

Report From Agency

**STATE OF WISCONSIN
CHIROPRACTIC EXAMINING BOARD**

**IN THE MATTER OF RULEMAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
CHIROPRACTIC EXAMINING : CR 22-066
BOARD :**

I. THE PROPOSED RULE:

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

II. REFERENCE TO APPLICABLE FORMS: N/A

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

Wisconsin Administrative Code Chapters Chir 3 and 5 cover the education requirements for licensure and renewal respectively. Neither of these chapters currently includes a requirement of education on the topic of professional boundaries. Other jurisdictions in the US require this topic as part of Chiropractor licensure, and the Board has determined that requiring this education will help protect the health and safety of the public of Wisconsin. The proposed rule adds a requirement that 2 of the 40 hours of continuing education for each biennium for Chiropractors must be on the topic of professional boundaries and ethics.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Chiropractic Examining Board held a public hearing on February 2, 2023. The following people either testified at the hearing, or submitted written comments:

John Murray, Executive Director and CEO, Wisconsin Chiropractic Association (WCA)

The Chiropractic Examining Board summarizes the comments received either by hearing testimony or by written submission as follows:

The WCA recommended the following:

- The scope statement for this rule (SS 019-22) should be revised to include the term “ethics” and resubmitted or approval
- Chir 5.01 (1) (i) should be revised to read: “Of the 40 continuing education hours required in par (a), 2 hours shall be in the topics of

professional boundaries and ethics as defined in Chapter 446.04 and Chir 6 and approved under Chir 5.02”

The Chiropractic Examining Board explains modifications to its rule-making proposal prompted by public comments as follows:

Chir 5.01 (1)(i) was revised to read:

“The requirements in this paragraph first apply to the renewal period beginning December 16, 2024. Of the 40 continuing education hours required in par. (a), 2 hours shall be on the topic of professional boundaries and ethics courses may include any of the following subjects:

1. Sexual misconduct as defined in s. Chir 6.02 (7).
2. Ethics in billing or business management practices.
3. Risk management.
4. Professional boundaries in clinical practice settings.
5. Any other topic that the Board or the Board’s designee approves as being related to the subject of professional boundaries and ethics.”

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report have been accepted in whole.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS: N/A