

CHAPTER 2500
BOARD OF CHIROPRACTIC EXAMINERS
CHIROPRACTORS' LICENSING AND PRACTICE

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2500.0100 DEFINITIONS.

[For text of subs 1 to 4, see MR]

Subp 4a. **Continuing education unit.** "Continuing education unit" means one 50-minute session that qualifies under part 2500 1500 or 2500 1550 as an approved program.

[For text of subs 4b to 12, see MR]

Statutory Authority: *MS s 14 23; 148 08*

History: *27 SR 1102*

2500.0710 CONTINUING EDUCATION UNITS FOR EXAMINERS.

Minnesota licensed chiropractors will receive up to six units of credit for continuing education for participation in the development of an examination, the administration of an examination, or the post-examination audit when the units are verified in writing by the chief examiner or other designee of the board. Units must be calculated according to part 2500 0100, subpart 4a. No chiropractor may receive more than 12 units per calendar year.

Statutory Authority: *MS s 14 23; 148 08*

History: *27 SR 1102*

2500.1100 INDIVIDUAL ANNUAL LICENSE RENEWAL.

[For text of subs 1 and 2, see MR]

Subp 3 **Penalty fees.** A licensee shall submit to the board, in addition to the license renewal fee, a penalty fee of \$150 per month for each month or portion of a month for which the license renewal fee is in arrears, or for which the licensee is unable to provide documentation of continuing education compliance. In no event shall the penalty exceed \$900.

Statutory Authority: *MS s 14 23, 148 08*

History: *27 SR 1102*

2500.1110 LICENSE TERMINATION PROCEDURE.

Subpart 1 **For failure to renew license.** A license expires if it is not renewed by midnight of December 31 of any calendar year for any of the following reasons:

- A. failure to pay required fees;
- B. failure to submit a completed application, or
- C. failure to complete all continuing education requirements

An expired license is not considered a disciplined license solely as a result of the expiration.

An expired license which continues to remain expired as a result of item A, B, or C must be terminated according to this part. A terminated license is not considered a disciplined license solely as a result of the termination.

Subp. 2 **Notice.** Within 30 days of a licensee's failure to comply with any provisions of subpart 1, the board shall send a notice to the licensee at the address on file with the board. The notice must state one or more of the following:

A. the licensee has failed to make application for renewal,

B. the amount of renewal and late fees,

C. the licensee has failed to comply with the continuing education requirements in part 2500.1110, subpart 1, or 2500.1200,

D. the licensee may voluntarily retire the license by notifying the board or that the licensee may apply for an inactive license, and

E. failure to respond to the notice by the date specified, which date must be at least 33 days after the notice is sent out by the board, either by submitting the renewal application and applicable fees, or the information required verifying continuing education units, or by notifying the board that the licensee has voluntarily retired the licensee's license shall result in termination of the license to practice chiropractic in Minnesota.

Subp. 3. **Date of termination.** If the application for renewal, including required information verifying continuing education, annual fees, late fees, or notice of voluntary retirement is not received by the board by the date specified in the notice, the license must be terminated. The termination is not considered a disciplinary action against the licensee.

Subp. 4 **Deferment of continuing education deadline.** If a deferment of continuing education has been granted according to part 2500.2000, the license expires at the end of the extension unless the licensee submits evidence of having accumulated the required units of continuing education. Any continuing education units accumulated during the extension period do not count toward the meeting of requirements of the next year's renewal requirements.

Subp. 5 [Repealed, 27 SR 1102]

Statutory Authority: *MS s 14 23, 148 08*

History: *27 SR 1102*

2500.1200 CONTINUING EDUCATION.

Subpart 1 **Purpose.** The primary purpose of chiropractic continuing education is to advance the chiropractor's professional skills and knowledge.

Subp. 2. **Annual requirement.** Except as otherwise provided in this part, every person licensed to practice chiropractic in this state shall obtain a minimum of 20 continuing education units during the calendar year preceding the renewal. At least three of the continuing education units must be devoted to radiographic or advanced imaging safety, technique, or interpretation, and at least one unit must be devoted to professional boundaries in the clinical setting. The continuing education courses must be recognized and approved by the board or a board-approved sponsor.

Subp. 4. **Schedule of required continuing education units.** Chiropractors must obtain 20 continuing education units by December 31 of each calendar year.

A chiropractor is not required to obtain any continuing education units during the calendar year in which the chiropractor is initially licensed.

