

CHAPTER 2500
BOARD OF CHIROPRACTIC EXAMINERS
CHIROPRACTORS' LICENSING AND PRACTICE

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2500.0100 DEFINITIONS.

[For text of subs 1 to 5, see MR]

Subp. 5a. [Renumbered subp 5b]

Subp. 5a **Extern.** "Extern" means a graduate of a board-approved chiropractic college who does not hold a current Minnesota license, and who assists in the care of patients under the authority of the graduate preceptorship program This definition does not apply to a person providing appropriately supervised care provided during a course of training provided by an accredited chiropractic college or care provided pursuant to the exceptions granted in Minnesota Statutes, section 148 105, subdivision 2

Subp 5b **Good standing.** "Good standing" means any license which is not the subject of current disciplinary action as identified in Minnesota Statutes, section 148 10, subdivisions 1, 3, and 4 The pendency of a complaint shall not cause a license to lose good standing unless and until the complaint results in disciplinary action under Minnesota Statutes, section 148 10 or pursuant to a stipulation and order A license shall be restored to good standing upon the satisfactory completion, expiration, or other agreed upon termination of all terms of a stipulation and order An agreement for corrective action as described under Minnesota Statutes, section 214 103, subdivision 6, shall not cause a license to lose good standing

For text of subs 6 to 8, see MR]

Subp. 8a [Renumbered subp 5a]

[For text of subs 9 to 12, see MR]

Statutory Authority: *MS s 148 08*

History: *25 SR 779*

2500.1110 LICENSE TERMINATION PROCEDURE.

Subpart 1 **For failure to renew license.** A license which is not renewed by midnight of December 31 of any renewal year, pursuant to part 2500 1100, subpart 2, by reason of failure to pay fees, failure to submit a completed application, or failure to complete all continuing education requirements shall be considered expired An expired license shall not be considered a disciplined license solely as a result of the expiration An expired license which remains unexpired shall be terminated according to this part

An expired license which continues to remain expired by reason of failure to pay fees, failure to submit a completed application, or failure to complete required continuing education shall be terminated according to this part A terminated license shall not be considered a disciplined license solely as a result of the termination

[For text of subs 2 to 5, see MR]

Statutory Authority: *MS s 148 08*

History: *25 SR 1207*

2500.1900 LICENSE REINSTATEMENT.

The license of any licensee which is terminated by reason of failure to comply with the continuing education requirements of parts 2500 1200 to 2500 2000, or failure to submit a completed application for license renewal as prescribed by the board, 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 of proof of the makeup 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 proof of attendance at an additional ten hours of board recognized and approved continuing education courses for each intervening renewal year, or

B reexamination approved by the board at the time for which it next schedules license examinations. No such reexamination shall be conducted except upon a written application received by the board not less than 14 days prior to the examination date.

The license of any licensee which is terminated by reason of failure to submit fees may be reinstated subject to the procedures in this part, provided that the appropriate renewal fees and all accrued penalty fees are also paid.

Statutory Authority: *MS s 148 08*

History: *25 SR 1207*

2500.2115 APPLICATION.

Any doctor of chiropractic licensed to practice in the state pursuant to Minnesota Statutes, sections 148.01 to 148 105, who declares to be retired in all jurisdictions from the active practice of chiropractic may apply to the board for doctor of chiropractic emeritus registration. The chiropractor may do so by indicating on the annual registration form or by petitioning the board if the chiropractor is completely retired and has not been the subject of disciplinary action resulting in the suspension, revocation, qualification, condition, or restriction of the chiropractor's license to practice chiropractic. There is no charge for the application, certificate, or modification of the license designation to emeritus status.

Statutory Authority: *MS s 148 08*

History: *24 SR 1798*

2500.2120 STATUS OF REGISTRANT.

The emeritus registration is not a license to engage in the practice of chiropractic as defined in Minnesota Statutes, chapter 148, or in the rules of the board and the registrant shall not engage in the practice of chiropractic.

Statutory Authority: *MS s 148 08*

History: *24 SR 1798*

2500.2125 CONTINUING EDUCATION REQUIREMENTS.

The continuing education requirements of parts 2500 1200 to 2500 2000 are not applicable to emeritus registration.

