



MINNESOTA CODE OF AGENCY RULES

RULES OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

1982 Reprint



All rules as in effect on September 15, 1982

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Distributed by

**STATE REGISTER AND PUBLIC DOCUMENTS DIVISION
DEPARTMENT OF ADMINISTRATION
117 University Avenue, St. Paul, Minnesota 55155**

STATE BOARD OF CHIROPRACTIC EXAMINERS

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Minnesota State Board of Chiropractic Examiners

Chapter One: Advertising

7 MCAR § 2.001 Individual: institutional: emergency answering exchange. A chiropractor is licensed under his own name and must not use a false or assumed name in the conduct of his profession. All advertisements, of any nature whatsoever, including office designation and business displays, must bear the name of the licensee or licensees. This standard of professional conduct is inherent in the law. It includes advertising or other solicitation of business. It precludes solicitation or advertising without the assurance to the public given by the name under which the chiropractor is licensed to practice. All advertisements which solicit patronage without disclosing the name or names of the practitioner or practitioners to the reader so that the public may know who is soliciting their patronage, is wrongful.

It is to be noted that so-called 'Institutional advertisements' which bring to the attention of the public and the qualifications of chiropractors, generally, and the benefits to be derived from chiropractic, which are sponsored by chiropractic groups or societies, and do not solicit patronage for any particular practitioner or group of practitioners are not within the preview of this prohibition.

It is to be noted that membership in any answering exchange or other emergency service which is open to all members of the profession admitted to practice in this state on an equal basis, selects responding members on a rotating basis, and is designed as a public service rather than for the individual gain of any chiropractor, directly or indirectly, is permissible.

(Approved by Commissioner of Administration June 30, 1964. Filed August 31, 1967.)

7 MCAR § 2.002 Fraudulent and misleading advertising: testimonial advertising prohibited. Advertisements are designed to appeal to and obtain the attention of the public and are designed, paid for or published with a view to close analysis by the reader at whose attention they are aimed.

The law prohibits the use of the terms 'CURE' or 'GUARANTEE TO CURE' or similar terms, and declares such to be fraudulent and misleading to the general public.

The use of testimonials, whether single or in groups; or summaries of types of treatment or examples of treatment as used in the advertisers' office carry with them an implication that the conditions described in the advertisement have been or will be cured by the practitioner and are fraudulent and misleading to the general public.

The advertising by any means of chiropractic practice or treatment or advice

in which untruthful, improbable, misleading or impossible statements are made, is obviously contrary to the law.

(Approved by Commissioner of Administration June 30, 1964. Filed August 31, 1967.)

7 MCAR §§ 2.003-2.004 Reserved for future use.

7 MCAR § 2.005 Individual annual license renewal.

A. Fee.

1. Thirty (30) or more days before January 1 each year, the State Board of Chiropractic Examiners (hereinafter "Board") shall mail to the last address on file with the board a license renewal fee notice to each person (hereinafter "licensee") licensed to practice chiropractic within this state.

2. The license of each licensee shall expire at midnight on December 31 each year. Subject to the terms of 7 MCAR § 2.005 B., the board shall renew the license upon receipt from the licensee of a license renewal fee of \$50.00, plus any applicable penalty fee as set forth in 3. below. Each licensee shall submit the license renewal fee to the board no later than January 1 of the year for which the license renewal is requested.

3. A licensee shall submit to the board, in addition to the license renewal fee, a penalty fee of \$5.00 per month for each month or portion thereof for which the license renewal fee is in arrears, such penalty not to exceed \$50.00.

B. Continuing education.

1. Purpose. The primary purpose of continuing chiropractic education is to assure the consumer of an optimum quality of chiropractic health care by requiring doctors of chiropractic to attend educational classes or seminars designed to advance their professional skills and knowledge.

2. Annual requirement. Except as hereinafter provided, every person licensed to practice chiropractic in this state shall, as a prerequisite for the annual renewal of his license, attend a minimum of twenty (20) hours during the preceding calendar year of continuing education courses recognized and approved by the board.

a. At least three (3) of such hours shall be devoted to radiographic safety, technique and/or interpretation.

b. Licensees shall be exempt from the preceding continuing education requirements for the calendar year in which they are initially licensed. During the first calendar year following the year of initial licensure, licensees shall attend a total of not less than ten (10) hours of recognized and approved continuing education courses, including at least three (3) hours devoted to

radiographic safety, technique and/or interpretation. Thereafter, five (5) additional course hours shall be attended each year until the annual twenty (20) hour minimum requirement is met.

