

1 Board of Chiropractic Examiners

2

3 Adopted Permanent Rules Relating to License Renewal and

4 Continuing Education

5

6 Rules as Adopted

7 2500.0100 DEFINITIONS.

8 [For text of subps 1 to 4, see M.R.]

9 Subp. 4a. Continuing education unit. "Continuing
10 education unit" means one 50-minute session that qualifies under
11 part 2500.1500 as an approved program.

12 [For text of subps 5 to 11, see M.R.]

13 2500.0200 PROFESSIONAL STANDARDS FOR ADVERTISING.

14 [For text of subps 1 and 2, see M.R.]

15 Subp. 3. Testimonial advertising. The use of
16 testimonials, whether single or in groups; summaries of types of
17 treatment; or examples of treatment as used in the advertiser's
18 office carry with them an implication that the conditions
19 described in the advertisement have been or will be helped by
20 the practitioner. Therefore, before an advertisement is
21 produced, distributed, or displayed, a practitioner who requests
22 from a patient a testimonial to the treatments or modalities
23 used by the practitioner must obtain written consent and have a
24 signed release form from the patient to be kept in the patient's
25 file.

26 The patient has the right to review the advertisements that
27 use the patient's statements, likenesses, or case summaries
28 before the advertisements are released for production,
29 distribution, or displaying.

30 Statements made by patients that are untruthful,
31 improbable, misleading, or impossible may not be used even if
32 the patient made the statements.

33 2500.0400 PROHIBITED ADVERTISEMENTS.

34 Advertisements are designed to appeal to and obtain the

1 attention of the public and are designed, paid for, or published
 2 with a view to close analysis by the reader at whose attention
 3 they are aimed.

4 The law prohibits the use of the terms "cure" or "guarantee
 5 to cure" or similar terms and declares such to be fraudulent and
 6 misleading to the general public.

7 ~~The use of testimonials, whether single or in groups, or~~
 8 ~~summaries of types of treatment or examples of treatment as used~~
 9 ~~in the advertiser's office carry with them an implication that~~
 10 ~~the conditions described in the advertisement have been or will~~
 11 ~~be cured by the practitioner and are fraudulent and misleading~~
 12 ~~to the general public.~~

13 The advertising by any means of chiropractic practice or
 14 treatment or advice in which untruthful, improbable, misleading,
 15 or impossible statements are made is obviously contrary to the
 16 law.

17 2500.1100 INDIVIDUAL ANNUAL LICENSE RENEWAL.

18 [For text of subpart 1, see M.R.]

19 Subp. 2. **Renewal fees.** The license of each licensee shall
 20 expire at midnight on December 31 each year. Subject to the
 21 terms of part 2500.1200, the board shall renew the license upon
 22 receipt from the licensee of a license renewal fee of \$150, plus
 23 any applicable penalty fee in subpart 3. Each licensee shall
 24 submit the license renewal fee to the board no later than
 25 January 1 of the year for which the license renewal is requested.

26 Subp. 3. **Penalty fees.** A licensee shall submit to the
 27 board, in addition to the license renewal fee, a penalty fee of
 28 \$150 per month for each month or portion of a month for which
 29 the license renewal fee is in arrears, the penalty not to exceed
 30 \$900.

31 2500.1105 CHANGE OF NAME OR ADDRESS.

32 Subpart 1. **Name change.** A licensee who has changed names
 33 must notify the board in writing within 30 days of the change.
 34 The name change will be reflected on the next license or
 35 registration certificate issued to the licensee. If the

1 licensee wishes to immediately receive a certificate as changed,
2 the licensee must pay the fee in part 2500.1150, item E.

3 Subp. 2. **Address change.** A licensee who has changed
4 addresses must notify the board in writing within 30 days of the
5 change. The address change will be reflected on the next
6 license or registration certificate issued to the licensee. If
7 the licensee wishes to immediately receive a certificate as
8 changed, the licensee must pay the fee in part 2500.1150, item E.

9 2500.1150 FEES.

10 The fees charged by the board are fixed at the following
11 rates:

12 [For text of items A to G, see M.R.]

13 H. independent medical examination annual renewal
14 fee, \$100;

15 I. incorporation renewal late charge, \$5 per month;

16 J. computer lists, \$100; and

17 K. computer printed labels, \$150; ~~and.~~

18 ~~H. address update late charge, \$10 per day.~~

19 2500.1200 CONTINUING EDUCATION.

20 [For text of subpart 1, see M.R.]

21 Subp. 2. **Biennial requirement.** Except as otherwise
22 provided in this part, every person licensed to practice
23 chiropractic in this state shall, as a prerequisite for the
24 continued renewal of a license, attend a minimum of 40
25 continuing education units during the two preceding calendar
26 years of continuing education courses recognized and approved by
27 the board. At least six of the continuing education units shall
28 be devoted to radiographic safety, technique, and/or
29 interpretation.

30 Subp. 3. [See repealer.]

31 Subp. 4. **Schedule of required continuing education units.**

32 Beginning January 1, 1992, all chiropractors licensed prior to
33 January 1, ~~1993~~ 1992, must obtain 40 continuing education units
34 by December 31, 1993, in order to receive a license to practice
35 during the calendar year 1994, and every two calendar years

1 thereafter.

