

**CERTIFICATE**


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

**TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:**

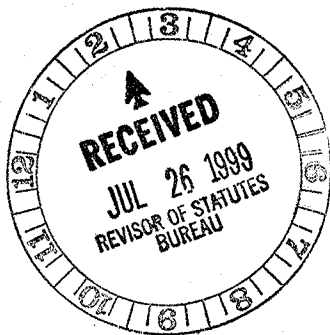
*I, Kimberly Nania, Director, Bureau of Health Service Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Chiropractic Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Chiropractic Examining Board on the 22<sup>nd</sup> day of July, 1999.*

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

**IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 22<sup>nd</sup> day of July, 1999**

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

98-192



10-1-99

STATE OF WISCONSIN  
CHIROPRACTIC EXAMINING BOARD



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IN THE MATTER OF RULE-MAKING : ORDER OF THE  
PROCEEDINGS BEFORE THE : CHIROPRACTIC EXAMINING BOARD  
CHIROPRACTIC EXAMINING BOARD : ADOPTING RULES  
: (CLEARINGHOUSE RULE 98-192)  
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ORDER

An order of the Chiropractic Examining Board to **repeal** Chir 2.02 (2), 3.03 (2) (c) and chapter Chir 7; to **amend** Chir 1.01, 1.02 (intro.), 2.02 (intro.), (1), (3), (4), (5), (6) (intro.), (a) and (b), 2.025, 2.03 (1), (2) (title), (2) (intro.) and (2) (b), 2.04 (title), 2.04, 2.05, 2.07 (2), (3) (title) and (3), 2.08, 2.09.(1), 2.10 (1) (intro.), (a), (b), (c) and (3), 2.11 (2) (title), (2) and (3), ch. Chir 3 (title), 3.01 (title) and 3.01, 3.02 (1) (b), 3.03 (1) (e), (f), (2) (intro.), (b), (e), (f), (g) and (h), 3.035 (1) (intro.), (b) and (3), 4.05 (1) (a), (b) 1., 2., 3., (c), (2) (a) and (b), 6.02 (18) and 9.04 (6); and to **create** a Note following Chir 2.02 (3), 2.02 (7), a Note following 3.03 (1) (c) 3., 3.03 (2) (k) and 6.02 (30), relating to definitions, applications, examinations, temporary permits and renewal.

Analysis prepared by the Department of Regulation and Licensing.

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ANALYSIS

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

Statutes interpreted: ss. 446.02 (2) (b), (3g) (b) and (3r) and 446.04 (1), Stats.

In this proposed rule-making order the Chiropractic Examining Board proposes to change the term "clinical examination" to "practical examination demonstrating clinical competence" to reflect the actual nature of the examination. Rather than having a specific passing grade, which may change, the rule is amended to indicate that to pass the examination each applicant shall receive a grade determined by the board to represent minimum competence to practice. If after review of a failed examination the applicant's application shall be deemed incomplete and the applicant may be reexamined. If reexamination is not available within 6 months of the date of the examination the applicant failed, then the applicant may request a hearing. The section on cheating on examinations is expanded to include violation of rules of conduct or otherwise acting dishonestly. A section is created indicating that an otherwise qualified applicant with disabilities shall be provided with reasonable accommodations to comply with the Americans With Disabilities Act. In Chapter Chir 2 "certificate of education" is replaced with "official certified transcript" for consistency with Chapter Chir 3. Notes are created to indicate where an individual may obtain information regarding approved institutions and programs relating to licensure by endorsement. The requirement that an applicant submit a current passport-type photograph for admission to the examination is repealed since photographs no longer are a useful check of personal identification. Testing administration firms and department proctors routinely

require a picture ID, usually a driver's license, at the examination site. Requiring that an applicant send a picture also creates unnecessary administrative processing for staff. Chapter Chir 7, access to public records, is repealed as that is addressed in section 19.35, Stats.

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TEXT OF RULE

SECTION 1. Chir 1.01 and 1.02 (intro.) are amended to read:

**Chir 1.01 Authority.** The rules in chs. Chir 1 to ~~10~~ 11 are adopted under authority in ss. 15.08 (5) (b), 227.11 (2) and ch. 446, Stats.

**Chir 1.02 Definitions.** (intro.) As used in chs. Chir 1 to ~~10~~ 11:

SECTION 2. Chir 2.02 (intro.) and (1) are amended to read:

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

- (1) The fee ~~specified in~~ required under s. 440.05 (1), Stats.

SECTION 3. Chir 2.02 (2) is repealed.

SECTION 4. Chir 2.02 (3) is amended to read:

Chir 2.02 (3) ~~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 a 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.

SECTION 5. A Note following Chir 2.02 (3) is created to read:

Note: Accrediting bodies nationally recognized by the secretary of the federal department 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.