Statutory Authority: *MS s 148 08*

History: *24 SR 1798*

2500.2130 CHANGE TO ACTIVE STATUS.

Subpart 1 **Within three years.** A registrant who desires to change to active status, within three years from the date emeritus status was effective, may do so by doing the following, pending approval by the board based upon the information submitted:

A completing a form prepared by the board that includes name, basic chiropractic education, chiropractic license number, duration of chiropractic licensure,

date of emeritus registration, information on the applicant's physical and mental health, and information on any disciplinary action taken against the chiropractor in regards to chiropractic practice;

B complying with the continuing chiropractic education requirements for the time period in which the chiropractor's license was in voluntarily retired status and under the emeritus registration pursuant to parts 2500.1200 to 2500.2000. This requirement must be fulfilled prior to submission of the application, and

C surrendering the emeritus certificate to the board.

Subp 2 **After three years.** After three years from the date emeritus status was effective, a registrant who desires to change to active status may do so, pending approval of the board, by providing the material listed in subpart 1 and passing the Special Purpose Examination in Chiropractic within the year preceding the reapplication for active status.

Statutory Authority: *MS s 148.08*

History: 24 SR 1798

2500.2135 RENEWAL CYCLE FEES.

Being registered as emeritus will not subject a person to the annual renewal cycle fees

Statutory Authority: *MS s 148.08*

History: 24 SR 1798

2500.2500 DEFINITIONS.

[For text of subps 1 and 7, see M.R.]

Subp 8 **Preceptorship training program.** "Preceptorship training program" means a board-approved program by which an extern may practice chiropractic under the direct supervision of a licensed chiropractic physician for one 12-month period

Statutory Authority: *MS s 148.08*

History: 25 SR 779

2500.2510 ROLE OF THE PRECEPTOR.

Preceptors shall follow the procedures in items A to C when supervising an extern.

A. The preceptor shall meet with the extern on a regular basis, at least one hour per week, to provide valuable feedback and interaction for one another regarding the extern's performance as an associate doctor and the preceptor's performance as an educator. Patient care shall be discussed as outlined in item B.

B. The preceptor shall involve the extern in sharing patient care responsibilities, including

- (1) completing the history and examination,
- (2) conducting x-ray examinations, preparing reports, and conducting laboratory tests, if applicable,
- (3) having the extern maintain patient records and convey information to the preceptor's practice, and
- (4) treatment of patients.

C. The preceptor shall approve the extern's treatment plan before implementing the treatment of a patient.

Statutory Authority: *MS s 148.08*

History: 25 SR 779

2500.2515 ELIGIBILITY AND RESPONSIBILITIES OF PRECEPTOR.

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

Subp 2 **Doctor to extern ratio.** The doctor to extern ratio shall be one to one unless special authorization is granted by the board's executive director and at least one

board member. Special authorization shall not exceed a doctor to extern ratio of one to two in any situation. An authorization for a doctor to extern ratio greater than one to one lasts only for the duration of that specified extern's preceptorship training program. Special authorization shall be given under the following circumstances:

A. when a preceptor is removed from the program while an extern is under the preceptor's supervision and the extern needs to be placed with another registered preceptor, or

B. when one extern has failed to pass the board licensing examination and that extern's preceptorship training program time overlaps into another extern's expected starting date.

[For text of subp 3, see MR.]

Subp 4 Application. An applicant for preceptorship must complete and file with the board a preceptor application, a sworn affidavit, and a preceptor/extern agreement on forms prescribed by the board. The affidavit must

[For text of items A to C, see MR.]

D. include the name, current mailing address, birth date, and physical description of the extern.

Subp 5 Continuing requirements. A preceptor whose application has been approved must follow the requirements of items A to E.

[For text of items A and B, see MR.]

C. The preceptor must be within the environment in which an extern is working at all times. Failure to maintain this requirement shall result in immediate dissolution of the preceptorship agreement. In the event of a vacation or illness of the preceptor, the extern may only continue with the extern's duties under the guidance of a licensed doctor of chiropractic who has been approved to serve as a preceptor.

D. The preceptor must direct the extern only in treatment care that is within the educational background and experience of the preceptor.