Subp. 6 **Full-time faculty.** Full-time faculty of a chiropractic college accredited by the Council on Chiropractic Education may have up to six units of continuing education credit applied to each annual requirement. Full-time faculty shall be defined as such by the chiropractic college by which they are employed. The faculty must have been employed as full-time faculty by the college for at least eight months during the calendar year for which credit is requested. Licensees applying for this credit shall have the college submit written verification of faculty status before any credit may be

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applied This credit may not be applied to the requirements for professional boundaries or radiographic/advanced imaging safety, technique, or interpretation

Statutory Authority: *MS s 14 23, 148 08*

History: *27 SR 1102*

2500.1410 SPONSORSHIP OF EDUCATION PROGRAMS.

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

A The sponsor must submit an annual fee of \$500 for all programs given during the year, or a fee of \$100 for each program given during the year

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

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

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

(3) a signed statement which indicates that the sponsor of the continuing education program knows, understands, and agrees to follow all criteria for the approval of programs as listed in parts 2500 1500 and 2500 1550, and criteria for unapproved programs listed in part 2500.1600, and

(4) a signed statement which indicates that the sponsor agrees to provide original receipts of participation to each Minnesota licensed chiropractor whose participation obligations are met indicating

(a) the attending chiropractor's name and address,

(b) the attending chiropractor's Minnesota chiropractic license number,

(c) the name of the program and the program identification number,

(d) the date on which the program was attended;

(e) the number of continuing education units obtained,

(f) the type of continuing education units obtained, and

(g) whether the units were obtained through traditional classroom participation, or whether the units were acquired through alternative formats in accordance with part 2500 1550

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

When granting approval to individual sponsors or instructors providing continuing education programs for credit, the board must consider whether the providers or instructors are qualified by training, experience, or licensure to provide such education. The board must also deny approval to individual sponsors or instructors who are the subject of current discipline by their licensing boards, or whose licensing boards have issued any notice of contested case hearing in which the allegations, if proven, would directly reflect on the provider's qualifications to provide such programs

Within 15 business days, the sponsor must report to the board any changes in an instructor's eligibility to provide continuing education programs in accordance with the requirements in item C

Statutory Authority: *MS s 14 23, 148 08*

History: *27 SR 1102*

2500.1420 REPORTS TO BOARD.

Subpart 1 **Maintenance of records by chiropractor.** The chiropractor shall affirm compliance with continuing education requirements and provide copies of such records when requested by the board. For this purpose the chiropractor shall

A maintain all continuing education records described in part 2500.1410, item B, subitem (4), or 2500.1720;

B maintain the records until requested and verified for compliance by the board, but not for a period exceeding five calendar years; and

C provide legible copies of records to the board within 21 calendar days of the board's request

Subp. 2 **Board notification.** The board shall notify the chiropractor

A of the receipt of the submitted records, and

B. whether the records indicate compliance or noncompliance with requirements

If the records indicate compliance, the board shall notify the licensee that the licensee is no longer obligated to maintain such records up to and including the period of the audit.

If the records indicate noncompliance, the board shall notify the licensee of the licensee's obligation to comply with part 2500.1800.

Statutory Authority: *MS s 14 23, 148 08*

History: *27 SR 1102*

2500.1550 ALTERNATIVES TO TRADITIONAL CLASSROOM PRESENTATION.

A chiropractor may obtain up to six units of the 20-unit annual requirement through alternatives to traditional classroom presentations. The programs must be approved by the board or a board-approved sponsor according to parts 2500.1200 to 2500.2000. The programs approved for continuing education credit under this part must include a written assessment instrument, designed to ensure that the chiropractor actively participated in the presentation of material and derived a measurable benefit from participation. For the purposes of this part, an instrument that provides a minimum of two questions from each unit of instruction, and of which 75 percent or more are correctly answered, satisfies this requirement.

Statutory Authority: *MS s 14 23, 148 08*

History: *27 SR 1102*

2500.1710 SPONSORSHIP REVOKED.

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

A awarding continuing education units for programs which fail to meet the criteria in part 2500.1500,

B making any false representation to the board or to the chiropractors who attend a program, and

C. failure to comply with any of the provisions in parts 2500.1200 to 2500.2000.

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

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

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

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

Statutory Authority: *MS s 14 23, 148 08*

History: *27 SR 1102*

2500.1720 PROGRAMS DEVELOPED.

Doctors of chiropractic licensed in Minnesota may report continuing education units for the development of a program which meets the standards in part 2500.1500 No more than six continuing education units may be reported for each year For the purposes of a compliance review the chiropractor must submit a letter describing.

A a summary of the program,

B a listing of at least one date on which the program was presented, and

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

Continuing education units shall be reported under this part only once for each chiropractor for each new program developed

Statutory Authority: *MS s 14 23, 148 08*

History: *27 SR 1102*

2500.1800 FAILURE TO COMPLY WITH CONTINUING EDUCATION REQUIREMENTS.

In accordance with part 2500 1110, the board shall provide written notice to any licensee who fails to comply with continuing education requirements The licensee has 90 days from the date of the notice to

A. acquire the continuing education which would have been necessary for renewal;

B. pay penalty fees established in part 2500 1100, and

C. verify attendance at an additional ten units of continuing education for each year the licensee is unable to verify compliance

Only courses taken after the date of the notice may be used to satisfy this requirement. Courses taken to satisfy the requirements in part 2500 1800 may not be applied to current or future continuing education requirements. Failure to comply with this part shall cause the board to initiate termination proceedings under part 2500 1110

Statutory Authority: *MS s 14.23; 148 08*

History: *27 SR 1102*

2500.1900 LICENSE REINSTATEMENT.

A license which is terminated by reason of the licensee's 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 requirements which would have been necessary for continuous licensure from the date of the person's last license renewal or initial licensure, whichever is more recent, and proof of attendance at an additional ten units of board recognized and approved continuing education courses for each intervening renewal year, or

B reexamination approved by the board

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A license which is terminated by reason of the licensee's failure to submit fees or comply with continuing education reporting requirements 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 14 23, 148 08*

History: *27 SR 1102*

2500.2020 INACTIVE LICENSE.

A Minnesota licensed chiropractor may apply to the board for an inactive license according to items A to C. An inactive license is intended for those chiropractors who will be in active practice elsewhere.

