

BOARD OF
CHIROPRACT.
EXAM.

A PERFORMANCE REVIEW
OF THE
BOARD OF CHIROPRACTIC EXAMINE

October 16, 1978

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OF THE
BOARD OF CHIROPRACTIC EXAMINERS

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BUDGET AND AUDIT COMMITTEE

JUNEAU, ALASKA 99811

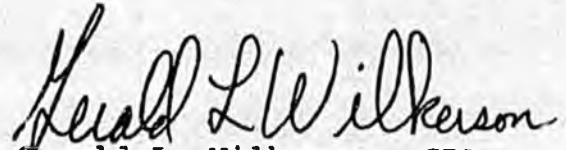
October 16, 1978

Members of the
Legislative Budget and Audit Committee:

In accordance with the intent of Title 24 and 44 of the
Alaska Statutes, the attached report is submitted for your
review.

A PERFORMANCE REVIEW
OF THE
BOARD OF CHIROPRACTIC EXAMINERS

October 16, 1978



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

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PURPOSE AND SCOPE OF THE REVIEW

Purpose

In accordance with the intent of Alaska Statutes 24.20.271(1) and 44.66.050 (sunset legislation), a review of the Board of Chiropractic Examiners was conducted to review Board activities and accomplishments to determine if the Board has been operating in an effective, efficient and economical manner.

As required by legislative intent, this report shall be considered during the legislative oversight function in determining whether the Board of Chiropractic Examiners should be reestablished. The law currently specifies that this Board will terminate on June 30, 1979 but will continue until June 30, 1980 for the purpose of concluding its affairs.

Scope

The major areas reviewed were the Board's operations and its licensing, examination, administration, complaint and affirmative action functions. Our review consisted of analyzing and evaluating the following:

- (1) Applicable statutes and Board regulations;
- (2) Interviews with Board members;
- (3) Questionnaires to Board members and licensed members of the profession and analysis of responses;
- (4) Discussions with the Division of Occupational Licensing (OL) employees;
- (5) Tests of records and documents of the Board and the Division of Occupational Licensing, Department of Commerce and Economic Development;
- (6) Complaints filed with OL, Ombudsman's Office, Consumer Affairs Agency, Equal Employment Opportunity Office and the Office of the Governor;
- (7) Discussions with the Federation of Chiropractic Licensing Boards, National Board of Chiropractic Examiners and the Council on Chiropractic Education;
- (8) Review of other states' licensing requirements; and

- (9) Discussions and meetings with various licensed chiropractors.

Scope Constraints

This review was conducted with the following restrictions:

- (1) The Board has not established and reported financial and program plans as required by AS 37.07.050;
- (2) The Board has not developed and reported performance information regarding its effectiveness and accomplishments as required by AS 37.07.090;
- (3) The Division of Occupational Licensing has not adequately collected, recorded or maintained the necessary files and statistics regarding the Board to effectively and efficiently carry out their administrative responsibilities; and
- (4) Board meeting minutes were not adequately prepared to be relied upon as being representations of Board actions.

ORGANIZATION AND FUNCTION

Created in 1939, the Alaska Board of Chiropractic Examiners is a regulatory board comprised of five members - three chiropractors and two public individuals - appointed by the Governor.

The underlying reasons for this Board are fourfold. First, the Board is responsible for reviewing the applications of individuals desiring to enter the chiropractic profession in Alaska. Secondly, the Board has the responsibility of administering an examination to test the applicant's ability. Third, the Board is responsible for the adoption of regulations regarding the standards of professional practice in Alaska and fourth, to investigate and act upon complaints filed against members of the regulated profession.

The Board of Chiropractic Examiners determines and controls the quality of chiropractic care in Alaska by:

1. Determining and implementing statutory and regulatory definitions of chiropractic care;
2. examining applicants and issuing licenses to qualified candidates for licensure; and
3. having the authority - within statutory boundaries - to hold hearings for the consideration of revoking or suspending the license of a person violating the chiropractic statutes or regulations.

To assist the Board, it has the staff support of OL in the Department of Commerce and Economic Development which is comprised of two sections. The licensing section, which processes applications, maintains license files, gathers and collects statistics and answers inquiries, provides administrative help to the Board. The other section provides investigative services to the Board in the event of consumer or other professional complaints.

To practice chiropractic in Alaska, the applicant must first receive licensure from the Board. Licensure may be made by one, or more, of three means.

One method of licensure is by temporary permit. The Board may, in its determination, issue a permit to an apparently qualified applicant to practice chiropractic only until the next examination at which time the permit is terminated and the applicant sits for the Board exam.

The second category of licensure is the Associate License. This license is issued when all licensing requirements, inclusive of passing the State examination, have been met with the exception of completing two years liberal arts or science studies. This license is valid for three years during which time the associate license holder must satisfy the two years undergraduate studies requirement. Associate license holders must be a contracted employee of a fully licensed chiropractor during this period.

The third license issued by the Board is full licensure. This is issued to the applicant who has successfully passed the State examination and has met all licensing and educational requirements.

Applicants for Alaskan licensure must first pass a nationally administered examination. After the required national test has been completed, the applicant takes a State written and clinical examination. The State written examination tests the applicant in areas tested previously at the national level and the clinical examination tests the applicant in the areas of X-ray identification and interpretation, and places the examinee in a case situation where testing of adjustive techniques are made.

All applicants, except those issued temporary permits, must first pass the State examination prior to practicing chiropractic in Alaska.

REPORT CONCLUSIONS

Policy Issues

This review contains policy issues raised as a result of our evaluation of Board practices. The final policy decisions affecting these practices are not within the scope of this review but requires legislative consideration. In debating these decisions, the legislative oversight committees should take into consideration the findings and alternatives presented in this report so that the potential impact of policy changes can be evaluated.

Report Conclusions

Based upon our review, we recommend the Board of Chiropractic Examiners be reestablished, as the practice of chiropractic in Alaska affects the public's health, safety and welfare and should be subject to control and regulation. It is a matter of public interest - and concern - that the chiropractic profession receive the confidence of the public through a fair and representative regulating authority - the Board of Chiropractic Examiners. We believe that when regulation of professions is necessary to protect consumers, as is chiropractic, government involvement should be minimized. However, evidence of abuses by regulatory boards should be considered in determining whether government supervision is desirable.

Changes need to be made in the Board of Chiropractic Examiners operations to make the Board more effective in the protection of the public.

Current Board licensure policies and actions are restricting the entry of qualified Doctors of Chiropractic in Alaska, which is detrimental to the public's best interest. For example, the Board requires applicants for Alaskan licensure to first pass a nationally administered written examination. The applicant is then tested at the State level with another written and a clinical examination. The State written examination, which is subjective, tests the applicant on areas previously examined at the national level (see Recommendation No. 1).

The Board has no reciprocity or endorsement agreements with other states. Qualified Doctors of Chiropractic from outside Alaska with years of experience may avoid Alaska because of the Board's nonrecognition of licenses from other jurisdictions (see Recommendation No. 3). Using calendar year 1977 figures, the State of Alaska has a chiropractor: resident ratio of 1:10,436 compared to a national average of 1:7,138 (see Appendix D). Current Board licensing policies may be a contributing factor to this disparity between Alaska and national averages.

Actions of the Board (in some cases lack of action) and actions of some individual Board members do not truly represent the public's best interest. For example, there are no formal grading procedures which the Board should follow when reviewing an examination. This results in an apparent flexible grading policy which provides for dissension amongst the professional Board members (see Recommendation No. 4). The Board also permits the two divergent theories of chiropractic application to affect its responsibilities in governing the profession in Alaska (see Recommendation No. 6).

The Board has given almost no guidance concerning license violations. The public, as well as the chiropractic profession, would be better protected from unscrupulous activities if regulations concerning license violations were better defined by the Board.

The Board needs to evaluate present statutes and regulations for relevancy, legality and protection of the public. For instance, associate licensee contract requirements appear to permit unnecessary control over associates through possibly unenforceable contract provisions (see Recommendation No. 2). Chiropractic license violation statutes restrict advertising which is unconstitutional as established by the United States Supreme Court (see Recommendation No. 9). There are no statutes requiring continuing education for chiropractors. Post-graduate educational requirements help prevent professional obsolescence and would provide an effective control over the quality of chiropractic in the State (see Recommendation No. 7).

In conclusion, the Board of Chiropractic Examiners should analyze and evaluate the purpose of the Board from the point of view that regulation should not unreasonably restrict the entrance of all qualified persons into the profession. The Board should take the necessary actions needed to perform and fulfill their responsibilities to the public.

FINDINGS AND RECOMMENDATIONS

The following Findings and Recommendations are addressed to the Board of Chiropractic Examiners and should be read in conjunction with "A Performance Review of the Division of Occupational Licensing, Department of Commerce and Economic Development, October 30, 1978" issued under separate cover.

Recommendation No. 1

The Board of Chiropractic Examiners should eliminate Part I (written) of the State examination.

The Alaska State Board of Chiropractic Examiners has recognized the National Board examination by adopting through proposed regulation "persons applying for a chiropractic license by examination in the State of Alaska, graduating after January 1, 1978, are required to submit a Diplomate Certificate from the National Board of Chiropractic Examiners". The Diplomate Certificate is certification that the applicant has taken Parts I and II of the National Board and indicates the areas tested and examination results. The following areas of chiropractic are tested at the National level: anatomy, physiology, chemistry, bacteriology, hygiene, diagnosis, gynecology, x-ray, geriatrics, principles of chiropractic, jurisprudence and ethics, pathology and physiotherapy and the examination questions are objective in nature.

In addition to the requirement that the applicant provide the Board with the Diplomate Certificate, the State Board administers a State examination which basically consists of three parts. Part I, is a written examination consisting mostly of subjective type questions. Part II, involves X-ray identification and interpretation and Part III, consists of practical application of chiropractic technique. While Parts II and III of the State examination involve physical application of the applicants knowledge through oral testing and actual adjustive techniques in case situations, the merits of the written examination (Part I) are questionable.

The State written examination, Part I, tests the applicant on topics previously examined at the National Board level, such areas as anatomy, physiology, physiotherapy, chiropractic, diagnosis and x-ray. Also, in a 1971 opinion, the Attorney General has stated that "the Board of Chiropractic Examiners has the authority to require an applicant to demonstrate competence only in those subjects not covered by the National Board".

Therefore, considering the redundancy of the State written examination over the National Board, the Attorney General's opinion on the topic and the State requirement of the applicant to take the National Board, we recommend the discontinuance of the State written examination.

Recommendation No. 2

The Board of Chiropractic Examiners should take an active role in complying with the Administrative Regulations governing associate licensees' employment contracts.

Under 12 AAC 16.210(2) of the Alaska Administrative Code (AAC), the associate must "execute a contract with a supervising chiropractor which provides for a definite salary and not fee splitting..." and 12 AAC 16.210(3)(b) states "The board will deny the practice of an associate if in the opinion of the board the contract permits unfair advantage to be taken of the associate".

Several Doctors of Chiropractic were licensed under the associate provisions and accordingly executed employment contracts with various established, fully licensed chiropractors.

From documentation available, these employment contracts have certain provisions which clearly do not serve the public's best interest and are unfair to the associate chiropractor.

The contracts we examined included the following terms:

- (1) The contract prohibits the associate from establishing a practice in a wide radius of the employing chiropractor (25-30 miles) within two years after the associate ceases employment under the contract;
- (2) the contract provides for substantial payments to the previously employing chiropractor if a practice is established within two years in the restricted area; and
- (3) the contract establishes a compensation schedule based upon monthly cash receipts.

In the opinion of the Legislative Affairs Agency, Division of Legal Services, certain legal problems exist with these type contracts and that courts may decline to enforce such an agreement. The payments required for establishing a practice within a specific area and during a specified period are oppressive and punitive and "courts routinely refuse to enforce contracts calling for punitive damages".

The opinion further states that compensation schedules based upon a percentage of monthly gross receipts appears to be fee-splitting and the monthly salary of an associate under such an agreement is not definite but ascertainable only after monthly cash receipts are known. This is in violation of 12 AAC 16.210(2).

We recommend the Board of Chiropractic Examiners exercise its responsibilities under 12 AAC 16.210(3)(b) and review the associate contracts in light of the facts stated above and promulgate regulations setting out what may or may not be in the contracts of associates.

Recommendation No. 3

The encouragement of additional chiropractic services in Alaska should be made through more flexible licensing policies by introducing legislation to repeal certain statutes.

Data compiled from the United States Department of Commerce for 1977 and the Directory published by the Federation of Chiropractic Licensing Boards reveal a shortage of chiropractors in Alaska exists. These figures show a chiropractor: resident ratio of 1:10,436 while the national average is 1:7,138 (see Appendix D).