SECTION 6. Chir 2.02 (4), (5) and (6) (intro.), (a) and (b) are amended to read:

Chir 2.02 (4) ~~A~~ 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, ~~sent directly to the board by the college.~~

(5) Proof of successful completion of the initial licensure examinations of the national board of chiropractic examiners.

(6) (intro.) Applications for an initial license to practice chiropractic in this state received on ~~and~~ or after July 1, 1998, shall include all of the following:

(a) ~~A certificate of education signed and sealed by the chancellor, dean or registrar of~~ 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, stating that the applicant has graduated from that college or university with a bachelor's degree; and.

(b) ~~A certificate of professional education signed and sealed by the chancellor, dean or registrar of~~ 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 stating that the applicant has graduated from the college with the degree of doctor of chiropractic.

SECTION 7. Chir 2.02 (7) is created to read:

Chir 2.02 (7) An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

SECTION 8. Chir 2.025 and 2.03 (1), (2) (title), (2) (intro.) and (2) (b) are amended to read:

**Chir 2.025 Time for completing applications and taking examination.** An application is incomplete until all materials described in s. Chir 2.02 ~~shall be~~ are filed with the board. All application materials described in s. Chir 2.02 shall be filed with the board within one year from the date the first item is filed. If an application is incomplete for more than one year, or if an applicant fails to take an examination within one year from the date the application is complete, the applicant shall begin the application process anew in order to take the practical examination demonstrating clinical competence for a license as a chiropractor.

Chir 2.03 (1) STATE LAW EXAMINATION. An applicant shall pass an examination on state laws including but not limited to ch. 446, Stats., and chs. Chir 1 ~~through 7~~ to 11.

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

(b) X-ray interpretation.

SECTION 9. Chir 2.04 (title), 2.04 and 2.05 are amended to read:

**Chir 2.04 (title) Unauthorized assistance or cheating on examinations.** The board may withhold the ~~score~~ 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 ~~clinical~~ 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.

**Chir 2.05 Controls.** The board chairperson ~~or~~, examiner, or examination provider personnel may announce time limits and other necessary controls prior to the examinations. A valid driver's license bearing the applicant's photograph or an official photo identification card shall be required for admission to all examinations.

SECTION 10. Chir 2.07 (2), (3) (title) and (3) are amended to read:

Chir 2.07 (2) STATE LAW EXAMINATION. To pass the state law examination, each applicant shall receive a grade of ~~75 or above~~ determined by the board to represent minimum competence to practice.

Chir 2.07 (3) (title) PRACTICAL EXAMINATION DEMONSTRATING CLINICAL EXAMINATION COMPETENCE. To pass the ~~clinical~~ practical examination demonstrating clinical competence, an applicant shall receive a grade of ~~75 or above~~ determined by the board to represent minimum competence to practice on each part of the examination.

SECTION 11. Chir 2.08 and 2.09 (1) are amended to read:

**Chir 2.08 Announcement of results.** Examination results shall be released to the ~~candidate~~ applicant after all papers are graded and the results have been approved by the board.

Chir 2.09 (1) (intro.) In case of failure of an applicant on the ~~clinical~~ practical examination demonstrating clinical competence, all grades below ~~75~~ passing shall be reviewed by the board or by 2 members designated by the chairperson.

SECTION 12. Chir 2.10 (1) (intro.), (a), (b) and (c) and (3) are amended to read:

Chir 2.10 (1) (intro.) An applicant wishing to claim examination error must file a written request for board review in the board office within 30 days of the date the examination was reviewed. The request shall include all of the following:

- (a) The applicant's name and address;
- (b) The type of license applied for;

(c) A description of the perceived error<sup>2</sup>, including specific questions or procedures claimed to be in error, ~~and~~.

(3) If the decision does not result in the applicant passing the examination, the applicant's application shall be deemed incomplete, and the applicant may be reexamined. If reexamination is not available within 6 months of the date of the examination which the applicant failed, the applicant may request a hearing under s. RL 1.05 1.07.

SECTION 13. Chir 2.11 (2) (title), (2) and (3) are amended to read:

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

(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 ~~clinical practical~~ examination demonstrating clinical competence and state law examination in order to be licensed.

SECTION 14. Chapter Chir 3 (title), 3.01 (title) and 3.01 are amended to read:

Chapter Chir 3 (title)

LICENSURE LICENSE REGISTRATION AND RENEWAL

**Chir 3.01 (title) Registration and renewal of license.** Every person granted a license as a chiropractor shall be deemed registered for the current registration period. ~~Registrants~~ Licenseses shall qualify biennially for certificates of renewal of license registration.

