. Chir 2.07 (3) is amended to read:

Chir 2.07 (3) PRACTICAL EXAMINATION DEMONSTRATING CLINICAL COMPETENCE. To pass the practical examination demonstrating clinical competence, an applicant shall receive a grade determined by the board to represent minimum competence to practice ~~on each part of the examination.~~

SECTION 3. Chir 2.09 is repealed.

SECTION 4. Chir 2.11 (2) and (3) are amended to read:

Chir 2.11 (2) PRACTICAL EXAMINATION DEMONSTRATING CLINICAL COMPETENCE. An applicant who fails the practical examination demonstrating clinical competence due to the failure of one part of examination may retake the failed part only. ~~An applicant who fails the practical examination demonstrating clinical competence due to the failure of 2 or more parts of the practical examination shall be required to retake the entire practical examination demonstrating clinical competence.~~

(3) LIMITATION ON REEXAMINATION. If an applicant does not pass all parts of the examination under subs. (1) and (2) within 2 years of the first attempt, the applicant shall retake and pass the entire practical examination demonstrating clinical competence and state law examination in order to be licensed.

FINDING OF EMERGENCY

The Chiropractic Examining Board finds that preservation of the public peace, health, safety or welfare necessitates putting the rule amendments described into effect prior to the time the amendments would take effect if the agency complied with the notice, hearing and publication requirements established for rule-making in ch. 227, Stats. The facts warranting adoption of these rule amendments under s. 227.24, Stats., are as follows:

On December 19, 2002, the Chiropractic Examining Board adopted the national practical examination conducted by the National Board of Chiropractic Examiners as the board's practical examination for determining clinical competence in Wisconsin. The board has determined that the national practical examination is a better measure of competence than was the state examination previously administered by the board and that the public health, safety and welfare warrant that the national practical examination be instituted immediately. The rule changes herein conform the terminology used in the board's rule with the textual description of the national practical examination and resolve doubts about the examination grades issued to applicants who complete the national practical examination.

The national practical examination describes the examination parts in different terms than are used in Chir 3.02, although the national practical examination covers the practice areas described in the existing rule. The rule amendments to s. Chir 2.03 (2) (intro.) resolve this difference.

This order deletes the reference in the board's current rule to passing "each part" of the examination. The national practical examination has one part and an applicant receives one grade for the part. In utilizing the national examination, the board approves the grading and grading procedures of the National Board of Chiropractic Examiners. Grade review procedures in s. Chir 2.09 are superfluous and the rule is repealed. The rule requiring reexamination is modified to avoid confusion over examination parts. The

board is proceeding with promulgating these rule changes through a proposed permanent rule-making order.

The emergency rules adopted in this order shall take effect on June 28, 2003.

Dated _____

Agency _____

Chairperson
Chiropractic Examining Board

g:\chiremergency6-25-03

WISCONSIN STATE SENATE



Carol Roessler
STATE SENATOR

To: Members of the Senate Committee on Health, Children, Families, Aging and Long Term Care

From: Senator Carol Roessler, Chair

Date: February 5, 2004

Re: Clearinghouse Rule 03-082, relating to minor changes to conform the rules to current practices and to correct oversights and problematic language in the current rules, especially related to the board's adoption of Part IV of the national examination in lieu of state administered examination to demonstrate clinical competence.

CR 03-082 has been referred to the Senate Health, Children, Families, Aging and Long Term Care Committee. This rule makes numerous minor changes to the existing rules regulating the practice of chiropractic, mainly to conform the rules to current practices but also to correct oversights and problematic language in current rules. This proposed rule-making order also changes the advance time required for consideration of applications based on the change to accept Part IV of the national examination.

This proposed rule-making removes a never-used option for direct board approval of a college or university and transfers that responsibility to the United States Office of Education or its successor, and creates a mechanism for the board to be able to consider applicants with foreign degrees. Also, this rule-making expands and clarifies the scope of disciplinary actions and malpractice claims that the board may consider in approving a preceptor.

If you would like the committee to hold a hearing on CR 03-082, please contact Jennifer Halbur in my office by **February 17, 2004**.

Halbur, Jennifer

From: RLeonard@aol.com
Sent: Monday, February 16, 2004 10:10 AM
To: sen.roessler@legis.state.wi.us
Subject: Chiropractic Examining Board

Dear Carol:

The chiropractic examining board has passed Clearinghouse Rule 03-092. Two areas of these rules are highly controversial within the chiropractic profession.