Licensing policies of the Board should be to get the much needed health services to the public and at the same time maintain the high standards and quality of the profession.

To meet the need of chiropractic services in Alaska - and yet maintain these standards of quality - the Board should implement changes in its licensing policies to permit the full licensure of experienced, licensed Doctors of Chiropractic (D.C.), from other licensing jurisdictions. It is recommended this type of licensure be made, regardless of whether the currently licensed and experienced D.C. has met the preprofessional academic requirements as experience far outweighs the completion of liberal arts or science studies. The full licensure should also be made on the basis of individual ability and experience, not on the consideration of does the other licensing jurisdiction afford the same to Alaska.

Seventy percent (70%) of the respondents to our questionnaire felt that chiropractors should be licensed on a reciprocity basis (see Appendix B). In addition, 67% and 54% believed the issuance of temporary permits and associate licenses, respectively, were in the public's best interest (see Appendix B).

Most of the states shown on Appendix D have more flexible licensing policies than Alaska and accordingly have a better chiropractor to resident ratio than does Alaska. Most of these states permit the National Board examinations to be used in lieu of a state written and have a more liberal "reciprocal" licensing arrangement than Alaska.

To encourage additional chiropractic services in Alaska, we recommend the introduction of legislation to repeal the portions of AS 08.20.140 that prevents reciprocity type licensure.

Recommendation No. 4

The Board of Chiropractic Examiners should establish examination guidelines, examination grading procedures and examination controls.

Presently, there are no formal examination procedures to control the examination process. The Board should adopt written procedures as to how the examination is to be administered and outlining the grading process.

From information available and discussions with various D.C.'s, we were informed that without grading procedures and adherence to specific examination answers, the Board was able to exercise considerable flexibility in the grading of exams. In one case the Board, after considerable delay and non-agreement amongst themselves in the grading, failed an examinee by 1%. It is also alleged that some members of the Board, for personal and interprofessional political reasons could not objectively grade the examination. As a result, the examinee, a licensed chiropractor from another jurisdiction, left Alaska to practice in another state.

Also, allegations were made regarding distribution of the State written examination prior to the testing date to at least one applicant for licensure by examination. These allegations were forwarded to the Department of Law for their review.

Recommendation No. 5

The Board of Chiropractic Examiners should adhere to the Administrative Procedures Act when license violations and suspension are being considered.

Title 44 Chapter 62 of the Alaska Statutes, known as the Administrative Procedures Act, applies to most agencies, boards and commissions of the State. In particular, AS 44.62.330-630 ("Administrative Adjudication") applies to the Board of Chiropractic Examiners. This section of the Act provides the guidelines which the Board must follow in the

process of considering the "revoking, suspending, limiting or conditioning" of a license.

From documentation available it is alleged that the Board President took it upon himself to temporarily suspend an associate license. Also, the Board terminated a temporary permit of an applicant who was waiting to take the State examination. Temporary permits are valid only until the next examination subsequent to the issuance of the permit. However, it appears that due to the loss of an examination application by the Board on two separate occasions, the permit holder was not allowed to take the examination. As a result of this the temporary permit was terminated. Since, from all appearances, the Board was responsible for the loss of the application that nullified the applicants right to examination, the temporary permit should have remained valid until the next examination.

Also, in each of these examples, Board meeting minutes do not show a formal decision which justified these actions.

Recommendation No. 6

The Board of Chiropractic Examiners should restructure the membership of the Board.

The basic purpose of the Board is the regulation of chiropractic to serve the public's best interest in the licensing of chiropractors.

The science of chiropractic is composed of two schools of thought, the "mixers" and "straights". The current Board is composed of a majority of one "school of thought" which results in inadequate representation of both chiropractic theories on the Board.

Therefore, we recommend the introduction of legislation to repeal the current statutory Board make-up. Accordingly, we recommend a Board of seven individuals; four chiropractors and three lay members. A majority of the professional members should not be graduated from the same chiropractic college and Southeastern, Interior and South Central Alaska representation - at a minimum - should be on the Board.

In addition, Board meeting minutes do not indicate a re-election of Board officers as required by AS 08.20.040.

Recommendation No. 7

Legislation should be introduced requiring continuing education for Chiropractors as a provision for license renewal.

The underlying purpose of continuing education is to permit professional education on a post-graduate level and allow for the maintenance and upgrading of professional competency.

According to the most recent figures provided by the Federation of Chiropractic Licensing Board's, thirty-nine states require some form of continuing education for license renewal. In December of 1977 the Alaska Chiropractic Society notified the Board of Chiropractic Examiners of its unanimous endorsement of a requirement of continuing education for license renewal. Of more significance, 94% of the respondents to the questionnaire were in favor of such a requirement and 78% knew of workshops or seminars that may qualify as continuing education that were in the respondents locality (see Appendix B).

From information available, it appears the Board expressed interest in a continuing education requirement in early 1977. We recommend that this worthwhile interest be regenerated towards implementing a sound post-graduate education requirement tied to the biennial license renewal. Accordingly, regulations should be promulgated for the administration of such a program by the Board.

Recommendation No. 8

The Board of Chiropractic Examiners should adopt a Code of Ethics binding upon the members of the profession in Alaska.

12 AAC 16.010(b) states that the board will adhere to the Code of Ethics of either the American Chiropractic Association or the International Chiropractic Association as a basis for determining what comprises the duties and obligations of the chiropractor to the public. This appears not to be a binding Code of Ethics for practitioners in Alaska, but rather an either/or situation should a violation of professional responsibility occur.

In the opinion of the Legislative Affairs Agency, Division of Legal Services, it is arguable that both codes represent not a binding Code of Ethics for practitioners in Alaska but rather general norms against which individual conduct will be measured. In such a situation, an accusation against a chiropractor will succeed only if it is based on conduct not meeting the rules in either Code of Ethics.

Therefore, we recommend the Board of Chiropractic Examiners develop and adopt a binding single Code of Ethics surrounding the definition of Chiropractic in AS 08.20.220.

Recommendation No. 9

We recommend the Board of Chiropractic Examiners review its regulations on advertising and eliminate, by legislation, unconstitutional prohibitions.

The United States Supreme Court ruling on John Bates and Van O'Steen V. State Bar of Arizona established that many advertising restrictions of professionals were unconstitutional.

The Alaska Administrative Code (12 AAC 16.240) provides definitions of unprofessional conduct, most of which center around the advertising by a chiropractor.

In an Attorney General's opinion addressed to the Commissioner of the Department of Commerce and Economic Development on March 15, 1978, it was stated:

"In order to avoid future litigation...it is suggested that the commissioner request the various licensing boards to undertake, in conjunction with this department, a review of all price advertising restrictions pertaining to both products and services for the purpose of recommending appropriate legislative or regulatory amendments as soon as possible."

Recommendation No. 10

The Board of Chiropractic Examiners should establish formal goals, objectives and quantifiable measures which should be included in the OL's budget document.

Objectives describe what an agency or Board is seeking to accomplish during a specific year. Well formulated objectives are capable of measurement and should include numerical targets so that actual accomplishments can be compared with stated targets. Without goals and objectives, the Board's performance cannot be adequately evaluated and analyzed.

OL establishes its own budget goals and objectives. The budget documents do not include any goals or measures for individual boards. Without the Board's goals and measures being identified or measured, both the Governor's Office and the Legislature cannot evaluate the Board's performance (see the OL Performance Audit Report).

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative attainments as Board activities relate to the public need factors defined by "Sunset" law. These analyses are not intended to be comprehensive but address those areas covered in the scope of our review.

- I. The extent to which the board, commission or program has operated in the public interest.
 1. The Board of Chiropractic Examiners has not developed regulations or formal procedures for the grading of examinations (see Recommendation No. 4).
 2. The Board did not comply with the Administrative Procedures Act when suspending an associate's license (see Recommendation No. 5).
 3. The per capita ratio of chiropractors to population in Alaska is 1:10,436 versus a national ratio of 1:7,138 indicating a shortage of chiropractic services (see Appendix D).
 4. The Board has inadequate controls over the written examination. In addition, the written examination requirement is redundant of required National Board examinations, resulting in two testings of Alaskan applicants (see Recommendations No. 1 and No. 4).
 5. The Board should do more to assure that "not to compete provisions" in associate employee employment contracts are not unduly restrictive (see Recommendation No. 2).
 6. There are no stated Board objectives relating to the public's best interest either by statute or in the budget documents (see Recommendation No. 10 and see the OL Performance Audit Report).
- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and any other matter, including budgetary, resource, and personnel matters.
 1. The Division of Occupational Licensing (OL) has not provided updated records, files and statistics for Board use (see the OL Performance Audit Report).

2. Current statutory Board make-up permits inter-professional opinion differences to effect Board operations (see Recommendations 4 and 6).

III. The extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest.

1. The Board has proposed regulations in an attempt to standardize professional education requirement.
2. The Board has not adopted reciprocity or continuing education amendments to its enabling legislation.

IV. The extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulation and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

1. No documentation was available to us to determine the extent of the Board's solicitation of interested party input to its regulatory effects.

V. The extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions.

1. By statute the Board is to publish notices of its meetings and examinations to encourage public participation. The Board holds its meetings on the same date of examinations so there are no individual public notices relating to examinations and meetings. We found the following advertisements were published during the last two and one-half years.

Number of Meetings and Examinations	7
Number of Advertisements	19
Average Advertisements per Newspaper	1

The average per newspaper publication of meeting and examination notices is based upon the use of four papers, one in Ketchikan, Fairbanks, Juneau and Anchorage. The breakdown of meetings, and notices, is as follows:

Meeting of

Newspapers Used

11/75	1
01/76	2
06/76	4
01/77	4
07/77	4
01/78	3
06/78	1

For the June 1978 examination, notice was published in one paper specifying the examination application deadline was May 10, 1978. The one time notice was published May 10, 1978 (see the OL Performance Audit Report).

2. Meetings minutes for the past two and one-half years indicate no public participation or attendance.

VI. The efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which a board or commission is administratively assigned, or with the office of the ombudsman have been processed and resolved.

1. According to the Department of Commerce and Economic Development records, five complaints have been filed with the Department and/or the Board. Of the five complaints, only two were considered as closed files at August 29, 1978. The remaining three complaints (2 filed April 1977 and 1 filed December 1977) remained open as of August 29, 1978 (see the OL Performance Audit Report).

VII. The extent to which a board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.

1. A low number of complaints are on file with Occupational Licensing against chiropractic practitioners for a total of six over the past three years.
2. However, allegations and statements by practitioners - some of which are under review - cast a doubt over the present methods used in determining an applicants qualifications. Some of these are:
 - a. Use of a State written examination redundant of required National Board exams (see Recommendation No. 1).

- b. Unwritten examination grading procedures used by the Board (see Recommendation No. 4).
- c. The use of questionable employment contracts, previously unscrutinized by the Board, containing restrictive not-to-compete provisions (see Recommendation No. 2).

VIII. The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission or agency to its own activities and the area of activity or interest.

- 1. Overall, the Board has not engaged in discriminatory practices. However, Chiropractic examination applications require unnecessary information such as age, date of birth, place of birth, original surname (if changed) and a picture of the applicant. These application requirements - if not justifiable by the Board - may be in violation of Equal Employment Opportunity requirements (see the OL Performance Audit Report).

IX. The extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the previous section - Findings and Recommendations - for detail on recommended changes to enable the Board to better serve the public interest.

APPENDIXES

APPENDIX A

BOARD OF CHIROPRACTIC EXAMINERS
REVENUES COMPARED WITH EXPENDITURES
(UNAUDITED)

Average Revenue, (see Schedule 1 and Note 1)	\$ 1,500
Expenditures (Note 2)	<u>11,900</u>
Excess of Expenditures over Revenues	<u><u>\$(10,400)</u></u>

Schedule 1
Type and Amount of Revenues

Revenue Type	Amount	Collection Time
Exam Application Fee	\$25	With application
Re-examination Fee	10	With application
Temporary Permit	25	With permit issuance
License Fee	50	With license issuance
Renewal Fee	50	Biennially
Associate License	30	With license issuance

Note 1

Most of the Board's revenue is generated from license issuance and renewal. These revenues are collected once every two years, which causes revenues to be greater in one year than revenues of the next year. Therefore, we calculated and reported an average of the revenues collected in fiscal years 1977 and 1978 to obtain an accurate representation of Board revenues.

Note 2

Expenditures included those made by Board members, such as travel and per diem, and an allocated percentage (estimated) of total administrative expenses of OL. They do not include expenditures for efforts of other departments, such as the Department of Law, that may be assisting the Board and OL.