2 Chiropractors who are licensed after January 1, 1992,
3 during any even-numbered calendar year will be required to
4 obtain at least 20 continuing education units, with at least
5 three of those continuing education units devoted to education
6 in radiographic safety, technique, or interpretation, by the end
7 of the biennial continuing education requirement period in which
8 they are licensed. Chiropractors who are licensed after January
9 1, 1992, during any odd-numbered calendar year will not be
10 required to obtain any continuing education units during the
11 biennial continuing education requirement period in which they
12 are licensed. For example, anyone licensed between January 1,
13 1992, and December 31, 1992, would be required to obtain 20
14 continuing education units, as described in this subpart, by
15 December 31, 1993, in order to obtain a license to practice
16 chiropractic for the year 1994. Anyone licensed between January
17 1, 1993, and December 31, 1993, would not be required to obtain
18 any continuing education units prior to receiving a license to
19 practice chiropractic for the year 1994.

20 After a licensed chiropractor has gone through the biennial
21 education cycle in which the chiropractor is licensed, that
22 chiropractor will be required to attend 40 continuing education
23 units of continuing education courses every two calendar years.

24 [For text of subp 5, see M.R.]

25 2500.1410 SPONSORSHIP OF EDUCATION PROGRAMS.

26 The board shall register and approve organizations or
27 individuals who wish to offer continuing education programs to
28 individuals licensed to practice chiropractic in this state as
29 described in items A to C.

30 A. The sponsor must submit an annual fee of \$500 for
31 all programs given over the year, or a fee of \$100 for each
32 program given over the biennium.

33 B. The sponsor must complete and submit to the board
34 annually a registration form developed by the board which
35 includes at least:

1 (1) the name, address, and telephone number of
2 the organization;

3 (2) the name, address, and telephone number of
4 the person responsible and authorized to do business with the
5 board regarding continuing education matters;

6 (3) a signed statement which indicates that the
7 sponsor of the continuing education program knows, understands,
8 and agrees to follow all criteria for the approval of programs
9 as listed in part 2500.1500 and criteria for unapproved programs
10 listed in part 2500.1600; and

11 (4) a signed statement which indicates that the
12 sponsor agrees to send to the board a list of all chiropractors
13 licensed in Minnesota who have taken courses offered by that
14 sponsor.

15 C. The sponsor must sign a statement agreeing to
16 allow any representative of the board to attend all or part of
17 any program that the sponsor is offering. If the representative
18 of the board is a chiropractor licensed in Minnesota, that
19 person must pay the full registration fee in order to be awarded
20 continuing education units for attending the program.

21 2500.1420 REPORTS TO BOARD.

22 The sponsor must report to the board any changes in the
23 requirements in part 2500.1410 as soon as possible.

24 The sponsor must provide a list to the board within 14 days
25 after each seminar given. The list must include the following:

- 26 A. the attending chiropractors' names and addresses;
27 B. the date on which the program was attended;
28 C. the number of continuing education units obtained;
29 and
30 D. the type of continuing education units obtained.

31 2500.1500 PROGRAM APPROVAL CRITERIA.

32 The sponsor shall employ the following criteria in
33 determining whether a continuing education program shall be
34 approved and the number of continuing education units for which
35 approval is granted:

1 [For text of items A and B, see M.R.]

2 C. whether the classes will be held in a suitable
3 setting which is conducive to the learning process; and

4 D. whether the program ~~will~~ may improve the
5 practitioner's ability to keep records necessary to substantiate
6 the need for chiropractic care.

7 2500.1710 SPONSORSHIP REVOKED.

8 The following acts shall result in the termination of the
9 sponsorship status given to an organization or to an individual:

10 A. awarding continuing education units for programs
11 which fail to meet the criteria in part 2500.1500;

12 B. failure to provide timely reports to the board as
13 required in part 2500.1420;

14 C. reporting chiropractor attendance information
15 which is false; and

16 D. making any false representation to the board or to
17 the chiropractors who may attend a program.

18 At least 30 days prior to the proposed date of revocation,
19 the board shall notify the sponsor in writing of its alleged
20 infractions. The sponsor then has 30 days to notify the board
21 in writing of its intent to contest. The intent to contest must
22 include the sponsor's answer to the notice of alleged
23 infractions.

24 Upon receipt of an intent to contest, the executive
25 officers of the board shall notify the sponsor of a time and
26 place to meet to review the proposed sponsorship revocation
27 including the sponsor's answer.

28 Any decision of the executive officers terminating
29 sponsorship following such a meeting shall be final and binding
30 without a contested case hearing and shall not be subject to
31 judicial review or to a judicial stay pending any attempt to
32 seek such review.

33 The sponsor may continue to present continuing education
34 courses until the issuance of a final written decision of the
35 revocation process by the executive officers of the board.

1 2500.1720 PROGRAMS DEVELOPED.

2 Doctors of chiropractic licensed in Minnesota may obtain
3 continuing education units for the development of a program
4 which meets the standards set forth in part 2500.1500. Six
5 continuing education units may be awarded and applied to the
6 next two-calendar year requirement in part 2500.1200.

7 To obtain approval, the chiropractor must submit the
8 following to the board:

9 A. a summary of the program;

10 B. a listing of at least one date on which the
11 program was presented; and

12 C. a statement of which type of continuing education
13 units the chiropractor wants to be awarded.

14 Continuing education units shall be awarded under this part
15 only once for each chiropractor for each new program developed.

16 REPEALER. Minnesota Rules, parts 2500.1200, subpart 3;
17 2500.1300; 2500.1400; and 2500.1700, are repealed.