The first is the attempt of the board to eliminate Wisconsin's practical exam. The board took this action without a public hearing as we believe is required by law. As a result, the WCA filed a lawsuit which is pending in circuit court. We believe it would be unfair for the state to approve this inappropriate conduct on the part of the board while a lawsuit is pending.

The second controversial area is the change in the rules that would give the board discretion to approve any "chiropractic organization" to offer continuing education. As part of this rule, the board does not define any standards for the approval of an organization. This means that literally anyone that calls themselves a "chiropractic organization" will be approved regardless of the conflict of interest they might have and the quality of education they may provide.

As you know this second issue is one that is included in the legislative package proposed by the WCA. The WCA feels it is very inappropriate to have the board attempt to pass a rule in this area when legislation is pending on this subject.

We respectfully request that the Senate Health Committee hold a hearing on this Clearinghouse Rule. Please let me know if you would like me to meet with you to provide additional background on these issues.

Regards,

Russ Leonard
Executive Director
Wisconsin Chiropractic Association
RLeonard@aol.com
(608) 256-7023

Jim Doyle
Governor

Donsia Strong Hill
Secretary

WISCONSIN DEPARTMENT OF
REGULATION & LICENSING



1400 E Washington Ave
PO Box 8935
Madison WI 53708-8935
Email: web@drl.state.wi.us
Voice: 608-266-2112
FAX: 608-267-0644
TTY: 608-267-2416

February 24, 2004

TO: Senator Roessler and Other Members of the Committee on Health, Children,
Families, Aging and Long Term Care

RE: CR-03-082.

Minor changes to conform rules to current practices and correct oversights and problematic language in current rules, especially related to the Chiropractic examining board's adoption of Part IV of the national exam in lieu of a state-administered exam to demonstrate clinical competence.

Dear Senator Roessler,

Thank you for allowing me to present this information to your committee by written correspondence. The speed with which this hearing was set up precludes me from attending in person as I was unable to reschedule my patient load on such short notice.

My name is James Rosemeyer, D.C.. I am the Chairman for the Wisconsin Board of Chiropractic Examiners. I have been a member of the Board for about 5 years and been Chair for the last 14 months.

I would like to concentrate my comments on my professional and my Board's opinion on the reasons that we believe these rule changes are necessary. I feel confident that Dr. Showers and Mr. Schweitzer will be able to provide a more in depth history of this topic and the technical differences in the actual test preparation and examination procedures.

I have personally been involved in administrating the State practical exam for the last 10-12 years; as an examiner for the first 5-7 years and as an administrator and grader of the exam since I have been on the Board. I have also, with other members of my Board either helped to administer or observe the Part IV national exam.

There is no doubt in my mind that the Part IV national exam is far superior to our State Practical exam in the following areas:

1. Preparation of Test questions:
 - Part IV has input from Chiropractic colleges instructors and State Boards members on a rotating basis.
 - Much of the State Practical was developed by one Wisconsin DC.
2. Equal Test difficulty per test administration.:

- The State Practical pass/fail % varied greatly from one test administration to the next due to varying degree of test difficulty.
3. Administration of the test:
- Part IV is better organized and the Doctors who administer the test are better trained in the testing procedures.
 - Test scores on the State Practical exam are more subjective due to the lower degree of inter-reliability between examiners.
 - Part IV uses trained actors as patients to provide a realistic clinic setting.
4. Scope of the Exam:
- Part IV exam was more comprehensive in that it also tested in the area of complete history taking.

You have given me and my Board the job of protecting the public. It is my opinion, the opinion of 45+ other States and the opinion of my Board that Part IV does as good as, and in our state a better job of testing clinical competency than that of a state practical exam. The vast majority of your Wisconsin State Boards rely on National Exams rather than State Practical to determine clinical competency.

There are those who point to the statistics that show that examinees have passed the National Part IV and yet failed our State Practical exam; thus saying that Part IV isn't tough enough. One question is: should a State Practical be tougher than a National exam that 45+ other States use to admit Doctors to their state? My opinion is: The Part IV is actually a tougher exam than our State Practical and a higher fail rate of the State exam is not due to toughness of the exam but examinee confusion generated by improperly worded test questions, poor x-ray film quality and inadequate testing procedures.