Response (Note 1)		
<u>Yes</u>	<u>No</u>	<u>No Opinion</u>

- | | | | |
|---|------------|-----|--------|
| 11. Do you think the Board of Chiropractic Examiners should be made up of: | | | |
| A. a majority of chiropractors. | A. | 85% | |
| B. an equal number of chiropractors and public members. | B. | 9% | |
| C. a majority of public members. | C. | 0% | |
| Please circle one. | NO OPINION | | 6% |
| 12. Have you had any contact with the Board of Chiropractic Examiners? Yes No | | 82% | 18% 0% |
| 13. Do you have any complaints concerning the service provided by the staff support of the Division of Occupational Licensing, Department of Commerce? Yes No | | 18% | 79% 3% |

Note 1

Number of questionnaires mailed to Alaskan licensed chiropractors.	<u>45</u>
Number of chiropractors who responded.	<u>33</u>
Questionnaire response rate.	<u>73%</u>

APPENDIX C

QUESTIONNAIRE SENT TO BOARD MEMBERS

1. What do you believe to be the goals and objectives of the Board of Chiropractic Examiners?

<u>Summary</u>	<u>Number of Board Member Responses (Notes 1 and 2)</u>
Examine applicants for technical and clinical skills.	<u>4</u>
Serve best interest of the public.	<u>1</u>
Fulfill administrative duties and function within Alaska Statutes.	<u>2</u>
Determine applicants meet State requirements.	<u>2</u>
Keep aware of changes in the profession.	<u>3</u>
Make recommendations to Department of Commerce and Economic Development and the Governor.	<u>1</u>

2. Do you believe that the Board is achieving its goals as you perceive them in question number 1? Please show how the goals and objectives are or are not being achieved.

<u>Summary</u>	<u>Number of Board Member Responses</u>
Yes, Board is Achieving its goals.	<u>4</u>
Through:	
Examinations and practical demonstrations.	<u>2</u>
Actions at Board meetings.	<u>1</u>
Referral of investigative and legal topics to Department of Commerce and Economic Development.	<u>1</u>
Creation of goals.	<u>1</u>

3. Is the staff from the Department of Commerce and Economic Development and/or other departments adequate to perform the administrative and enforcement duties necessary for the operation of the Board? What staff support services are provided adequately/inadequately?

<u>Summary</u>	<u>Number of Board Member Responses</u>
Support Services provided are adequate.	<u>3</u>
No reduction in support staff should be made.	<u>1</u>
Investigative and enforcement services slow and/or inadequate.	<u>3</u>
Board should assume more routine functions.	<u>1</u>

4. What evidence exists demonstrating that the absence of regulations governing chiropractors and/or the Board would be detrimental to the public's best interest?

<u>Summary</u>	<u>Number of Board Member Responses</u>
Lose identity of Chiropractic as a health care provider	<u>1</u>
No one to consider public complaints.	<u>1</u>
Leave public in hands of untrained people.	<u>1</u>
Allow uncontrolled practice without recourse.	<u>1</u>

5. Are there any statutes or regulations that you believe to be obsolete, vague, unduly restrictive, and/or inadequate to provide the Board with the responsibility and power to properly govern the purpose and activities of the Board? Please list and explain.

<u>Summary</u>	<u>Number of Board Member Responses</u>
Repeal of Associate License law.	<u>2</u>
Associate laws will "die" naturally.	<u>1</u>

5. (Cont'd.)

<u>Summary</u>	<u>Number of Board Member Responses</u>
Consideration of and possible amendments to advertising restrictions.	<u>2</u>
Statutes regarding examination grading are vague.	<u>1</u>
Amend statutes to reflect number of members of Board.	<u>1</u>

6. Do you think continuing education requirements should be adopted by the Board? Why or why not.

<u>Summary</u>	<u>Number of Board Member Responses</u>
Yes, Adoption of requirement should be made.	<u>4</u>
To:	
Be exposed to changes and trends in profession.	<u>3</u>
For intraprofessional contact.	<u>1</u>
Chiropractic profession is moving towards such a requirement.	<u>1</u>

7. Do you think the Board should grant licenses by reciprocity to chiropractors holding licenses from other states? Why or why not.

<u>Summary</u>	<u>Number of Board Member Responses</u>
Reciprocity is OK but requires continual monitoring at additional expense.	<u>1</u>
Not unless other States reciprocate with Alaska.	<u>1</u>
May reduce standards in Alaska.	<u>1</u>
Only if a common standard or universal method is adopted.	<u>1</u>
Through National Board examinations.	<u>1</u>

8. What changes could be made to the Board which would improve its service to the public?

<u>Summary</u>	<u>Number of Board Member Responses</u>
Lay members add open healthiness at additional expense.	<u>1</u>
Eliminate Associate License Laws.	<u>1</u>
Reciprocate with states who reciprocate with Alaska.	<u>1</u>
Improved follow-up on complaints by the Department of Commerce and Economic Development.	<u>1</u>

Note 1

Number of Board members.	<u>5</u>
Number of Board member responses.	<u>4</u>
Board member response rate.	<u>80%</u>

Note 2

Four out of five Board members responded to each question with several answers. Thus, total responses for each question may exceed the number of Board members.

APPENDIX D

COMPARISON OF WESTERN REGION STATES
CHIROPRACTOR vs. RESIDENT RATIOS

	<u>Population</u> <u>(Note 1)</u>	<u>Number of</u> <u>Chiropractors</u> <u>(Note 2)</u>	<u>State</u> <u>Ratio:Chiropractor</u> <u>to Resident</u>
<u>Western Region (Note 3)</u>			
Montana	761,000	171	1: 4,451
Idaho	857,000	121	1: 7,083
Wyoming	406,000	72	1: 5,639
Colorado	2,619,000	392	1: 6,682
New Mexico	1,190,000	306	1: 3,889
Arizona	2,296,000	591	1: 3,885
Utah	1,268,000	174	1: 7,288
Nevada	633,000	231	1: 2,741
Washington	3,658,000	719	1: 5,088
Oregon	2,376,000	401	1: 5,926
Alaska	407,000	39	1:10,436
California	21,896,000	4,292	1: 5,102
Hawaii	895,000	96	1: 9,323
<u>Regional Totals</u>	<u>39,262,000</u>	<u>7,605</u>	<u>1: 5,163</u>
<u>National Totals</u>	<u>216,330,000</u>	<u>30,308</u>	<u>1: 7,138</u>

Note 1

Population figures as provided by the United State's Department of Commerce for year ended June 30, 1977.

Note 2

Number of chiropractors according to the 1978-1979 Directory published by the Federation of Chiropractic Licensing Boards. Figures are for calendar year ending December 31, 1977.

Note 3

Western Region composition as determined by the United State's Department of Commerce and used in their reports.

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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

JAN 11 AM.

LEGISLATIVE
AUDIT

January 9, 1979

Mr. Gerald Wilkerson
Legislative Auditor
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811

Dear Mr. Wilkerson:

We have reviewed your preliminary reports as shown below:

1. Board of Examiners in Optometry
2. Board of Dispensing Opticians
3. Board of Psychologist and Psychological Associate Examiners
4. Board of Chiropractic Examiners
5. Alaska State Medical Board
6. Board of Veterinary Examiners
7. State Physical Therapy Board
8. Board of Pharmacy
9. Board of Nursing
10. Board of Nursing Home Administrators
11. Board of Dental Examiners
12. Alaska Transportation Commission

We view these reviews of agency programs and activities which are specifically subject to termination in a manner different from those made of State departments or agencies. Usually we in the Executive Branch endeavor to respond directly to each finding and recommendation. However, in regard to the Boards and Commissions, the Executive Branch agency during a public hearing shall demonstrate a public need for its continued existence or the discontinuation of the program, and the extent to which any change in the manner of exercise of its functions or activities may increase efficiency of administration or operation consistent with the public interest.

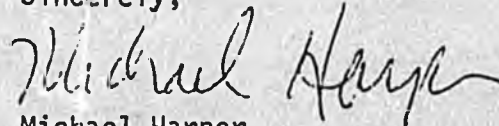
The Executive Branch of Alaska Government has made an extensive study of the above Boards and the Alaska Transportation Commission. We are continuing to study those entities, their origin, their present and future potential, and other related subjects in conjunction with Alaska statutes 24 and 44 (Sunset Legislation). As prescribed in AS 44.66.050 one or more legislative hearings are to be held to receive testimony from the public, the Commissioner of the department having administrative responsibility for each, and the members of the Boards or Commission involved. During those hearings we will present our findings and recommendations affecting each of the foregoing Boards and the Alaska Transportation Commission.

Mr. Gerald Wilkerson
Page 2

January 9, 1979

Accordingly, we are presenting this in addition to the responses from the Department of Commerce, Department of Law, and the individual Board or Commission members and others on an interim basis.

Sincerely,

A handwritten signature in cursive script that reads "Michael Harper".

Michael Harper
Administrative Assistant
to the Governor

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER / POUCH D - JUNEAU 99811

December 15, 1978

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JAN 11 AM

**LEGISLATIVE
AUDIT**

Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811

Dear Mr. Wilkerson:

The following comments are in response to the performance review of the Board of Chiropractic Examiners as submitted by the Division of Legislative Audit.

Recommendation No. 1. Agreed. Discussions will be held with the board concerning this recommendation as AS 08.20.130 mandates board authority in this area.

Recommendation No. 2. We agree. The division has referred this particular problem to the Attorney General's office for a legal opinion. It will also be discussed at the next meeting of the board scheduled for January 6, 1979.

Recommendation No. 3. Agree. However, statute changes would have to be considered for applicant qualifications and licensure of out-of-State individuals. AS 08.20.140 clearly addresses license by reciprocity rather than by endorsement. We believe either method of licensure is acceptable, but would favor licensure by endorsement over licensure by reciprocity.

Recommendation No. 4. Agreed. Regulations adopted by the board in 1971 will be updated to reflect these recommendations. Discussions will be held with the board on January 6, 1979 concerning revision of regulations.

Recommendation No. 5. Agreed. The board president temporarily suspended an associate license under interpretation of 12 AAC 16.210(c).

December 15, 1978

The board president was notified to adhere to the Administrative Procedures Act and that the actions would have to be taken by the full board.

It should be noted the board realized a possible error in the loss of an application and, in fact, held a special examination in August 1978 for the benefit of this candidate.

Recommendation No. 6. I do not recommend increased board membership. Five members is sufficient to conduct board duties in a fair and impartial manner. Discussions will be held with the board on January 6, 1979 concerning the composition of the board.

Recommendation No. 7. We agree that continuing education is desirable and needed as a condition for relicensure, however, quality control of education programs would be established. Again, discussions will be held with the board concerning legislation in this area.


Recommendation No. 8. Agreed. A single code of ethics should be agreed upon by the full board.

Recommendation No. 9. Agreed. The division is addressing this matter for all boards through introduction of legislation to eliminate unconstitutional restrictions on advertising.

Recommendation No. 10. Agreed. This board as well as all boards, will be contacted in March or April 1979 for input into the division's budget for FY '81. This input will address the boards goals, objectives, and financial needs.

I appreciate the time and efforts expended by your staff.

Yours truly,



H. Phillip Hubbard
Commissioner

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

DIVISION OF OCCUPATIONAL LICENSING

CENTURY PLAZA
142 E. 3RD AVENUE
ANCHORAGE, ALASKA 99501
PHONE: (907) 277-3623

January 8, 1979

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JAN 9 AM.

LEGISLATIVE
AUDIT

State of Alaska
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811

Attn: Mr. Robert Bilden, Auditor

Gentlemen:

The following comments contain the Board of Chiropractic Examiners response to the Legislative Audit committee's preliminary report.

Recommendation #1

Currently an applicant is not given Part I or Part II of the state examination when he/she has successfully completed the National Board exam, Part I and Part II. When the applicant does not have the National Board, the state is obligated to test the competency of the chiropractor in the basic science and chiropractic discipline subjects.

Recommendation #2

The board has undertaken extensive changes in the regulations relating to the associate chiropractor regulations which should clarify this problem.

Recommendation #3

Since 1975 twenty-four applicants have been examined for licensure with only two failing. This equals less than a 10% failure rate compared to other states failure rates of 25-50%.

The Chiropractic Board has taken steps to simplify application and examination procedures and made changes in the regulations to clarify the procedures an applicant takes to obtain licensure in the State of Alaska.

The Board has requested the Division of Occupational Licensing to contact other state chiropractic licensing boards to establish endorsement or reciprocal licensing agreements.

Recommendation #4

The Board considered current procedures relating to grading and examination procedures during its January 5-6, 1979 meeting. The

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AUDIT

Board has set the direction for innovative changes to insure uniform grading and examination procedures will occur in future exams. The Division of Occupational Licensing will be sharing their input in a proposed manual for testing and grading procedures.

Recommendation #5

The Board concurs with this recommendation.