SECTION 15. Chir 3.02 (1) (b) is amended to read:

Chir 3.02 (1) (b) The fee ~~specified in~~ required under s. 440.08 (2) (a), Stats.

SECTION 16. A Note following Chir 3.03 (1) (c) 3. is created to read:

Note: Accrediting bodies nationally recognized by the secretary of the federal Department 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.

SECTION 17. Chir 3.03 (1) (e) and (f) are amended to read:

Chir 3.03 (1) (e) Has successfully completed a clinical practical examination demonstrating clinical competence which, in the board's judgment, is substantially equivalent to the practical examination demonstrating clinical competence administered by the board.

(f) Has successfully completed the special purpose examination in chiropractic, if the applicant has not taken the ~~examination~~ initial licensure examinations of the national board of chiropractic examiners.

SECTION 18. Chir 3.03 (2) (intro.) and (b) are amended to read:

Chir 3.03 (2) APPLICATION PROCEDURE. (intro.) Each applicant shall file a completed, ~~notarized~~ application on forms provided by the board. The application shall include all of the following:

(b) The fee ~~specified in~~ required under s. 440.05 (1), Stats.

SECTION 19. Chir 3.03 (2) (c) is repealed.

SECTION 20. Chir 3.03 (2) (e), (f), (g) and (h) are amended to read:

Chir 3.03 (2) (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 ~~United States federal~~ department of education ~~verifying a bachelor's degree~~ 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 clinical practical examination demonstrating clinical competence. The verification shall be forwarded directly to the board from the state that administered the examination.

(g) Proof of successful completion of the special purpose examination in chiropractic ~~in lieu of~~ or the 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.

(h) Proof of successful completion of the state law examination ~~with a grade of 75 or above~~.

SECTION 21. Chir 3.03 (2) (k) is created to read:

Chir 3.03 (2) (k) An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

SECTION 22. Chir 3.035 (1) (intro.) and (b) and (3) are amended to read:

Chir 3.035 (1) (intro.) The board may grant a temporary permit to practice chiropractic to any chiropractor who files an application prescribed by the board, ~~pay~~ pays the fee ~~specified in~~ required under s. 440.05 (6), Stats., and meets ~~each~~ all of the following conditions:

(b) The applicant will be practicing chiropractic only as a chiropractor for participants in an athletic or ~~artistic performing arts~~ event, or as an instructor in a specific chiropractic education seminar approved for continuing education by the board.

(3) A chiropractor holding a temporary permit to practice chiropractic may not use the temporary permit to provide relief services or practice coverage for the practice of any chiropractor licensed in this state. All temporary permits issued by the board shall bear the legend "limited to sporting or ~~artistic performing arts~~ events and approved educational purposes."

SECTION 23. Chir 4.05 (1) (a), (b) 1., 2., 3. and (c) are amended to read:

Chir 4.05 (1) (a) Obstetrics and abortions, except nothing in this paragraph may be construed to prevent the practice of chiropractic as described in s. Chir 4.03 during a patient's pregnancy;

(b) 1. Surgery;

2. Subcutaneous administration of substances; ~~or~~

3. Acupuncture by needle insertion or laser application;

(c) Colonic irrigation; ~~or~~

SECTION 24. Chir 4.05 (2) (a) and (b) are amended to read:

Chir 4.05 (2) (a) Acuclips;

(b) Pfeiffer technique; ~~and~~

SECTION 25. Chir 6.02 (18) is amended to read:

Chir 6.02 (18) Obtaining or attempting to obtain a license through fraud or misrepresentation or making any material misstatement, omission or falsification in connection with an application for a license, registration or renewal.



SECTION 26. Chir 6.02 (30) is created to read:

Chir 6.02 (30) Giving or receiving unauthorized assistance, violating rules of conduct, or otherwise cheating or acting dishonestly respecting any examination required for the granting of a license or registration to practice chiropractic.

SECTION 27. Chapter Chir 7 is repealed.

SECTION 28. Chir 9.04 (6) is amended to read:

Chir 9.04 (6) Provides a list to the board ~~every three months~~ 45 days prior to every trimester or academic quarter of the chiropractors in Wisconsin who will be acting as preceptors in the program.

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(END OF TEXT OF RULE)  
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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

7-22-89

Agency

Terry K. Quitzog, D.C.  
Chairperson  
Chiropractic Examining Board

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6/17/99



State of Wisconsin

DEPARTMENT OF REGULATION AND LICENSING

CORRESPONDENCE/MEMORANDUM

**DATE:** July 26, 1999

**TO:** Gary Poulson  
Assistant Revisor of Statutes

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

**SUBJECT:** Final Order Adopting Rules



**Agency: Chiropractic Examining Board**

Attached is a copy and a certified copy of a final order adopting rules.

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

Thank you.