

HB

531

BOARD OF CHIROPRACTIC EXAMINERS

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IDENTIFICATION OF BOARD

BOARD OF CHIROPRACTIC EXAMINERS

AS 08.20 - 5 members; 4 year term; serve at the pleasure of the Governor.

Carol J. Davis, D.C. July 15, 1990
1018 College Road
Fairbanks, AK 99701
(work) 465-5252

Thomas R. Gundelfinger, D.C. July 15, 1989
2203 Jordan Avenue
Juneau, AK 99801
(work) 789-9549
(home) 789-5970

Kenneth O. Ketz, D.C. (Chairperson) July 15, 1989
Anchorage Center for
Chiropractic, Inc.
500 E. Tudor Road
Anchorage, AK 99503
(work) 561-4864

Frank J. Kufel (Public) July 15, 1990
1840 Parkside Drive
Anchorage, AK 99501
(work) 277-4869
(home) 279-2394

Leland P. Olkjer, D.C. July 15, 1988
P.O. Box 368
Valdez, AK 99686
(work) 835-2334
(home) 835-4408

Staff Person:

Edward R. Mercer
Licensing Examiner
Division of Occupational Licensing
Department of Commerce & Economic
Development
P.O. Box D-LIC
Juneau, AK 99811-0800

NARRATIVE STATEMENT:

The Chiropractic Board undertook several projects during FY 87:

1. Reexamination policy and procedures were considered and recommendations for regulatory clarification were made.
2. Review of continuing education policy procedure was accomplished with recommendation for regulatory clarification.
3. Changes in regulations which clarify policy with regard to examination, reexamination, and continuing education were proposed.
4. Modification of exam guidelines and question pool was proposed.
5. Attempt to establish "Locum Tenens" continues.
6. Enforcement of Practice Act.
7. Consideration of Clinical Competency part of National Board of Chiropractic Examiners.

A summary of activities of the Board of Chiropractic Examiners for 1987 would include the following:

1. Two board meetings, January and July 1987, covering examination of new applicants and examination of credentials of potential licensees.
2. Attempts to draft and redraft appropriate regulation and suggest timely changes to statute.
3. Investigative activities of the board have been consistent for the past year with an investigative report on the status of cases pending and action to close some at each of the two meetings.
4. In response to requests about licensure on registration, authority is requested in statutes and regulations similar to those for veterinary technicians.
5. Consideration of development of written competency examination and the presence of one board member at a meeting of the National Board of Chiropractic Examiners proved most enlightening.

Review of Fiscal Year 87 goals and objectives:

1. Comply with Administrative Procedures Act, as well as hear cases presented to the board by the Division of Occupational Licensing.

We reviewed and acted on the investigative reports and turned in names of parties suspected of violating state laws to the division and complaint regarding same.

2. Review applications of all persons wishing to enter the chiropractic profession in Alaska. Attention paid to statutory and administrative requirements. This will be an ongoing process.
3. Evaluation of the National Board of Chiropractic Examiners' written clinical competency exams (especially valuable was Dr. Olkjer's report as a result of his trip to the NBCE and Federation of Chiropractic Board's meeting).
4. Work on development of guidelines or exam procedures continues.

Goals and objectives for Fiscal Year 88:

Goals:

It is the purpose of the board to ensure the quality of chiropractic care; to admit only qualified individuals into practice; to actively enforce a Chiropractic Practice Act; to promote high standards of professional chiropractic practice; and to ensure the public of continuing competency of licensed chiropractors.

Objectives:

1. Introduce legislation requested by the board on statute and regulation changes to assure the continuing competence of licensees and to fulfill the board's obligations in register 37, 12 AAC 06.010-.270 to protect the public's interest.
2. Comply with the Administrative Procedures Act, as well as to hear cases presented to the board by the Division of Occupational Licensing.
3. Review the applications of all persons wishing to enter the chiropractic profession in Alaska to determine if they meet statutory and administrative requirements.
4. Continue to develop appropriate jurisprudence and practical application examinations and to provide an objective examination question pool.
5. Continue to develop examination guidelines and complete an exam procedures manual to guarantee continuity and consistency.
6. To amend the Alaska statutes to allow full utilization of the National Board of Chiropractic Examiners new clinical competency exam.
7. To cooperate and assist in development of improved National Board of Chiropractic Examiners' examination through participation in an annual review meeting of the NBCE and periodic meetings of the Federation of Chiropractic Licensings Boards.
8. To revise regulatory reexamination policy and procedures to be the same as initial examination policy.

Proposed Legislation

The board would like legislation introduced under authority of Article 1, .055 and AS .050 and .135 as follows:

1. A statute, i.e., AS 08.20.057, and necessary regulations to register chiropractic technicians because of the increasing demand by applicants and licensees.
2. Repeal temporary permits AS 08.20.160, Section 2 and AS 08.20.165, Section 4. Applicants who are "apparently qualified" under the current temporary permit licenses are not required to have direct or indirect supervision, no previous experience, and often fail our state exam after practicing up to six months! The board feels a "locum tenens" statute would better protect the public; progress is being made.
3. The board continues to support an amendment to the credentialing statute to require a candidate to successfully practice three of the last four years to be eligible.
4. The board requests statute AS 08.20.130, Section 2, to include an examination or professional proctors committee as in the dental statutes, during exams when more than seven candidates are tested to assist board members and improve efficiency and eliminate time constraints.
5. Establish a postponement fee or abandonment of application policy to deal with candidates who do not show for scheduled examinations and do not notify the licensing examiner in advance. Three-day exam board meetings are necessary if eight or more are scheduled for the examination. The expense of an extra or third day can be avoided if applicants aren't able to attend. The licensing fees are being addressed through the fee regulation projects.
6. The board requests a statute change in AS 08.20.130(c) from general average rating of 75% to 75% on each portion of the examination.
7. The board requests that texts most commonly used in approved chiropractic colleges be purchased for reference use by the board during exams and exam preparation.
8. The Physical Therapists Statute needs to be amended to permit chiropractic patient referrals. Presently, these consumers are denied the services of physical therapy if they are referred by chiropractors.
9. Amend the statutes to reflect a minimum of two exams and meetings per year in amendments to the Central Licensing statutes.