Recommendation #6

It is felt that the present make-up of the board satisfactorily corresponds with state demographics.

Recommendation #7

The Board unanimously concurs with this recommendation.

Recommendation #8

It was the Board's decision to allow sections of the statutes and regulations relating to grounds for suspension and revocation of license to act as the code of ethics.

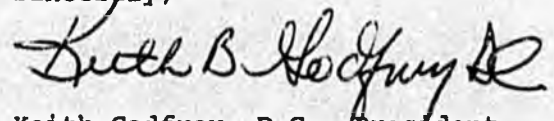
Recommendation #9

In order to bring the regulations in compliance with current legal opinions, the board took at its January 5-6, 1979 meeting appropriate action to eliminate unconstitutional prohibitions.

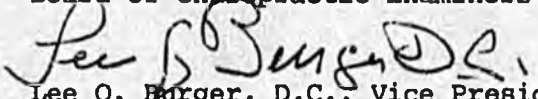
Recommendation #10

The Board concurs with this recommendation.

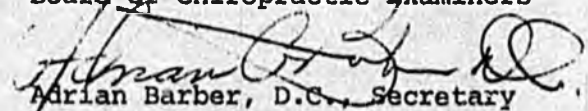
Sincerely,



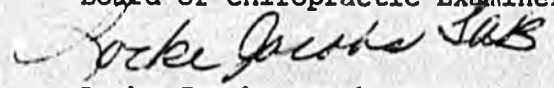
Keith Godfrey, D.C., President
Board of Chiropractic Examiners



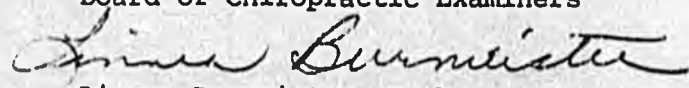
Lee Q. Burger, D.C., Vice President
Board of Chiropractic Examiners



Marian Barber, D.C., Secretary
Board of Chiropractic Examiners



Locke Jacobs, Member
Board of Chiropractic Examiners



Linnea Burmeister, Member
Board of Chiropractic Examiners

STATE OF ALASKA

AUDIT DIVISION
POUCH W—ALASKA OFFICE BUILDING

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
POUCH WF—STATE CAPITOL

JUNEAU, ALASKA 99811

January 11, 1979

Members of the
Legislative Budget and Audit Committee:

We have reviewed the Board of Chiropractic Examiners response to our report dated October 16, 1978. Our comments on the response follow:

Recommendation No. 1

The Board stated that "currently an applicant is not given Part I or Part II of the State examination when he/she has successfully completed the National Board Exam, Part I and Part II".

It is our belief the response was in reference to the Board not administering the National Examination when the applicant has previously satisfied the National Board Examination requirements, and the Board will continue with the administering of a State written examination, redundant of the National Examination.

Implementation of Recommendation No. 1 will permit the Board to test the applicant using examinations obtained from the National Board for the areas the applicant is deficient in at the National level and will give the Board the flexibility to test, at the State level, through oral and clinical (adjustive technique) situations while eliminating the subjective and redundant State written examination.



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

STATE OF ALASKA
DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT
DIVISION OF OCCUPATIONAL LICENSING
BOARD OF CHIROPRACTIC EXAMINERS
POUCH D
JUNEAU, ALASKA 99811

CHIROPRACTIC INFORMATION SHEET

No person may practice chiropractic in the state without a license (Sec. 08.20.100, Alaska Statutes).

NOTE: IT IS THE RESPONSIBILITY OF THE APPLICANT FOR LICENSURE TO OBTAIN AND FURNISH, WITH HIS/HER APPLICATION, ALL NECESSARY DOCUMENTS AND DATA REQUIRED. DOCUMENTS AND TRANSCRIPTS ARE TO BE CERTIFIED AS TRUE OR THEY WILL BE RETURNED.

The following must be on file before you will be considered for certification of licensure by reciprocity or examination:

1. Completed and notarized application.
2. The appropriate fee(s) enclosed. No cash please.
3. Certified copies of your:
 - a. Liberal Arts transcripts.
 - b. Transcripts from Chiropractic College.
4. The National Board of Chiropractic Examiners transcript of grades with the appropriate seal. Persons applying for licensure by examination, graduating after January 1, 1978, are required to submit a diplomate certificate from the National Board of Chiropractic Examiners.
5. Additional information required by the examining board to complete your application, if necessary.

FEES

- | | |
|--|---------|
| 1. Application for examination | \$25.00 |
| 2. Application for re-examination. | \$10.00 |
| 3. Issuance of temporary permit. | \$25.00 |
| 4. Initial and renewal biennial license. | \$50.00 |
| 5. Associate license | \$30.00 |

Please send your application completed in its ENTIRETY, along with necessary documents and fee, to:

The Department of Commerce & Economic Development
Division of Occupational Licensing
Board of Chiropractic Examiners
Pouch D
Juneau, Alaska 99811

MEMBERS OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

Keith Godfrey, D.C., President
Lee O. Burger, D.C., Vice President
Adrian Barber, D.C., Secretary
Linnea Burmeister, Public Member
Locke Jacobs, Public Member

Do not send any portions of your application for licensure to any individual board member. Those applications will be returned to you to be mailed to the above address.

STATE OF ALASKA
DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT
BOARD OF CHIROPRACTIC EXAMINERS
POUCH D
JUNEAU, ALASKA 99811
Phone (907) 465-2580

Attach
Photograph
Here

NOTE: TO BE ELIGIBLE FOR THE EXAMINATION, THIS APPLICATION MUST BE IN THIS OFFICE (SEE ADDRESS ABOVE) AT LEAST THIRTY [30] DAYS BEFORE THE DATE OF THE EXAMINATION.

1. Name _____ Age _____ Years
(full name)
Date of Birth _____ Place of Birth _____
(month-day-year) (city-state)
Present Residence _____
(street) (city-state-zip code)
Are you a citizen of the U.S.A.? _____ If naturalized, give
date and place of naturalization _____
Has your surname ever been changed? _____ If so give date
and place of change _____
Original surname _____

2. High School _____
(name) (location) (date of graduation)
If not a high school graduate, what equivalent educational qualification do
you have? _____

3. List names and addresses, of liberal arts or science colleges, studies, and
credits earned.

4. Are you presently in practice? _____ If yes, give location
Number of years _____
(street) (city-state-zip code)
Has any license to practice chiropractic issued to you ever been revoked, sus-
pended, recalled or cancelled? _____ If yes, explain on separate
paper and submit with this application.
Have you ever been convicted of, or indicted for, any crime? _____ If yes,
give details on separate paper and submit with this application.
Are you free from contagious or infectious disease? _____
Have you ever been denied examination for licensure to practice chiropractic?
_____ If yes, give details on a separate paper and submit with this
application.
Have you ever held an Alaska license to practice chiropractic? _____
If yes, give details on a separate paper and submit with the application.

5. NATIONAL CHIROPRACTIC BOARD EXAMS:
I hereby apply for the Alaska Chiropractic license based on the National
Chiropractic Examination dated ___/___/___, numbered _____. Submit

STATE OF ALASKA

STATUTES
BOARD OF CHIROPRACTIC EXAMINERS



Printed: October 1978

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Alaska Statutes

Title 8. Business and Professions.

Chapter

01. Centralized Licensing (§§ 08.01.010 — 08.01.110)
02. Miscellaneous Provisions (§§ 08.02.010 — 08.02.020)
03. Termination, Continuation and Reestablishment of Regulatory Boards (§ 08.03.010)
04. Accountancy Act of 1960 (§§ 08.04.010 — 08.04.690)
08. Alaska Integrated Bar Act (§§ 08.08.010 — 08.08.250)
12. Barbers (§§ 08.12.010 — 08.12.280)
16. Basic Sciences (Repealed)
18. Construction Contractors (§§ 08.18.011 — 08.18.171)
20. Chiropractors (§§ 08.20.010 — 08.20.220)
24. Collection Agencies (§§ 08.24.011 — 08.24.390)
28. Cosmetologists and Hairdressers (§§ 08.28.010 — 08.28.320)
32. Dental Hygienists (§§ 08.32.010 — 08.32.190)
36. Dentistry (§§ 08.36.010 — 08.36.360)
40. Electrical Administrators (§§ 08.40.095 — 08.40.200)
42. Morticians (§§ 08.42.010 — 08.42.130)
44. Embalmers (Repealed)
48. Architects, Engineers and Land Surveyors (§§ 08.48.011 — 08.48.351)
52. Explosives Handlers (§§ 08.52.010 — 08.52.080)
54. Guides (§§ 08.54.010 — 08.54.240)
56. Hotels and Boardinghouses (§§ 08.56.010 — 08.56.070)
60. Junk Dealers and Metal Scrappers (§§ 08.60.010 — 08.60.100)
62. Marine Pilots (§§ 08.62.010 — 08.62.200)
64. Medicine (§§ 08.64.010 — 08.64.380)
66. Motor Vehicle Dealers (§§ 08.66.010 — 08.66.090)
68. Nursing (§§ 08.68.010 — 08.68.410)
70. Nursing Home Administrators (§§ 08.70.010 — 08.70.190)
71. Dispensing Opticians (§§ 08.71.010 — 08.71.240)
72. Optometry Law (§§ 08.72.010 — 08.72.310)
76. Pawnbrokers and Secondhand Dealers (§§ 08.76.010 — 08.76.030)
80. Pharmacy Act (§§ 08.80.010 — 08.80.490)
84. Physical Therapists Practice Act (§§ 08.84.010 — 08.84.200)
86. Psychologists and Psychological Associates (§§ 08.86.010 — 08.86.230)
88. Real Estate Brokers and Salesmen (§§ 08.88.011 — 08.88.431)
92. Concert Promoters (§§ 08.92.010 — 08.92.090)
98. Veterinarians (§§ 08.98.010 — 08.98.250)
99. Board of Welding Examiners (§§ 08.99.010 — 08.99.120)

Chapter 01. Centralized Licensing.

Section	Section
10. Applicability of chapter	80. Department regulations
20. Board organization	87. Powers and duties of department
25. Public members	90. Applicability of the Administrative Procedure Act
30. Quorum	100. License renewal, lapse and reinstatement
40. Transportation and per diem	105. Penalty for improper payment
50. Administrative duties of department	110. Definitions
60. Application for license	
70. Administrative duties of boards	

Sec. 08.01.010. Applicability of chapter. This chapter applies to the

- (1) Board of Public Accountancy;
- (2) Board of Barber Examiners;
- (3) Repealed by § 6 ch 32 SLA 1971.
- (4) Board of Chiropractic Examiners;
- (5) Board of Hairdressing and Beauty Culture Examiners;
- (6) Board of Dental Examiners;
- (7) Board of Electrical Examiners;
- (8) State Board of Registration for Architects, Engineers and Land Surveyors;
- (9) State Medical Board;
- (10) Board of Nursing;
- (11) Board of Examiners in Optometry;
- (12) Board of Pharmacy;
- (13) Real Estate Commission;
- (14) Board of Veterinary Examiners;
- (15) Board of Psychologist and Psychological Associate Examiners;
- (16) Collection Agency Board;
- (17) Board of Welding Examiners;
- (18) Board of Marine Pilots;
- (19) Board of Dispensing Opticians;
- (20) Guide Licensing and Control Board;
- (21) State Physical Therapy Board. (§ 1 ch 59 SLA 1966; am § 2 ch 136 SLA 1967; am § 2 ch 101 SLA 1968; am § 2 ch 143 SLA 1968; am § 2 ch 151 SLA 1968; am § 1 ch 106 SLA 1970; am § 6 ch 32 SLA 1971; am § 4 ch 179 SLA 1972; am § 2 ch 45 SLA 1973; am § 14 ch 66 SLA 1973; am § 1 ch 43 SLA 1975; am § 1 ch 43 SLA 1977)

Effect of amendments. — The first 1973 amendment added paragraph (10).

The second 1973 amendment inserted "and Psychological Associate" in paragraph (15).

The 1975 amendment added paragraph (20).

The 1977 amendment added paragraph (21).

Editor's note. — Section 2, ch 59, SLA 1966, provides: "The Department of Commerce shall provide for the orderly

transfer of the service functions which are to be performed by the department under this chapter."

Section 4, ch 59, SLA 1966, provides: "A provision in existing law which conflicts with this Act is superseded by this Act."

Legislative committee reports. — For report on ch. 143, SLA 1968, (HH 707), see 1968 House Journal, p. 836. For report on ch. 32, SLA 1971 (HH 111 am), see 1971 House Journal, p. 138.