3. Approved programs. Subject to continued approval under the criteria set forth at 7 MCAR § 2.005 B. 5. and except as set forth under 7 MCAR § 2.005 B. 6., the following continuing education classes are approved by the board:

- a. Educational meetings of the American Chiropractic Association.
- b. Educational meetings of the International Chiropractic Association.
- c. Educational meetings of the Canadian Chiropractic Association.
- d. Educational classes conducted by any chiropractic college that is accredited by or has accreditation status with the Council on Chiropractic Education.
- e. Educational classes conducted by any state chiropractic association.

4. Other programs subject to approval. Other continuing education programs may be approved by the board upon a written request therefor submitted by the program sponsor to the board executive secretary. All such requests shall be received not less than ninety (90) days prior to the program presentation date and shall contain the following information:

- a. Name and address of organization sponsoring the course for which approval is requested.
- b. Instructor's name and credentials.
- c. An outline of subject matter to be covered.
- d. The number of sixty (60) minute hours of actual instruction.
- e. The mechanism of monitoring and certifying attendance.
- f. The location at which the course will be conducted.
- g. Dates the course will be presented.
- h. Tuition fee.

5. Program approval criteria. The board shall employ the following criteria in determining whether a continuing education program shall be approved and the number of course hours for which approval is granted:

a. Whether the material to be presented is likely to enhance the practitioner's knowledge and skill in the practice of chiropractic.

b. Whether the instructors or speakers presenting the program are sufficiently qualified in the field of their instruction, either by practical or academic experience or both.

c. Whether the classes will be held in a suitable setting which is conducive to the learning process.

6. Unapproved programs. Courses dealing with administrative and economic aspects of practice shall not be approved for continuing education credit by the board.

7. Proof of attendance.

a. On or before January 1 of the year for which renewal of his license is requested, each licensee not initially licensed in this state during the preceding calendar year shall submit a written statement to the board executive secretary containing the following:

(1) The name, date and subject of each educational program attended during the preceding calendar year;

(2) The names of the sponsoring organizations;

(3) The number of sixty (60) minute class hours of instruction offered at each program and the number of hours actually attended; and

(4) The name, signature, and current mailing address of the licensee.

b. Falsification of any written evidence submitted to the board executive secretary pursuant to this rule shall be deemed to be unprofessional conduct and constitute grounds for license revocation or suspension.

8. Failure to comply. The board may refuse to renew, or may revoke, suspend, condition, limit, restrict or qualify the license of any licensee failing to comply with the requirements of this rule and/or may publicly reprimand, censure and place such person on probation with the board.

9. Reinstatement. The license of any licensee which is not renewed or which is revoked, suspended, or reduced in status by reason of failure to comply with the continuing education requirements of this rule may, at the election of the licensee or former licensee, be reinstated or restored to full status by either of the following procedures:

a. Submission to the board executive secretary of proof of the make up of all continuing education course hour and subject matter requirements which would have been necessary for continuous licensure from the date of

such person's last license renewal or initial licensure, whichever is more recent, and submission to the board's executive secretary of proof of attendance at an additional ten (10) hours of board recognized and approved continuing education courses for each intervening renewal year. Proof of compliance with the foregoing requirements shall be made by written statement in the form prescribed under 7 MCAR § 2.005 B. 7. a. of this rule and subject to the provisions of 7 MCAR § 2.005 B. 7. b.; or

b. Reexamination by the board at the time for which it next schedules license examinations. No such reexamination shall be conducted except upon a written application therefor received by the board executive secretary not less than thirty (30) days prior to the examination date.

10. Waiver or deferment of continuing education requirements. The board shall waive or defer compliance with some or all annual continuing education requirements for any licensee presenting satisfactory written evidence to the board of illness or hardship making it impossible or highly impractical for the licensee to attend or to have attended a sufficient number of approved continuing education class hours.