

Rulemaking Hearing Rules

Board of Chiropractic Examiners

Amendments

Chapter 0260-02  
General Rules Governing Chiropractic Examiners

Chapter 0260-03  
General Rules Governing Chiropractic X-Ray Technologists

Chapter 0260-05  
General Rules Governing Chiropractic Therapy Assistants

Rule 0260-02-.12, Continuing Education, is amended by deleting parts (4) (a) 1., (4) (a) 2. and (4) (a) 3., and subparagraph (4) (b) in their entirety and substituting instead the following language, so that as amended, the new parts (4) (a) 1., (4) (a) 2. and (4) (a) 3., and subparagraph (4) (b) shall read:

- (4) (a) 1. Original certificates or photocopies of original certificates verifying the licensee's attendance at continuing education program(s). The original certificates or photocopies of original certificates must include the following: continuing education program's sponsor, date, clock hours awarded (continuing education units must be converted to clock hours), program title, licensee's name, and license number.
- (4) (a) 2. Original letters or photocopies of original letters on official stationery from the continuing education program's sponsor indicating date, clock hours awarded (continuing education units must be converted to clock hours), program title, licensee's name, and license number.
- (4) (a) 3. Original documents or photocopies of original documents verifying successful completion of a written post experience examination to evaluate material retention upon completion of a Multi-Media course, as provided in paragraph (5). The original documents or photocopies of original documents must include the clock hours awarded (continuing education units must be converted to clock hours), program title, licensee's name, and license number.
- (4) (b) Each licensee must retain original documents or photocopies of original documents which verify proof of attendance and completion of all continuing education requirements. This documentation must be retained for a period of four (4) years from the end of the calendar year in which the continuing education was acquired. This documentation must be produced for inspection and verification, if requested in writing by the

board during its verification process. The board will not maintain continuing education files.

Authority: T.C.A. §§ 63-4-106 and 63-4-112.

Rule 0260-03-.12, Continuing Education, is amended by deleting parts (5) (a) 1., (5) (a) 2. and (5) (a) 3., and subparagraph (5) (b) in their entirety and substituting instead the following language, so that as amended, the new parts (5) (a) 1., (5) (a) 2. and (5) (a) 3., and subparagraph (5) (b) shall read:

- (5) (a) 1. Original certificates or photocopies of original certificates verifying the certificate holder's attendance at continuing education program(s). The original certificates or photocopies of original certificates must include the following: continuing education program's sponsor, date, clock hours awarded (continuing education units must be converted to clock hours), program title, certificate holder's name, and certification number.
- (5) (a) 2. Original letters or photocopies of original letters on official stationery from the continuing education program's sponsor indicating date, clock hours awarded (continuing education units must be converted to clock hours), program title, certificate holder's name, and certification number.
- (5) (a) 3. Original documents or photocopies of original documents verifying successful completion of a written post experience examination to evaluate material retention upon completion of a Multi-Media course, as provided in paragraph (6). The original documents or photocopies of original documents must include the clock hours awarded (continuing education units must be converted to clock hours), program title, certificate holder's name, and certification number.
- (5) (b) Each certificate holder must retain original documents or photocopies of original documents which verify proof of attendance and completion of all continuing education requirements. This documentation must be retained for a period of four (4) years from the end of the calendar year in which the continuing education was acquired. This documentation must be produced for inspection and verification, if requested in writing by the board during its verification process. The board will not maintain continuing education files.

Authority: T.C.A. §§ 63-4-106 and 63-4-119.

Rule 0260-05-.12, Continuing Education, is amended by deleting parts (5) (a) 1., (5) (a) 2. and (5) (a) 3., and subparagraph (5) (b) in their entirety and substituting

instead the following language, so that as amended, the new parts (5) (a) 1., (5) (a) 2. and (5) (a) 3., and subparagraph (5) (b) shall read:

- (5) (a) 1. Original certificates or photocopies of original certificates verifying the certificate holder's attendance at continuing education program(s). The original certificates or photocopies of original certificates must include the following: continuing education program's sponsor, date, clock hours awarded (continuing education units must be converted to clock hours), program title, certificate holder's name, and certification number.
- (5) (a) 2. Original letters or photocopies of original letters on official stationery from the continuing education program's sponsor indicating date, clock hours awarded (continuing education units must be converted to clock hours), program title, certificate holder's name, and certification number.
- (5) (a) 3. Original documents or photocopies of original documents verifying successful completion of a written post experience examination to evaluate material retention upon completion of a Multi-Media course, as provided in paragraph (6). The original documents or photocopies of original documents must include the clock hours awarded (continuing education units must be converted to clock hours), program title, certificate holder's name, and certification number.
- (5) (b) Each certificate holder must retain original documents or photocopies of original documents which verify proof of attendance and completion of all continuing education requirements. This documentation must be retained for a period of four (4) years from the end of the calendar year in which the continuing education was acquired. This documentation must be produced for inspection and verification, if requested in writing by the board during its verification process. The board will not maintain continuing education files.

Authority: T.C.A. §§ 63-4-106 and 63-4-123.

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 27th day of October, 2008, and will become effective on the 10th day of January, 2009. (FS 10-16-08; DBID 3560-3562)

## Addendum

### Economic Impact Statement

- (1) Type or types of small business subject to the proposed rule that would bear the cost of, and/or directly benefit from the proposed rule:

Chiropractic physicians, chiropractic therapy assistants, and chiropractic x-ray technologists.

- (2) Identification and estimate of the number of small businesses subject to the proposed rule:

As of December 31, 2006, Tennessee had 947 licensed chiropractic physicians, 348 chiropractic therapy assistants, and 105 chiropractic x-ray technologists who were eligible for licensure or certification renewal.

- (3) Projected reporting, recordkeeping and other administrative costs required for compliance with the proposed rule, including the type of professional skills necessary for preparation of the report or record:

The proposed amendments which have economic impact on small businesses have no increased or new reporting, recordkeeping and other administrative costs that are required for compliance. No new professional skills are required.

- (4) Statement of the probable effect on impacted small businesses and consumers:

The Board anticipates the proposed rule amendments will reduce, rather than increase, small business expenses, and will favorably, rather than adversely, impact small businesses. Licensees and certificate holders will no longer have to request duplicate originals from providers and will no longer have to attempt to persuade the Board to accept photocopies.

- (5) Description of any less burdensome, less intrusive or less costly alternative methods of achieving the purpose and/or objectives of the proposed rule that may exist, and to what extent, such alternative means might be less burdensome to small business:

The Board does not believe there are less burdensome alternatives because the intent of the proposed rule amendments is precisely that.

- (6) Comparison of the proposed rule with any federal or state counterparts:

Federal The Board is not aware of any federal counterparts. Chiropractic physicians, x-ray operators and therapy assistants are not licensed by the federal government.

State The following Tennessee health-related licensing agencies accept photocopies of continuing education proof of successful course completion:

1. Board of Medical Examiners
2. Board of Medical Examiners' Advisory Committee for Acupuncture
3. Tennessee Medical Laboratory Board
4. Board of Osteopathic Examination

(7) Analysis of the effect of the possible exemption of small businesses from all or any part of the requirements contained in the proposed rule.

It is not possible to exempt the impacted small businesses from all or any part of the requirements contained in the proposed rule because the impacted small businesses are the Board's licensees. If there were to be an exemption, the proposed rule amendments would have no actual effect. Given that this rule is perceived as beneficial to licensees and certificate holders, it is doubtful they would want to be exempted.