Thank you for your time. I encourage you to pass this rule. It will serve the public well and save the State money by not administrating an "obsolete" State Practical exam.

Sincerely,

James A. Rosemeyer, D.C. 1725

James A. Rosemeyer, D.C.

Chairman

Wisconsin Board of Chiropractic Examiners

BD Valid Vote

8-25-04

Submitted
written
CR 03-082

Barb Showers Exam Office Dir, DEC

- Bd + Dept have studied, observed, visited national exam.
- Supports quality to national exam
- Board given auth. to choose who can provide C.E.
- 44 other states use Nat'l exam.
- Tests competence
- Bd uses parts 1-3 of Nat'l exam.
- Rules allow acceptance of part 4 of exam.
- Part 4 is a clinical practical - tests ability to practice
- WI exam tests specific sub skills, in more narrowly focused way. Haven't had access to Chiro schools (no Chiro schools in WI). No opp. to revise/^{update} the WI test.
- Concerns raised - Nat'l exam passes more people than WI test.
 - DRL not concerned - Nat'l test, tests current knowledge.
 - State exam has had numerous challenges. Bd reviews challenges + often agrees w/ complainant after more info. for answers heard. Almost to pt. where people have to challenge exam in order to pass it.
- Only passes a bit over 1/2 of those who take it.

- Almost all pass the National exam. DRL argues that this is not due to a lower std.

- Dec. 2002, Board has been accepting scores from Nat'l exam part 4.

Wt on
Brd -
3-2 +
1 abstained

- In part, out of state chiro had to take a WZ exam, ~~if~~ even if passed all parts of national exam.

Submitted
written

Jeff Wilder - WCA, Chair of Gov. Affairs Comm

- Opposed

- Flawed process used by Brd to make changes.

- Believe Steve Conway inserted provisions that would benefit his practice @ Allied Health.

- Not minor changes as referenced.

- Denied req. to postpone hearing on 03-02.

- WCA didn't feel they had enough time to notify members (in part due to misleading relating clause)

- Problem w/ Nat'l exam. Sec 7-14 of rule.

No public
hearing
held in
June '02
Dec. 02
when Nat'l
exam
was taken

- State test req. by statute. WCA has sued brd. Court has ruled against brd in process.

- Brd passed emergency rules in response to being sued.

- Don't believe Nat'l exam holds a

high enough std. Only test minimum
Knowledge of Chros.

- Nat'l exam graded on cumulative score of
all 4 tests. Essentially you could take
one or more tests but pass overall.

- Recently Steve Conway has refused himself
from voting on this issue.

- 16 colleg. American ~~Chros~~ Chros Assoc etc. ^{can} provide
CE.

- Brd can add any other institution/org. to
this list w/out defining criteria
institution meets.

- For protis should not be able to run C.E.

* Remove 7-14 + 27 (sections)

- loophole in existing rule is being

* CR wants to know - how this issue is handled in
other states (C.E. credits).

CR made pt. that other brds for other prog., Brd.
Can deny programs, if they are inappropriate.

Challeng

actions by Brd to dismiss - denied.

Sherry Walker - Submitted written.

Dr. Wendy Hendriks Opposed.

- Practices in Rhineland - new members of the Chiro Exam. Bd.
- Doesn't support lowering stds. in W.V.

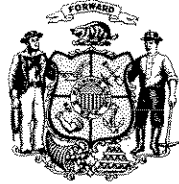
James Greenwald - Supports

- Retired chiropractor
- licensed for 50 yrs next month
- cont. ed. part. is a concern.
- He did vote against ~~for~~ allowing Nat'l Exam part IV to be counted.
- 4 prof. + 2 citizens on Chiro Bd.
- Served 12 yrs. on Bd.
- Insulted by Sherry Walker's testimony discrediting people on board - "more politics" (Sherry 1/15)
- Bd. has ability to accept or deny what comes through.
- He has attended seminars put on by colleges that were terrible -

Ann Schweitzer DR L in favor

- Regarding mandatory audits - DR L does not have resources to perform audits.
- ~~GR~~ CPR after retired - had people from out of state not wanting to take CPR course.

Dr. Michael McMahon - Opposes rules
- Does admit that the test should be updated.



Carol Roessler
STATE SENATOR

February 25, 2004

To: Senate Committee on Health, Children, Families, Aging and Long Term Care Members.