10. Amend statutes to reflect requirement of passing all National Board exams (instead of Parts I and II).

BUDGET RECOMMENDATIONS

Board members are from the following locations (cities) and approximate air fare to Anchorage is:

<u>City</u>	<u>Fare</u>
Anchorage	\$ 0.00
Juneau	352.00
Fairbanks	222.00
Valdez	150.00

Budget for FY 88:

The Board of Chiropractic Examiners requests a budget of \$12,500.00 to include:

1. Four board meetings per year on a quarterly basis (July, October, January and April). Costs to include travel and per diem at FY 85 figures are \$10,500.00.
2. Three exams in October, January and July. If there are more than seven examinees, the exam and meeting should consist of three days.
3. Rental fees for examination equipment and office space and/or insurance fees to cover same, if necessary.
4. One out-of-state trip to the NBCE meeting in February to include \$200.00 registration fee/dues.
5. One out-of-state trip to the FCLB Conference in February to include \$250.00 registration fee/dues.

BOARD/COMMISSION RECOMMENDATIONS FOR
PROPOSED LEGISLATION

The Division of Occupational Licensing requests that each board or commission proposing new or amended legislative requests, complete this form entirely. The completion of this analysis will provide the staff with a clearer understanding of the board's/commission's intent and position on relevant issues concerning the proposed changes.

1. Proposed language:

12 AAC 16.150. Reexamination. Complete application and all required documentation 45 days before date at reexamination.

2. State the problem or purpose prompting this request:

Confusion before July '87 meeting.

3. Briefly state the history of this problem or proposal:

Ambiguity at current wording created confusion before the July '87 exam.

4. Identify the alternatives to this legislation (if any):

5. Which alternative mentioned would be most acceptable?

6. Does the entire board/commission agree with this legislative request?

Yes.

7. In the event questions should be raised during the processing on this request, whom should we contact?

Board/Commission Member: Kenneth Ketz, Chairman

Phone: (907)561-4863

FY 87 STATISTICAL INFORMATION
(Please Type)

Date: _____

Method: Check the appropriate method in which licenses are issued (not including Examination), and cite the specific statutory authority.

<u> X </u> Credentials	AS 08.20.140
<u> </u> Reciprocity	AS 08. _____
<u> </u> Comity	AS 08. _____
<u> </u> Endorsement	AS 08. _____

New Licenses: List each category and the number of licenses issued within each category for the first time in FY 87.

CATEGORY:	NUMBER OF LICENSES:
(1) Examination _____	11
(2) _____	_____
(3) _____	_____
(4) _____	_____
(5) _____	_____
Total:	11

Number of CURRENT licensees: 140
 Number of LAPSED licensees: 70
 Number of INACTIVE licensees: N/A

Expiration Date: If the expiration date is different for each category, indicate the category after each date.

Expire: December 31, 1988

Examination: List each examination separately indicating the licensure category (such as RN, LPN, Dentist, Dental Hygienist), the total number of examinees, number passed and failed.

Exam Statute Authority: AS 08.20.130

(1) Category:	Total Candidates	#Passed	#Failed
<u>Chiropractic</u>	<u>11</u>	<u>8</u>	<u>3</u>
Date and City:	<u>July 19-20, 1986</u>	<u>Anchorage, AK</u>	_____

(2) Category:	Total Candidates	#Passed	#Failed
<u>Chiropractic</u>	<u>4</u>	<u>3</u>	<u>1</u>
Date and City:	<u>January 10, 1987</u>	<u>Anchorage, AK</u>	_____

(3) Category:	Total Candidates	#Passed	#Failed
_____	_____	_____	_____
Date and City:	_____	_____	_____

(4) Category:	Total Candidates	#Passed	#Failed
_____	_____	_____	_____
Date and City:	_____	_____	_____

Total Licensed by Exam: 11

Meetings: List Date(s) and Location(s)

1. July 18 and 20, 1986 -- Anchorage, Alaska
2. July 11, 1987 -- Anchorage, Alaska
- 3.
- 4.

Teleconferences: List Date(s) and Site(s)

- 1.
- 2.
- 3.
- 4.

Regulation Hearings: List Date(s) and Site(s)

Investigations: (Attach Case Summary)

OCCUPATIONAL LICENSING
ENFORCEMENT STATISTICS
FY 87

Chiropractors
Board

Investigations

Cases Pending Start of FY 87	<u>2</u>
New Cases Opened	<u>8</u>
Cases Closed	<u>10</u>
Cases Pending End of FY 87	<u>0</u>

Litigation

Cases Pending Start of FY 87	<u>1</u>
New Cases Opened	<u>2</u>
Cases Closed	<u>2</u>
Cases Pending End of FY 87	<u>1</u>

Enforcement Activity

Accusations	<u>1</u>
Statement of Issues	<u>0</u>
Cease and Desist Orders	<u>1</u>
Hearings	<u>0</u>

Disciplinary Actions

Cases Dismissed	<u>1</u>
Licenses Denied	<u>0</u>
Licenses Suspended	<u>0</u>
Probation	<u>0</u>
Licenses Revoked	<u>0</u>
Stipulations/Settlements	<u>1</u>