Sec. 08.01.020. Board organization. Unless otherwise provided, all board members are appointed by the governor and serve at his pleasure. Unless otherwise provided, the governor shall designate the chairman of the board, and all other officers shall be elected by the board members. (§ 1 ch 59 SLA 1966)

Sec. 08.01.025. Public members. No public member of a board may:

- (1) be engaged in the occupation which the board regulates;
- (2) be associated by legal contract with a member of the occupation which the board regulates except as a consumer of the services provided by a practitioner of the occupation; or
- (3) have a direct financial interest in the occupation which the board regulates. (§ 1 ch 258 SLA 1976)

Sec. 08.01.030. Quorum. A majority of the membership of a board constitutes a quorum unless otherwise provided. (§ 1 ch 59 SLA 1966)

Sec. 08.01.040. Transportation and per diem. A board member is entitled to transportation expenses and per diem as set out in AS 39.20.180. (§ 1 ch 59 SLA 1966)

Sec. 08.01.050. Administrative duties of department. (a) The department shall provide the following administrative and budgetary services when appropriate:

- (1) collect fees and issue receipts;
- (2) maintain records and files;
- (3) issue and receive application forms;
- (4) notify applicants of acceptance or rejection of applicants as determined by the board;
- (5) designate dates examinations are to be held and notify applicants;
- (6) publish notice of examination;
- (7) arrange space for holding examinations;
- (8) notify applicants of results of examinations;
- (9) issue licenses and certificates or temporary licenses or certificates as authorized by the board;
- (10) issue duplicate licenses or certificates upon proof by the licensee of loss of the original and payment by the licensee of a fee of \$2;
- (11) notify licensees of renewal dates at least 30 days before the expiration date of their licenses;
- (12) compile and maintain current a register of licenses;
- (13) answer routine inquiries;
- (14) maintain files relating to individual licensees;
- (15) arrange for printing and advertising;
- (16) purchase supplies;
- (17) employ secretarial help when needed;
- (18) perform other services which may be requested by the board;

(19) provide investigative services to the boards established under chs. 20, 32, 36, 64, 68, 71, 72, 80, 84, and 86 of this title, for the purpose of assisting those boards in matters of professional discipline.

(b) The form and content of a license, authorized by a board listed in § 10 of this chapter, including any document evidencing renewal of a license, shall be determined by the department after consultation with an consideration of the views of the board concerned. (§ 1 ch 59 S.L.A. 1966; am § 1 ch 102 S.L.A. 1976; am § 39 ch 218 S.L.A. 1976; am § 2 ch 258 S.L.A. 1976)

Effect of amendments. — The first 1976 amendment added paragraph (19) of present subsection (a).

The second 1976 amendment substituted "Department of Commerce and Economic Development" for "Department of Commerce" in the introductory paragraph of present subsection (a).

The third 1976 amendment designated the provisions of this section as subsection (a), and in that subsection, substituted

"department" for "Department of Commerce" and "when appropriate" for "for the boards" in the introductory language and inserted "by the licensee" two places in paragraph (10). The amendment also added subsection (b).

While none of the amendments gave effect to the others, this section is set out as it appears in ch. 258, S.L.A. 1976, with the inclusion of paragraph (19) of subsection (a) added by ch. 102, S.L.A. 1976.

Sec. 08.01.060. Application for license. All applications for examination or licensing to engage in the business or profession covered by this chapter shall be made in writing to the department. (§ 1 ch 59 S.L.A. 1966)

Sec. 08.01.070. Administrative duties of boards. Each board shall perform the following duties in addition to those provided in its respective law:

- (1) keep minutes and records of all proceedings;
- (2) hold a minimum of one meeting each year;
- (3) hold at least one examination each year;
- (4) request, through the department, investigation of violations of its laws and regulations;
- (5) prepare and grade examinations;
- (6) pass on qualifications of applicants for examination and license;
- (7) forward minutes of meetings to the department within 20 days;
- (8) forward results of examinations to the department;
- (9) notify the department of meeting dates at least 15 days before meeting. (§ 1 ch 59 S.L.A. 1966)

Sec. 08.01.080. Department regulations. The department shall adopt regulations to carry out the purposes of this chapter including but not limited to describing:

- (1) how an examination is to be conducted;
- (2) what is contained in application forms;
- (3) how a person applies for an examination or license. (§ 1 ch 59 S.L.A. 1966)

Sec. 08.01.087. Powers and duties of department. (a) The department may, upon its own motion, conduct investigations to determine whether any person has violated a provision of this chapter or a regulation adopted under it or a provision of a chapter in this title dealing with one of the boards listed in § 10 of this chapter or a regulation adopted by one of those boards, or to secure information useful in the administration of this chapter.

(b) If it appears to the commissioner that a person has engaged in or is about to engage in an act or practice in violation of a provision of this chapter or a regulation adopted under it, or any of the laws pertaining to or regulations adopted by the boards listed in § 10 of this chapter, he may, if he considers it in the public interest, and after notification to all board members by telephone or telegraph of a proposed order or action unless a majority of the members of the board object within 10 days,

(1) issue an order directing the person to stop the act or practice; however, reasonable notice of and an opportunity for a hearing must first be given to the person, except that the commissioner may issue a temporary order before a hearing is held; a temporary order remains in effect until a final order affirming, modifying, or reversing the temporary order is issued or until 15 days after the person receives the notice and has not requested a hearing by that time; a temporary order becomes final if the person to whom the notice is addressed does not request a hearing within 15 days after receiving the notice; the commissioner or his designee shall be the hearing officer at the hearing; and shall issue a final order within 10 days after the hearing;

(2) bring an action in the superior court to enjoin the acts or practices and to enforce compliance with this chapter, a regulation adopted under it, or an order issued under it, or any of the laws pertaining to or regulations adopted by the boards listed in § 10 of this chapter;

(3) examine or have examined the books and records of any person whose business activities require licensure by a board listed in § 10 of this chapter and he may require that person to pay the reasonable costs of the examination; and

(4) issue subpoenas for the attendance of witnesses, and the production of books, records and other documents. (5 3 ch 258 SLA 1976)

Sec. 08.01.090. Applicability of the Administrative Procedure Act. The Administrative Procedure Act (AS 44.62) applies to regulations adopted and proceedings held under this chapter, except those under AS 08.01.087(b). (5 4 ch 59 SLA 1966; am § 4 ch 258 SLA 1976)

Effect of amendment — The 1976 amendment added "except those under AS 08.01.087(b)" to the end of the section.

Sec. 08.01.100. License renewal, lapse and reinstatement. (a) All licenses shall be renewed biennially on the dates set by the department with the approval of the respective board.

(b) A registration, license, permit or certificates requiring renewal to continue effective must be renewed on or before the date set by the department or it will lapse. A penalty of \$10 shall be charged in addition to all delinquent renewal fees for reinstatement of a registration, license, permit or certificate which remains lapsed for more than 60 days. (§ 1 ch 59 SLA 1966; am § 2 ch 94 SLA 1968)

Sec. 08.01.105. Penalty for improper payment. An applicant shall pay a penalty of \$10 each time a negotiable instrument is presented to the department in payment of an amount due and payment is subsequently refused by the named payor. (§ 3 ch 258 SLA 1976)

Sec. 08.01.110. Definitions. In this chapter

(1) "board" includes the boards and commissions listed in § 10 of this chapter;

(2) "department" means the Department of Commerce and Economic Development;

(3) "commissioner" means the commissioner of commerce and economic development;

(4) "license" means any license, certificate, permit, or registration or similar evidence of authority issued by one of the boards listed in § 10 of this chapter;

(5) "licensee" means any person who holds a license;

(6) "occupation" means any of the trades or professions for which licensure is required by one of the boards listed in § 10 of this chapter. (§ 1 ch 59 SLA 1966; am § 40 ch 218 SLA 1976; am § 5 ch 258 SLA 1976)

Effect of amendments. — The first 1976 amendment substituted "Department of Commerce and Economic Development" for "Department of Commerce" in paragraph (2). The second 1976 amendment added paragraphs (3) through (6).

Chapter 02. Miscellaneous Provisions.

Section

- 10. Professional designation requirements
- 20. Limitation of liability for members of licensing boards

Sec. 08.02.010. Professional designation requirements. (a) A person licensed in the state as a chiropractor as defined in AS 08.20.220, a dentist as defined in AS 08.36.360, a medical practitioner or osteopath as defined in AS 08.64.380, a professional nurse as defined in AS 08.68.410, an optometrist as defined in AS 08.72.300(3), a registered pharmacist under AS 08.80, a registered physical therapist under AS 08.84, or a psychologist under AS 08.86, shall professionally identify

himself by the use of appropriate letters or a title after his name which represents his specific field of practice. The letters or title shall appear on all signs, stationery or other advertising in which the person offers or displays his professional services to the public. In addition, a person engaged in the practice of medicine or osteopathy under AS 08.64.380(2), or a person engaged in any manner in the healing arts who diagnoses, treats, tests, or counsels other persons in relation to human health or disease and identifies himself by using the letters "M.D." or the title "doctor" or "physician" or any other title which tends to show that the person is willing or qualified to diagnose, treat, test, or counsel another person, shall clarify the letters or title by adding the appropriate specialist designation, if any, such as "dermatologist", "radiologist", "audiologist", "naturopath", or the like.

(b) A person subject to (a) of this section who fails to comply with the requirements of (a) of this section shall be given notice of his noncompliance by his appropriate licensing board. If, after a reasonable time, with opportunity for a hearing, his noncompliance continues, the board may suspend or revoke his license or registration, or administer other disciplinary action which in its determination is appropriate. (S 1 ch 6 SIA 1973)

Sec. 08.02.020. Limitation of liability for members of licensing boards. No person is liable for damages or other relief in an action by reason of his performance of a duty, function, or activity as a member of a licensing board or by reason of a recommendation or action of the board when the person acts in the reasonable belief that his action or recommendation is warranted by facts known to him or to the board after reasonable efforts to ascertain the facts upon which the action or recommendation is made. (S 45 ch 102 SIA 1976)

Chapter 03. Termination, Continuation and Reestablishment of Regulatory Boards

Section

10. Termination, continuation and reestablishment of regulatory boards

Cross reference. — As to review of the activities of agencies, boards and commissions, see AS 44.66.010 et seq.

Editor's note. — Section 1, ch 149, SIA 1977, provides: "The legislature finds that the substantial increase in the number of state agencies, boards and commissions, and the proliferation of rules and regulations which such has adopted have contributed to a public disenchantment with the operation of state government, and that there is need for an effective and

regular system of security of the programs and activities of all agencies, boards and commissions. The legislature further finds that the establishment of a system for periodic review by the public and the executive and legislative branches of certain state agencies, boards and commissions will help the governor and the legislature to determine the need for the continued existence of each of the agencies, boards and commissions."

Sec. 08.03.010. Termination, continuation and reestablishment of regulatory boards. (a) Boards listed in this subsection have a termination date of June 30, 1979:

- (1) Board of Chiropractic Examiners (AS 08.20.010);
- (2) Board of Dental Examiners (AS 08.36.010);
- (3) State Medical Board (AS 08.64.010);
- (4) Board of Nursing (AS 08.68.010);
- (5) Board of Dispensing Opticians (AS 08.71.010);
- (6) Board of Examiners in Optometry (AS 08.72.010);
- (7) Board of Pharmacy (AS 08.80.010);
- (8) Board of Veterinary Examiners (AS 08.98.010);
- (9) Board of Psychologist and Psychological Associate Examiners (AS 08.86.010);

- (10) Board of Nursing Home Administrators (AS 08.70.010);
- (11) Physical Therapy Board (AS 08.84.010).

(b) Boards listed in this subsection have a termination date of June 30, 1980:

- (1) Board of Public Accountancy (AS 08.04.010);
- (2) Board of Barber Examiners (AS 08.12.010);
- (3) Collection Agency Board (AS 08.24.011);
- (4) Board of Hairdressing and Beauty Culture Examiners (AS 08.28.010);
- (5) Board of Electrical Examiners (AS 08.49.010);
- (6) State Board of Registration for Architects, Engineers and Land Surveyors (AS 08.48.011);
- (7) Guide Licensing and Control Board (AS 08.54.010);
- (8) Board of Marine Pilots (AS 08.62.010);
- (9) Real Estate Commission (AS 08.88.011);
- (10) Board of Welding Examiners (AS 08.99.010);
- (11) Board of Governors of the Alaska Bar Association (AS 08.08.040).

(c) Upon termination, each board listed in (a) and (b) of this section shall continue in existence until June 30 of the next succeeding year for the purpose of concluding its affairs. During this period, termination does not reduce or otherwise limit the powers or authority of each board. One year after the date of termination, a board not continued shall cease all activities.

(d) The termination, dissolution, continuation or reestablishment of a regulatory board shall be governed by the legislative oversight procedures of AS 44.66.050.