From: Senator Carol Roessler, Chair

Re: Paper Ballots: Senate Bill 470, Senate Joint Resolution 65 and CR 03-082

Please find attached ³two paper ballots for the following bills:

Senate Bill 470: Relating to the practice of physical therapist assistants and granting rule-making authority.

Senate Joint Resolution 65: Relating to focusing attention on healthy lifestyles in Wisconsin in 2004.

CR 03-082: Relating to minor changes to conform the rules to current practices and to correct oversights and problematic language in the current rules, especially related to the board's adoption of Part IV of the national exam in lieu of a state-administered exam to demonstrate clinical competence

Please return completed ballots to my office by 5:00pm February 25, 2004.

Motion

The Senate Committee on Health, Children, Families, Aging and Long Term Care recommends that CR 03-082, relating to minor changes to conform the rules to current practices and to correct oversights and problematic language in the current rules, especially related to the board's adoption of Part IV of the national exam in lieu of a state-administered exam to demonstrate clinical competence, **be returned to the Department of Regulation and Licensing for further modifications.**

Aye ✓

No _____

Signature Tim Carpenter

Motion

The Senate Committee on Health, Children, Families, Aging and Long Term Care recommends that CR 03-082, relating to minor changes to conform the rules to current practices and to correct oversights and problematic language in the current rules, especially related to the board's adoption of Part IV of the national exam in lieu of a state-administered exam to demonstrate clinical competence, **be returned to the Department of Regulation and Licensing for further modifications.**

Aye X

No _____

Signature Carol Ressler

Motion

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Aye x _____

No _____

Signature *Chuck Chabot* _____

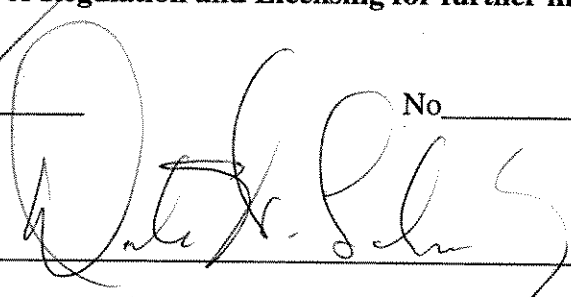
Motion

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Aye _____

No _____

Signature _____



Motion

The Senate Committee on Health, Children, Families, Aging and Long Term Care recommends that CR 03-082, relating to minor changes to conform the rules to current practices and to correct oversights and problematic language in the current rules, especially related to the board's adoption of Part IV of the national exam in lieu of a state-administered exam to demonstrate clinical competence, **be returned to the Department of Regulation and Licensing for further modifications.**

Aye ✓

No

Signature

John M. Roberts

Motion

The Senate Committee on Health, Children, Families, Aging and Long Term Care recommends that CR 03-082, relating to minor changes to conform the rules to current practices and to correct oversights and problematic language in the current rules, especially related to the board's adoption of Part IV of the national exam in lieu of a state-administered exam to demonstrate clinical competence, **be returned to the Department of Regulation and Licensing for further modifications.**

Aye _____

No _____

Signature _____

A handwritten signature in black ink, appearing to be "D. D. D.", written over a horizontal line.

Motion

The Senate Committee on Health, Children, Families, Aging and Long Term Care recommends that CR 03-082, relating to minor changes to conform the rules to current practices and to correct oversights and problematic language in the current rules, especially related to the board's adoption of Part IV of the national exam in lieu of a state-administered exam to demonstrate clinical competence, **be returned to the Department of Regulation and Licensing for further modifications.**

Aye X

No _____

Signature _____

A handwritten signature in black ink, appearing to be "B. J. ...", written over a horizontal line.

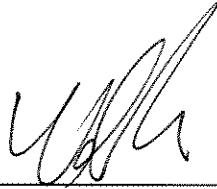
Motion

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Aye _____

No _____

Signature _____

A handwritten signature in black ink, appearing to be 'U. P. H.', is written over the signature line.

Motion

The Senate Committee on Health, Children, Families, Aging and Long Term Care recommends that CR 03-082, relating to minor changes to conform the rules to current practices and to correct oversights and problematic language in the current rules, especially related to the board's adoption of Part IV of the national exam in lieu of a state-administered exam to demonstrate clinical competence, **be returned to the Department of Regulation and Licensing for further modifications.**

Aye X No

Signature *[Handwritten Signature]*