E. The preceptor must provide all patients with the following standard policy statement that informs them of the possibility of an extern performing various services:

Patient care, examinations, and treatment are administered by Dr. (the name of the board-approved chiropractic extern)

Dr. _____ is a graduate of an accredited chiropractic college but has not yet completed requirements for Minnesota licensure. Please notify office staff if you have any questions or concerns regarding this Office Policy Statement. If you are in agreement with this statement, please sign your name and date on the space provide below.

Patient Name _____

Date: _____

Statutory Authority: *MS s 148 08*

History: *25 SR 779*

2500.2520 ELIGIBILITY AND RESPONSIBILITIES OF EXTERN.

Subpart 1 Eligibility and limitations. An extern must be a graduate of an accredited chiropractic college.

Subp 2 Malpractice insurance. An extern must submit to the board proof of application and acceptance to an authorized malpractice insurance carrier for coverage during the term of the preceptorship training program.

The extern must contact the insurance carrier of the preceptor doctor and fulfill the carrier's requirements to obtain malpractice insurance coverage during the entirety of the extern's preceptorship program.

The extern should be aware that documents required may take some time to obtain. Therefore, it is suggested that the extern initiate this procedure within an

appropriate amount of time before application for inclusion in the preceptorship training program

All documents verifying malpractice coverage must be received by the board before approval of participation in the preceptorship training program will be given

Subp 3 **Application.** An applicant for externship must

[For text of items A and B, see MR]

Subp 4 **Continuing requirements.** An extern whose application has been approved may only participate in treatment care that is within the educational background and experience of the preceptor

Statutory Authority: *MS s 148 08*

History: *25 SR 779*

2500.2525 MINIMUM REQUIREMENTS OF A PRECEPTORSHIP TRAINING PROGRAM.

The following requirements must be met for board approval of a preceptorship training program

A An extern shall not function in the program without written approval of the board, and

B A licensed doctor shall not function in the program without written approval of the board

Statutory Authority: *MS s 148 08*

History: *25 SR 779*

2500.2530 TERMINATION OF PRECEPTORSHIP PROGRAM.

A preceptorship training program must terminate no later than 12 months after inception. It must be terminated before that time if

[For text of items A to D, see MR]

Statutory Authority: *MS s 148 08*

History: *25 SR 1142*

2500.3000 ACUPUNCTURE.

[For text of subps 1 to 5, see MR]

Subp 6 **Exemptions.** Any doctor of chiropractic who is separately registered according to Minnesota Statutes, chapter 147B, is exempt from subparts 2 and 5.

Statutory Authority: *MS s 148 08*

History: *24 SR 1210*

2500.5050 VARIANCE.

Subpart 1 **Right to request a variance.** A person subject to the rules of the board may request that the board grant a variance from any rule of the board

Subp 2 **Submission and contents of request.** A request for a variance must be submitted to the board in writing. Each request must be on a form prepared by the board, and must contain the following information

A the specific rule for which the variance is requested,

B the reason for the request,

C the alternative measures that will be taken if a variance is granted,

D the length of time for which a variance is requested, and

E any other relevant information necessary to properly evaluate the request for the variance

Subp 3 **Decision on variance.** The board shall grant a variance if it determines that:

A the variance will not adversely affect, directly or indirectly, the health, safety, or well-being of the public,

B the alternative measures to be taken, if any, are equivalent to, or more protective of the public, than those prescribed in the rule from which the variance is requested, and

C compliance with the rule from which the variance is requested would impose an undue burden on the applicant

The board shall deny, revoke, or refuse to grant or renew a variance if the board determines that either item A, B, or C has not been met. Any decision made relative to this provision shall be final

Subp. 4 **Notification.** The board shall notify the applicant in writing within 30 days of the board's decision. If a variance is granted, the notification shall specify the period of time for which the variance will be effective and the alternative measures or conditions, if any, to be met by the applicant. All such requests, as well as the board's response to the requests, shall be public information.

Subp. 5. **Withdrawal.** The board shall have the right to withdraw the variance if the conditions for which the variance is granted become no longer applicable. The board shall mail a notification of withdrawal no less than 14 calendar days prior to the effective date of the withdrawal

Statutory Authority: *MS s 148 08*

History: *24 SR 1210*