

Report From Agency

**STATE OF WISCONSIN
CHIROPRACTIC EXAMINING BOARD**

IN THE MATTER OF RULEMAKING : REPORT TO THE LEGISLATURE
PROCEEDINGS BEFORE THE : CR 19-129
CHIROPRACTIC EXAMINING :
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:

The Board conducted an evaluation and update of ch. Chir 6 to ensure consistency with current professional practices and standards and applicable Wisconsin statutes. As a result, the following updates have been made:

- The definition of “advertisement” under s. Chir 6.015 (1) is revised to remove references to specific advertising medium. The definition as revised specifies an advertisement may be in any public medium.
- A definition of “patient” is added to the definitions under s. Chir 6.015.
- A provision is created under s. Chir 6.02 (15) (f) (intro.) and (g) (intro.) that permits a chiropractor to advertise specialization or advanced training if the chiropractor has a postgraduate degree in the area of specialty or advanced training conferred by an institution accredited by either the Council on Chiropractic Education or an accrediting agency recognized by the United States department of education.
- Other provisions throughout ch. Chir 6 have been revised to provide clarity and conform to current drafting standards.

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 November 21, 2019. Steven Conway, representing the Chiropractic Society of Wisconsin, registered neither for nor against the proposed rules, but to provide information to the Board. Mr. Conway asked the Board to consider modifying the provisions of s. Chir 6.02 (15) (f) (intro.) and (g)

(intro.) to address the situation where a chiropractor advertises a certification that does not meet the requirements under s. Chir 6.02 (15) (f) or (g).

In response to Mr. Conway's testimony, the Board has modified s. Chir 6.02 (15) (f) (intro.) and (g) (intro.) and created s. Chir 6.02 (15) (gm) to specifically address certification, including nutritional counseling certification.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

The Legislative Council had no recommendations concerning the proposed rule.

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

N/A