(e) A board scheduled for termination under this chapter may be continued or reestablished by the legislature for a period not to exceed four years. (S 2 ch 149 SLA 1977)

Chapter 20. Chiropractors.

Article

1. Board of Chiropractic Examiners (§§ 08.20.010 — 08.20.090)
2. Licensing and Regulation (§§ 08.20.100 — 08.20.190)
3. Unlawful Acts and Penalties (§§ 08.20.200 — 08.20.210)
4. General Provisions (§ 08.20.220)

Article 1. Board of Chiropractic Examiners.

Section

10. Creation and membership of Board of Chiropractic Examiners
20. Members of board
30. Members' terms; vacancies
40. Organization of board
50. Power of officers to administer oaths and take testimony

Section

55. Board regulations
60. Power of board to adopt seal
- 70 — 80. [Repealed]
90. Quorum of board

Sec. 08.20.010. Creation and membership of Board of Chiropractic Examiners. There is created the Board of Chiropractic Examiners consisting of five members appointed by the governor. (§ 35-3-23 ACLA 1949; am § 2 ch 102 SLA 1976)

Effect of amendment. — The 1976 amendment substituted "five members" for "three members."

Am. Jur., ALR and C.J.S. references. — 41 Am. Jur., Physicians and Surgeons, § 27.

Constitutionality of statute prescribing conditions of practicing medicine as

affected by discrimination against chiropractors, 37 ALR 680; 51 ALR 600.

Kind or character of treatment which may be given by one licensed as chiropractor, 86 ALR 630.

70 C.J.S. Physicians and Surgeons § 1, 8, 10, 12, 15.

Sec. 08.20.020. Members of board. Three members of the board shall be licensed chiropractic physicians who have practiced chiropractic in this state not less than two years. Two members of the board shall be persons with no direct financial interest in the health care industry. Each member serves without pay but is entitled to per diem and travel expenses allowed by law. (§§ 35-3-23, 35-3-30 ACLA 1949; am § 3 ch 102 SLA 1976)

Revisor's note. — This section relating to per diem and expenses was impliedly amended by § 1, ch. 130, SLA 1963, as amended by § 1 ch. 34, SLA 1960.

Effect of amendment. — The 1976 amendment substituted "Three members"

for "Each member" and "licensed chiropractic physicians who" for "a licensed chiropractic physician and shall" in the first sentence and added the present second sentence.

Sec. 08.20.030. Members' terms; vacancies. Members serve for staggered terms of three years. The terms of the public members of the board may not expire at the same time. Vacancies on the board shall be filled for the unexpired term. (§ 35-3-23 ACLA 1949; § 4 ch 102 SLA 1976)

Effect of amendment. — The 1976 amendment rewrote this section.

Sec. 08.20.040. Organization of board. Every two years, the board shall elect from its membership a president, vice president and secretary. (§ 35-3-24 ACLA 1949)

Sec. 08.20.050. Power of officers to administer oaths and take testimony. The president and the secretary may administer oaths in conjunction with the business of the board. (§ 35-3-24 ACLA 1949)

Sec. 08.20.055. Board regulations. The board shall adopt substantive regulations necessary to effect the provisions of this chapter. (§ 1 ch 102 SLA 1960)

Sec. 08.20.060. Power of board to adopt seal. The board shall adopt a seal and affix it to all licenses issued. (§ 35-3-24 ACLA 1949)

Sec. 08.20.070. Secretary.
 Repealed by § 3 ch 59 SLA 1966.

Sec. 08.20.080. Records, reports and accounts of board.
 Repealed by § 3 ch 59 SLA 1966.

Sec. 08.20.090. Quorum of board. A majority of the board constitutes a quorum for the transaction of business (§ 35-3-24 ACLA 1949)

Article 2. Licensing and Regulation.

Section	Section
100. Practice of chiropractic without license prohibited	150. Recording of license
110. Application for license	160. Temporary permits
115. Malpractice insurance	170. Grounds for suspension, revocation or refusal to issue a license
120. Qualifications for license	175. Limits or conditions on license; discipline
130. Examinations	180. Fees
135. Associate	190. Disposition of fees
140. Out-of-state licenses	

Sec. 08.20.100. Practice of chiropractic without license prohibited. No person may practice chiropractic in the state without a license. (§ 35-3-21 ACLA 1949)

Cited in Territory of Alaska v. Hawkins, 9 Alaska 673 (1939). Am. Jur. reference. — 41 Am. Jur., Physicians and Surgeons, §§ 15, 16, 27.

Sec. 08.20.110. Application for license. A person desiring to practice chiropractic shall apply in writing to the board. (§ 35-3-26 ACLA 1949)

Sec. 08.20.115. Malpractice insurance. If medical malpractice insurance for chiropractors becomes unavailable on the voluntary market and the director of insurance finds, after public hearing, that the unavailability is impairing the delivery of chiropractic services to the public, the director of insurance may require all persons licensed under this chapter to carry medical malpractice insurance and to purchase their insurance from the Medical Indemnity Corporation of Alaska established under AS 21.88. If a finding of unavailability of insurance on the voluntary market and impairment of services has been made under this section, purchase of medical malpractice insurance from the Medical Indemnity Corporation of Alaska is a condition of license under this chapter. The provisions of this section are satisfied if the licensee's employer maintains insurance for him from the Medical Indemnity Corporation of Alaska. (§ 5 ch 102 SLA 1976)

Sec. 08.20.120. Qualifications for license. An applicant shall be issued a license to practice chiropractic if he

- (1) Repealed by § 25 ch 245 SLA 1970.
- (2) has had a high school education or its equivalent;

(2) has successfully completed at least two academic years of study in a college of liberal arts or sciences;

(4) is a graduate of a legally chartered accredited school or college of chiropractic, approved by the board, which requires for graduation a residence course of instruction of not less than four years of nine months each;

(5) passes an examination given by the board;

(6) Repealed by § 8 ch 32 SLA 1971.

(7) passes to the satisfaction of the board Part I and Part II of the examination of the National Board of Chiropractic Examiners. (§ 35-3-25 ACLA 1949; am § 1 ch 65 SLA 1955; am § 1 ch 91 SLA 1965; am § 25 ch 245 SLA 1970; am § 8 ch 32 SLA 1971; am § 1 ch 84 SLA 1972)

Revisor's note (1972). — In ch. 84, SLA 1972, the apparently necessary word "examination" was omitted from AS 08.20.120(7). It has been added here. — Legislative committee reports. — Chapter 245, SLA 1970 (HCSSB 399 am II), was identical to CSHB 406 (Jud.). For report on CSHB 406 (Jud.), see 1970 House Journal Supplement No. 6. For report on ch. 32, SLA 1971 (HB 111 am), see 1971 House Journal, p. 138.

Sec. 08.20.130. Examinations. (a) Examinations for a license to practice chiropractic may be held in the time and manner fixed by the board.

(b) The examination may include practical demonstration and oral and written examination in those subjects usually taught in accredited chiropractic schools.

(c) A general average rating of 75 per cent is a passing grade on the examination.

(d) An applicant may take a re-examination within one year after failing the examination upon payment of a fee of \$10. (§ 35-3-27 ACLA 1949; am § 2 ch 91 SLA 1965)

Am. Jur. reference. — 41 Am. Jur., Physicians and Surgeons, §§ 40, 41.

Sec. 08.20.135. Associate. A person who complies with § 120 (1), (2), (4), (5), and (6) of this chapter shall, pending compliance with (3) of § 120 of this chapter, be licensed to serve as an associate in an existing chiropractic clinic or office under the direct supervision of a licensed chiropractor for a period not to exceed three years. (§ 3 ch 91 SLA 1965)

Editor's note. — Paragraphs (1) and (6) of § 120, referred to in this section have been repealed.

Sec. 08.20.140. Out-of-state licenses. The board may issue a license without examination to an applicant presenting satisfactory proof of the possession of a license or certificate of registration in a state or territory of the United States, or a foreign country, if the requirements for

registration at the date of his license are considered by the board as equivalent to those in this chapter, and if the licensing jurisdiction extends the same privilege to those holding a license from this state. (§ 35-3-25 ACLA 1949; am § 1 ch 53 SLA 1955)

Sec. 08.20.150. Recording of license. Each licensee shall record his license with the clerk of the superior court in the judicial district in which he is practicing his profession. (§ 35-3-28 ACLA 1949)

Sec. 08.20.160. Temporary permits. Temporary permits may be issued to persons apparently qualified until the next regular meeting of the board. (§ 35-3-28 ACLA 1949)

Sec. 08.20.170. Grounds for suspension, revocation or refusal to issue a license. (a) The board may refuse to issue, or may suspend or revoke a license upon any of the following grounds:

- (1) malpractice;
- (2) misrepresentation;
- (3) unprofessional conduct;
- (4) habitual intemperance, or addiction to the use of narcotics;
- (5) conviction of a felony or misdemeanor involving moral turpitude;
- (6) violation of any provision of this act.

(b) The Administrative Procedure Act (AS 44.62) applies to any action taken by the board for the suspension or revocation of a license.

(c) Any person whose license is suspended or revoked may within two years from date of suspension apply for reinstatement, and if the board is satisfied that the applicant should be reinstated, it shall order reinstatement. (§ 35-3-29 ACLA 1949)

Am. Jur. reference. — 41 Am. Jur.,
Physicians and Surgeons, §§ 44 to 46.

Sec. 08.20.175. Limits or conditions on license; discipline. (a) In addition to action under § 170 of this chapter, upon a finding that by reason of demonstrated problems of competence, experience, education or health the authority to practice chiropractic should be limited or conditioned or the practitioner disciplined, the board may reprimand, censure, place on probation, restrict practice by specialty, procedure or facility, require additional education or training, or revoke or suspend a license.

(b) The Administrative Procedure Act (AS 44.62) applies to any action taken by the board under this section. (§ 6 ch 102 SLA 1976)

Sec. 08.20.180. Fees. The board shall impose and collect the following fees:

- (1) upon the filing of an application for examination, \$25;
- (2) upon application for re examination, \$10;
- (3) for issuance of temporary permit, \$25;
- (4) initial and renewal biennial license, \$50;

(5) associate license, \$30. (§ 35-3-30 ACLA 1949; am § 1 ch 13 SLA 1968)

Sec. 08.20.190. Disposition of fees. All fees collected by the board shall be paid into the general fund of the state. (§ 35-3-30 ACLA 1949)

Article 3. Unlawful Acts and Penalties.

Section

200. Violation of § 100 of this chapter
 210. Fraudulent certificates

Sec. 08.20.200. Violation of § 100 of this chapter. A person who violates § 100 of this chapter is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than a year, or by both. In prosecutions under this section, evidence that the defendant has failed to file his certificate of registration with the board is prima facie evidence that he is not a licensed chiropractor. (§ 3 ch 53 SLA 1955)

Revisor's note. — This section introduces a requirement which does not exist in this chapter, viz., filing a certificate with the board. It is the board's duty to keep a registry.

Sec. 08.20.210. Fraudulent certificates. Any person who obtains or attempts to obtain a chiropractic certificate by dishonest or fraudulent means, or who forges, counterfeits, or fraudulently alters any such certificate is punishable by a fine of not more than \$500, or by imprisonment for not more than six months, or by both. (§ 4 ch 53 SLA 1955)

Article 4. General Provisions.

Section

220. Chiropractic defined

Sec. 08.20.220. Chiropractic defined. Chiropractic is the science of locating and correcting interference with nerve energy transmission and expression within the human body, and the employment and practice of drugless therapeutics, including physiotherapy, hydrotherapy, mechanotherapy, phytotherapy, electrotherapy, chromotherapy, thermotherapy, thalmotherapy, correcting and orthopedic gymnastics, and dietetics which includes the use of foods and those biochemical tissue building products and cell salts found within the normal human body, without the use of drugs or surgery. (§ 35-3-22 ACLA 1949)

Prescription of drugs or medicine illegal — It is illegal and criminal for a chiropractor, without additional qualifications, to prescribe drugs or medicine to sick or injured persons. 1961 Op. Atty Gen., No 23 Expenditures from fishermen's fund for medicine prohibited. — Money cannot

§ 08.24.011

ALASKA STATUTES

§ 08.24.016

be expended from the fishermen's fund for the payment of charges for medicines prescribed by chiropractors. 1961 Op. Att'y Gen., No. 23.

Am. Jur. and ALR references. — 41 Am. Jur., Physicians and Surgeons, § 27.

Chiropractors as within term "physician" in rule as to privileged communications, 68 ALR 177.

Kind or character of treatment which may be given by one licensed as chiropractor, 86 ALR 630.