A. Applicants must complete a board-approved application which must include a signed affidavit stating that the applicant will no longer be actively practicing chiropractic in the state of Minnesota.

B. Upon approval of an application, the board will modify the annual license certificate to indicate inactive licensure.

C. The board may refuse to approve an application if:

(1) a pending or final disciplinary action exists against an applicant's Minnesota license,

(2) a pending or final disciplinary action exists against an applicant's license in another state where the applicant has been licensed to practice chiropractic; or

(3) the applicant's Minnesota license is not current in fees and penalties paid, or in continuing education units obtained for annual license renewal.

Statutory Authority: *MS s 14.23; 148 08*

History: *27 SR 1102*

2500.2040 REINSTATEMENT OF INACTIVE LICENSE.

An inactive license may be reinstated to a nonrestricted license according to items A to E:

A. completion of a board-approved application of reinstatement;

B. payment of a reinstatement fee in the amount of \$100;

C. submission of a certification of good standing from each state the doctor was granted a license;

D. submission of a notarized statement from the doctor stating:

(1) that the doctor has remained in active practice in another state or country during the period of inactive license status in Minnesota;

(2) that the doctor has met the continuing education requirements as approved by Minnesota or the states or countries in which the doctor practiced chiropractic, or has taken at least 12 units of continuing education each year of inactive license status, whichever is greater, and

(3) the specific addresses of where the doctor has been in active practice, and

E. completion of 20 units of continuing education as approved by the board the year prior to application for reinstatement.

If any of the requirements of items A to E are not met by the doctor, the board will deny approval of the application for reinstatement.

Statutory Authority: *MS s 14 23, 148 08*

History: *27 SR 1102*

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2500.2100 VOLUNTARILY RETIRED LICENSE.

Upon request of a Minnesota licensed chiropractor, the board may place a license in voluntary retirement unless.

A a pending or final disciplinary action exists against an applicant's Minnesota license;

B. a pending or final disciplinary action exists against an applicant's license in another state where the applicant has been licensed to practice chiropractic, or

C the applicant's Minnesota license is not current in fees and penalties paid or in continuing education units obtained for annual license renewal.

Statutory Authority: *MS s 14 23, 148 08*

History: *27 SR 1102*

2500.2110 REINSTATEMENT OF VOLUNTARILY RETIRED LICENSE.

A licensee who has voluntarily retired a license for a period equal to or less than five years may be reinstated to a nonrestricted license after

A. completion of a board-approved application of reinstatement;

B payment of a reinstatement fee in the amount of \$100,

C payment of license fees for each year the license was voluntarily retired, and

D completion of 30 units of board-approved continuing education for each year the license was voluntarily retired.

None of the continuing education units obtained for the purpose of reinstating a voluntarily retired license apply to the current annual requirement.

A license which has been voluntarily retired for more than five years by a chiropractor who has also not been in active practice in another state or country during the period of voluntary retirement in Minnesota may only be reinstated following successful completion of the written and practical licensing examinations as approved by the board.

Statutory Authority: *MS s 14.23, 148 08*

History: *27 SR 1102*

2500.3000 ACUPUNCTURE.

[For text of subpart 1, see MR]

Subp. 2 **Qualifications and fees.** Prior to any licensed chiropractor engaging in acupuncture, the chiropractor must complete 100 units of study, exclusive of other continuing education units, in the utilization of acupuncture. Courses or seminars offered by accredited schools, the National Acupuncturists' Association, or separately approved by the board according to parts 2500.1300 to 2500.1600 shall be accepted by the board. The chiropractor must submit certification of completion of the approved course of study in addition to a \$100 registration fee

Doctors of chiropractic who do not have proof of 100 units of education in the practice of acupuncture may substitute the requirements in the preceding paragraph by providing the board with an affidavit stating the following

A the doctor of chiropractic has obtained 100 units of acupuncture-related education prior to December 31, 1989,

B the doctor of chiropractic has performed 500 acupuncture-related patient visits per year for at least three years preceding application for registration, and

C the doctor of chiropractic will obtain ten units of continuing education in acupuncture technique within six months following registration with the board and submit it to the board upon receipt.

Upon applying to the board for registration, the doctor of chiropractic must submit the affidavit in addition to a \$100 registration fee. An annual renewal fee of \$50 is required in order to maintain registered status with the board.

[For text of subps 3 to 6, see M.R]

Statutory Authority: *MS s 14.23; 148 08*

History: *27 SR 1102*