BOARD OF CHIROPRACTIC EXAMINERS
REGULATIONS

BOARD OF CHIROPRACTIC EXAMINERS

ARTICLE 2. LICENSING

Section

- 30. Application for examination
- 40. Evaluation
- 50. Notification
- 60. Schedule
- 70. Basis of questions
- 80. Identity of applicant
- 90. Method of examination
- 100. Materials
- 110. Leaving examination room
- 120. Disturbance
- 130. Questions
- 140. Grades
- 150. Re-examination
- 160. Time
- 170. Special examination
- 180. Reconsideration of papers
- 190. Certificates
- 200. Temporary permits
- 210. Associates
- 220. Duplicate licenses
- 230. Misrepresentation
- 240. Unprofessional conduct

12 AAC 16.030. APPLICATION FOR EXAMINATION. No applicant may take the examination unless he

(1) applies on the board approved form for application for licensure,

(2) complies with all the forms requirements and any additional requests for information by the secretary of the board when necessary to complete the applicant's credentials,

(3) submits to the board, written proof of meeting all requirements of AS 09.20,

(4) pays the required fees for application, and

(5) applies no less than 30 days before a scheduled examination. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055
AS 08.20.130

12 AAC 16.040. EVALUATION. Evaluation of an applicant's credentials in work for liberal arts or science (2 years liberal arts and science college) shall be made from a course of study from an institution equivalent to those of the University of Alaska or acceptable to the regional accrediting agencies for approved colleges of liberal arts or sciences. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055

BOARD OF CHIROPRACTIC EXAMINERS

12 AAC 16.050. NOTIFICATION. An applicant will be notified of his passing or failing of an examination or the acceptance or denial of his application for examination within a reasonable time from the date of examination or the receipt of application for examination. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055

12 AAC 16.060. SCHEDULE. The board will when possible, regularly examine applicants on the second Saturday and/or Sunday of January and June at a time and place determined by the board. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055
AS 08.20.130(a)

12 AAC 16.070. BASIS OF QUESTIONS. All examination questions will be based upon material contained in standard text books used in chiropractic schools or colleges. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055

12 AAC 16.080. IDENTITY OF APPLICANT. An applicant for examination will be designated by a number instead of a name, so that the identity is not disclosed to the examiners until the papers are graded. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055

12 AAC 16.090. METHOD OF EXAMINATION. The paper of an applicant will be identified by numbers as follows:

(1) each envelope will be numbered and will contain a blank sheet of paper with a number on it which the applicant shall write his name and address on the blank and return it to the envelope which shall be sealed and delivered to the director;

(2) each applicant shall place on his examination paper the number given to him. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055
AS 08.20.130(a)

12 AAC 16.100. MATERIALS. No applicant may have on his examination table any paper or object other than the examination questions, examination paper, blotter, pencil, pen and ink, eraser, and a watch. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055
AS 08.20.130(a)

BOARD OF CHIROPRACTIC EXAMINERS

12 AAC 16.110. LEAVING THE EXAMINATION ROOM. No candidate may leave the examination room for any reason unless accompanied by a proctor or board member. (Eff. 3/8/71 Register 37)

Authority: AS 08.20.055
AS 08.20.130(a)

12 AAC 16.120. DISTURBANCE. No applicant may communicate with another applicant during the examination. A disturbance on the part of the applicant will cause him to be required to leave the examination room. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055
AS 08.20.130(a)

12 AAC 16.130. QUESTIONS. An applicant shall rely solely on his own judgement for the meaning of each question and on his own knowledge of the subject in answering each question. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055

12 AAC 16.140. GRADES. An applicant failing to make the required grade average will be credited for the subjects passed.

(b) An applicant failing to attain a general average rating of 75 per cent after two examinations is required to produce evidence of refresher courses in the subjects failed before he is allowed a re-examination. (Eff. 3/8/71 , Register 37)

Authority: AS 08.20.055
AS 08.20.130

12 AAC 16.150. RE-EXAMINATION. (a) An applicant may apply for re-examination by

(1) informing the board of his intention at least 30 days before the next regularly scheduled examination, and

(2) paying the re-examination fee. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055

12 AAC 16.160. TIME. An applicant will be allowed to proceed at his own speed on each subject given in the examination, within the time specified. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055
AS 08.20.130(a)

BOARD OF CHIROPRACTIC EXAMINERS

12 AAC 16.170. SPECIAL EXAMINATION. A special examination of an applicant may be allowed if all members of the board agree and notice of 30 days in writing is given to the board and the applicant has complied with the provisions of this chapter and AS 08.20. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055

12 AAC 16.180. RECONSIDERATION OF PAPERS. The examining board will not reconsider an applicant's examination papers unless the applicant presents his reason in writing to the board. The applicant is bound by the decision of the board. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055

12 AAC 16.190. CERTIFICATES. The board shall issue one form of license to those passing the examination for licensure. The license shall be designated "License to Practice Chiropractic". The license authorizes its holder to practice chiropractic in the state, and shall be signed by all board members. All certificates shall be numbered consecutively. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055

12 AAC 16.200. TEMPORARY PERMITS. (a) Temporary permits are subject to termination by the board at any time if, in the board's determination, the holder of the permit is violating ethical behavior or law after being warned by the board that this action in regard to him was being contemplated.

(b) Temporary permits shall be displayed in a conspicuous place in the office where the holder practices chiropractic.

(c) It is the duty of the permittee to inform the board of any change in his mailing and practicing address. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055
AS 08.20.160

12 AAC 16.210. ASSOCIATES. (a) No associate may treat or diagnose a patient professionally unless:

(1) he furnishes the board periodic evidence that he is pursuing reasonable academic study to fulfill the two years liberal arts or science requirements within the three-year period;

(2) he executes a contract with the supervising chiropractor which provides for a definite salary and no fee splitting, and provides that no remuneration may be made except under terms of the contract;

BOARD OF CHIROPRACTIC EXAMINERS

(3) the supervising chiropractor assumes liability for all malpractice of the associate.

(b) The board will deny the practice of an associate if in the opinion of the board the contract permits unfair advantage to be taken of the associate.

(c) The associate shall inform the board of any changes in his current mailing address and contemplated changes in his contract.

(d) The associate shall openly display his license in the office in which he practices and on the license shall be stamped in an conspicuous place on the face, the words, "associate" or "as the associated chiropractor licensed under statute".

(e) The board will revoke the license of an associate at any time it reasonable appears impossible for the associate to complete the specified curricula within three years from the date of license issued.

(f) The licensed associate shall use the word "associate" after his name to inform the public of his status. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055
AS 08.20.135

12 AAC 16.220. DUPLICATE LICENSES. The board shall, upon request, issue a duplicate license in place of the original if the original is destroyed or lost, or if the licensee legally changes his name. The duplicate license shall have on the face in a conspicuous place the word "duplicate". (Eff. 3/8/71, Register 37)

Authority: AS 09.20.055

12 AAC 16.230. MISREPRESENTATION. As used in AS 08.20.170(2) "misrepresentation" means

- (1) the use of any advertising in which untruthful exaggerated, improper, misleading or deceptive statements are made;
- (2) the advertising of techniques of modalities to infer or imply superiority of treatment or diagnose by their use;
- (3) impersonation of another practitioner of like or different name;
- (4) advertising either in his own or under the name of another person, or clinic, or concern, actual or pretended, in any newspaper, pamphlet, circular or other written or printed paper or document, professing superiority to or a greater skill than that possessed by fellow chiropractic physicians;

BOARD OF CHIROPRACTIC EXAMINERS

(5) the advertising or holding oneself out to treat diseases or other abnormal conditions of the human body by any secret formula, method or procedure;

(6) knowingly permitting or allowing any person to use his certificate in the practice of any system or mode of treating the sick or afflicted. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055

12 AAC 16.240. UNPROFESSIONAL CONDUCT. In AS 08.20.170
(3) "unprofessional conduct" means

(1) aiding the practice of any of the healing arts by an unlicensed person;

(2) the use of his name under the designation "Doctor", "Dr.", "Chiropractor", "Chiropractor Physician", or "Ph.C." or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

(3) advertising which contains offers, premium gifts or cut rates for the purpose of attracting or retaining patients; or which is not in accordance with sec. 250 of this chapter;

(4) mention of either (A) superiority to other members of the chiropractic profession or (B) of the school from which the advertising chiropractor was graduated;

(5) the use of handbills for the purpose of attracting patients;

(6) advertising the prices for which services are available;

(7) dishonorable conduct of degradation by a license relating to the occupation. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055
AS 08.20.170

ARTICLE 3. GENERAL PROVISIONS

Section

- 250. Violations
- 260. Advertising
- 270. Definitions

12 AAC 16.250. VIOLATIONS. It is the duty of all members of the board to report to the Division of Occupational Licensing, instances of alleged violations of AS 08.20.100. The secretary shall inform a new licensee in that state that it is his duty to report all instances of suspected unlicensed

Register 37, April 1971

12 AAC 16.250
12 AAC 16.270

BOARD OF CHIROPRACTIC EXAMINERS

practice of chiropractic known to him to the board. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055
AS 08.20.100

12 AAC 16.260. ADVERTISING. (a) Upon the opening, re-opening or removal of an office for the practice of chiropractic, the chiropractor may publish, in local newspapers, an announcement, which shall be limited to a statement of his name, title, profession, degrees, address, telephone number and office hours. The announcement may not be published for more than 90 days after the opening, reopening, or removal of the office. The announcement may not exceed eight square inches in area.

(b) When a chiropractor transfers his established practice to a successor, the successor shall, within a reasonable time, remove from all signs, cards, stationery and directories connected with the practice he has acquired or is acquiring, all such words or phrases as "successor to" or words of like import. Under no circumstances may these signs, cards, stationery or advertising continue for a period of more than two years. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055

12 AAC 16.270. DEFINITIONS. In this chapter

(1) "board" means the Board of Chiropractic Examiners as established by AS 08.20.010. (Eff. 3/8/71, Register 37)

Authority: AS 08.20.055

PUBLIC NOTICE
DEPARTMENT OF COMMERCE
& ECONOMIC DEVELOPMENT

The Department of Commerce & Economic Development hereby announces the initiation of a "sunset" review of all state health care boards.

The review is based upon "sunset" legislation enacted in 1977 in response to public dissatisfaction at the substantial increase in the number of state boards. All state health care boards will be terminated on June 30, 1979 unless public need and worthiness can be determined. These boards include:

Chiropractic Examiners	Psychologist and
Dental Examiners	Psychological Associates
Medical Board	Veterinary Examiners
Nursing	Physical Therapists
Examiners in Optometry	Dispensing Opticians
Pharmacy	Nursing Home Administrators

The public is invited and encouraged to assist the department and participate in this review process by submitting comments, in writing, to:

Department of Commerce & Economic Development
Sunset Review
Pouch D
Juneau, Alaska 99811

H. Phillip Hubbard
Commissioner

Published Aug. 27, 24, 1978

AFFIDAVIT OF PUBLICATION

UNITED STATES OF AMERICA
STATE OF ALASKA
FOURTH DISTRICT

SS.

STATE OF ALASKA
PUBLIC NOTICE
BOARD OF
CHIROPRACTIC EXAMINERS

Notice is hereby given of the forthcoming examination and meeting:

The Department of Commerce & Economic Development has announced that the Board of Chiropractic Examiners will be holding an examination and meeting on June 9-10, 1979, beginning at 9:00 a.m. at the Alaska Chiropractic Center, 3800 Lake Otis Parkway, Anchorage, Alaska 99504. The deadline for applications is May 10, 1979.

Anyone wishing to obtain additional information should contact the Department of Commerce & Economic Development, Division of Occupational Licensing, Pouch D, Juneau, Alaska 99811, (907) 465-2580.

Charles R. Webber, Commissioner
 Date: April 11, 1979
 AO-08-1214

Before me, the undersigned, a notary public, this day personally appeared Jean Eloranto, who, being first duly sworn, according to law, says that he/she is an Advertising Clerk of the Fairbanks Daily News-Miner, a newspaper published at Fairbanks, in said Fourth District and State, and that the advertisement, of which the annexed is a true copy, was published in said paper on the following day(s),

April 18, 1979

AO-08-1214

, and that the rate charged thereon is not in excess of the rate charged private individuals, with the usual discounts.

Jean Eloranto

Subscribed and sworn to before me this 23rd

day of April, 1979

Eric S. Philip
Notary Public in and for the State of Alaska.

My commission expires April 10, 1981

\$18.06

ADVERTISING ORDER

NOTICE TO PUBLISHER

INVOICE MUST BE IN TRIPPLICATE SHOWING ADVERTISING ORDER NO., CERTIFIED AFFIDAVIT OF PUBLICATION (PART 2 OF THIS FORM) WITH ATTACHED COPY OF ADVERTISEMENT MUST BE SUBMITTED WITH INVOICE.

DEPT. NO.

A.O. NO.

AO-08

1241

PUBLISHER	Anchorage Daily Times P.O. Box 40 Anchorage, Alaska 99510	VENDOR NO.	DATE OF A.O. May 3, 1979
	FROM	Dept. of Commerce & Economic Development Division of Occupational Licensing	DATES ADVERTISEMENT REQUIRED: May 7, 1979 in LEGAL section
THE MATERIAL BETWEEN THE DOUBLE LINES MUST BE PRINTED IN ITS ENTIRETY ON THE DATES SHOWN.			
Billing ADDRESS: Department of Commerce and Economic Development Administrative Services---Fiscal Pouch D			

AFFIDAVIT-OF-PUBLICATION

UNITED STATES OF AMERICA }
STATE OF Alaska } ss
third DIVISION. }

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC THIS DAY PERSONALLY APPEARED Laura A. Lee WHO, BEING FIRST DULY SWORN, ACCORDING TO LAW, SAYS THAT HE/SHE IS THE Legal Clerk OF The Anchorage Times PUBLISHED AT Anchorage IN SAID DIVISION third AND STATE OF Alaska AND THAT THE ADVERTISEMENT, OF WHICH THE ANNEXED IS A TRUE COPY, WAS PUBLISHED IN SAID PUBLICATION ON THE 7th DAY OF May 19 79 AND THEREAFTER FOR 0 CONSECUTIVE DAYS, THE LAST PUBLICATION APPEARING ON THE DAY OF 19 , AND THAT THE RATE CHARGED THEREON IS NOT IN EXCESS OF THE RATE 1x 7 inches \$29.40 L79115 CHARGED PRIVATE INDIVIDUALS.

Laura A. Lee
SUBSCRIBED AND SWORN TO BEFORE ME
THIS 9th DAY OF May 19 79
Mary L Russell
NOTARY PUBLIC FOR STATE OF Alaska
MY COMMISSION EXPIRES May 1st 1982

STATE OF ALASKA
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT, BOARD OF CHIROPRACTIC EXAMINERS

Notice is hereby given that the Department of Commerce and Economic Development, Board of Chiropractic Examiners, under authority vested by AS 08.20.055 proposes to amend, adopt and repeal regulations in Title 12 of the Alaska Administrative Code to implement AS 08.20 as follows:

12 AAC 16 is amended by:

- (1) rewording sections relating to board responsibilities, licensing and general provisions so that those sections being reworded read more smoothly and are more applicable;
- (2) repealing restrictive and outdated sections relating to the board, associate chiropractors, contracts between associate chiropractors and chiropractors, unprofessional conduct and advertising; and
- (3) adopting a new section dealing with associate chiropractors which requires the establishment and documentation of a supervisory relationship with a licensed chiropractor, requires proof of progress toward fulfillment of the educational requirement of AS 08.20.120(3) and establishes post licensure procedures to be followed by an associate chiropractor.

Notice is also given that any person interested may present written statements or arguments relevant to the action proposed by mailing them so that they are received by 4:30 p.m. (P.S.T.) on June 7, 1979 to:

Department of Commerce and Economic Development
Board of Chiropractic Examiners - Regulations
Pouch D
Juneau, Alaska 99811

Copies of the proposed regulations may be obtained by writing to the above address and requesting them.

The Department of Commerce and Economic Development, Board of Chiropractic Examiners, upon its own motion or at the instance of any interested person, may thereafter adopt the proposals substantially as described above without further notice or may decide to take no action on them.

Dated: May 3, 1979

/s/ Charles R. Webber
Commissioner

Pub: May 7, 1979

REMINDER -

ATTACH INVOICES AND PROOF OF PUBLICATION

ADVERTISING ORDER

NOTICE TO PUBLISHER

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5. DEPARTMENT

DEPT. NO.

A.O. NO.

AO-08

1214

PUBLISHER	Fairbanks Daily News-Miner P.O. Box 710 Fairbanks, Alaska 99701	VENDOR NO.	DATE OF A.O.
	FROM	Department of Commerce & Economic Development Division of Occupational Licensing	DATES ADVERTISEMENT REQUIRED: Please print 1 column by 3". One time only immediately upon receipt. THE MATERIAL BETWEEN THE DOUBLE LINES MUST BE PRINTED IN ITS ENTIRETY ON THE DATES SHOWN.
		BILLING ADDRESS: DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT ADMINISTRATIVE SERVICES, FISCAL Pouch D, Juneau, Alaska 99811	

ADVERTISEMENT

STATE OF ALASKA

PUBLIC NOTICE BOARD OF CHIROPRACTIC EXAMINERS

Notice is hereby given of the forthcoming examination and meeting:

The Department of Commerce & Economic Development has announced that the Board of Chiropractic Examiners will be holding an examination and meeting on June 9-10, 1979, beginning at 9:00 a.m., at the Alaska Chiropractic Center, 3800 Lake Otis Parkway, Anchorage, Alaska 99504. The deadline for applications is May 10, 1979.

Anyone wishing to obtain additional information should contact the Department of Commerce & Economic Development, Division of Occupational Licensing, Pouch D, Juneau, Alaska 99811, (907) 465-2580.

Charles R. Webber
 Charles R. Webber, Commissioner

Date

TO BE COMPLETED BY ORDERING DEPARTMENT									PAGE NO. 1 OF 1 PAGES	TOTAL ALL PAGES 5
TRANS.	DEPT.	DIV. & PROG.	FUNC-TION	SUB FUNC-TION	OBJECT RECEIPT	HWY. FUNCT.	PROJECT LEDGER	PER CENT OR ITEM NO.	REQUISITIONED BY <i>SA. J. Stark</i>	I HEREBY CERTIFY THAT THE UN-ENCUMBERED BALANCE IN THE APPROPRIATION CITED HEREON IS SUFFICIENT TO COVER THIS PURCHASE AND THAT THIS PURCHASE IS AUTHORIZED HEREUNDER.
	08	53	5	012	101					
									DATE ENTERED	VOUCHER NUMBER

ADVERTISING ORDER

NOTICE TO PUBLISHER

INVOICE MUST BE IN TRIPPLICATE SHOWING ADVERTISING ORDER NO., CERTIFIED AFFIDAVIT OF PUBLICATION (PART 2 OF THIS FORM) WITH ATTACHED COPY OF ADVERTISEMENT MUST BE SUBMITTED WITH INVOICE.

DEPT. NO.

A.O. NO.

AO-08

1215

PUBLISHER
Southeast Alaska Empire
235 Second Street
Juneau, Alaska 99801

VENDOR NO.

DATE OF A.O.

DATES ADVERTISEMENT REQUIRED:

Please print 1 column by 3". One time only immediately upon receipt.

THE MATERIAL BETWEEN THE DOUBLE LINES MUST BE PRINTED IN ITS ENTIRETY ON THE DATES SHOWN.

FROM
Department of Commerce & Economic Development
Division of Occupational Licensing

BILLING ADDRESS:

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT
ADMINISTRATIVE SERVICES, FISCAL
Pouch D, Juneau, Alaska 99811

AFFIDAVIT-OF-PUBLICATION

UNITED STATES OF AMERICA

STATE OF Alaska

ss

Juneau DIVISION.

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC THIS DAY PERSONALLY APPEARED Jeff A. Wilson WHO,

BEING FIRST DULY SWORN, ACCORDING TO LAW, SAYS THAT HE/SHE IS THE Gen. Mgr. OF S.E. AK Empire

PUBLISHED AT Juneau IN SAID DIVISION

AND STATE OF Alaska AND THAT THE

ADVERTISEMENT, OF WHICH THE ANNEXED IS A TRUE COPY,

WAS PUBLISHED IN SAID PUBLICATION ON THE 27th DAY OF

April 1979, AND THEREAFTER FOR 0

CONSECUTIVE DAYS, THE LAST PUBLICATION APPEARING ON

THE _____ DAY OF _____ 19____, AND THAT THE

RATE CHARGED THEREON IS NOT IN EXCESS OF THE RATE

CHARGED PRIVATE INDIVIDUALS.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 25th DAY OF May 1979

Donna J. Greenawald

NOTARY PUBLIC FOR STATE OF _____
MY COMMISSION EXPIRES _____

**STATE OF ALASKA
PUBLIC NOTICE
BOARD OF
CHIROPRACTIC EXAMINERS**
Notice is hereby given of the forthcoming examination and meeting: The Department of Commerce & Economic Development has announced that the Board of Chiropractic Examiners will be holding an examination and meeting on June 9-10, 1979, beginning at 9:00 a.m., at the Alaska Chiropractic Center, 3800 Lake Otis Parkway, Anchorage, Alaska 99504. The deadline for applications is May 10, 1979. Anyone wishing to obtain additional information should contact the Department of Commerce & Economic Development, Division of Occupational Licensing, Pouch D, Juneau, Alaska 99811 (907) 465-2580.
Charles R. Webber, Commissioner
Date - 4/11/79
Publish: April 27, 1979

815.48

REMINDER -

ADVERTISING ORDER

INVOICE MUST BE IN TRIPLICATE SHOWING ADVERTISING ORDER NO., CERTIFIED AFFIDAVIT OF PUBLICATION (PART 2 OF THIS FORM) WITH ATTACHED COPY OF ADVERTISEMENT MUST BE SUBMITTED WITH INVOICE.

DEPT. NO. **AO-08**

A.S. NO. **1213**

PUBLISHER	Anchorage Daily Times P.O. Box 40 Anchorage, Alaska 99580	VENDOR NO.	DATE OF A.O.
	FROM	Department of Commerce & Economic Development Division of Occupational Licensing	DATES ADVERTISEMENT REQUIRED: Please print 1 column by 3". One time only immediately upon receipt. THE MATERIAL BETWEEN THE DOUBLE LINES MUST BE PRINTED IN ITS ENTIRETY ON THE DATES SHOWN.
		BILLING ADDRESS: DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT ADMINISTRATIVE SERVICES, FISCAL Pouch D, Juneau, Alaska 99811	

ADVERTISEMENT

STATE OF ALASKA

**PUBLIC NOTICE
BOARD OF CHIROPRACTIC EXAMINERS**

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Anyone wishing to obtain additional information should contact the Department of Commerce & Economic Development, Division of Occupational Licensing, Pouch D, Juneau, Alaska 99811, (907) 465-2580.

Charles R. Webber

 Charles R. Webber, Commissioner

4/17/79

 Date

TO BE COMPLETED BY ORDERING DEPARTMENT									PAGE NO. 1 OF 1 PAGES	TOTAL ALI. PAGES \$
TRANS.	D. Y.	DIV. & PROC.	FUNC. TION	SUB FUNC. TION	OBJECT RECEIPT	HWY. FUNCT.	PROJECT LEDGER	PER CENT OR ITEM NO.		
	00	53-5		012	101				<i>Charles R. Webber</i>	I HEREBY CERTIFY THAT THE UN-ENCUMBERED BALANCE IN THE APPROPRIATION CITED HEREON IS SUFFICIENT TO COVER THIS PURCHASE AND THAT THIS PURCHASE IS AUTHORIZED HEREUNDER.
									REQUISITIONED BY	
									<i>D.A. Heistak</i>	CERTIFYING OFFICER VOUCHER NUMBER
									DIVISIONAL APPROVAL	
									DATE ENTERED	

AFFIDAVIT OF PUBLICATION

UNITED STATES OF AMERICA
STATE OF ALASKA
FOURTH DISTRICT

} SS.

STATE OF ALASKA
PUBLIC NOTICE
BOARD OF
CHIROPRACTIC EXAMINERS

Notice is hereby given of the forthcoming examination and meeting:

The Department of Commerce & Economic Development has announced that the Board of Chiropractic Examiners will be holding an examination and meeting on June 8-10, 1979, beginning at 9:00 a.m., at the Alaska Chiropractic Center, 3800 Lake Otis Parkway, Anchorage, Alaska 99504. The deadline for applications is May 10, 1979.

Anyone wishing to obtain additional information should contact the Department of Commerce & Economic Development, Division of Occupational Licensing, Pouch D, Juneau, Alaska 99811, (907) 465-2580.

Charles R. Webber, Commissioner
Date: April 11, 1979

AO-08-1214

Before me, the undersigned, a notary public, this day personally appeared Jean Elorante, who, being first duly sworn, according to law, says that he/she is an Advertising Clerk of the Fairbanks Daily News-Miner, a newspaper published at Fairbanks, in said Fourth District and State, and that the advertisement, of which the annexed is a true copy, was published in said paper on the following day(s),

April 18, 1979

AO-08-1214

, and that the rate charged thereon is not in excess of the rate charged private individuals, with the usual discounts.

Jean Elorante
Subscribed and sworn to before me this 23rd

day of April, 1979

Lois J. Phillips
Notary Public in and for the State of Alaska.

My commission expires April 10, 1981