

**Chapter 16. Board of Chiropractic Examiners.**

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 16.030(a)(6) is amended to read:

(6) if the applicant holds or has ever held a license to practice chiropractic, verification of the present status of the applicant's license from each jurisdiction where the applicant holds or has ever held a license to practice chiropractic, sent directly to the department from the licensing jurisdiction; and **documentation of 32 credit hours of continuing education as provided under this paragraph, approved by the board or an equivalent licensing jurisdiction taken within two years preceding the date of the application, including at least:**

**(A) eight hours in radiographic safety, radiographic techniques and interpretation, or diagnostic imaging;**

**(B) two hours in coding and documentation;**

**(C) two hours in ethics and boundaries;**

**(D) two hours in cardiopulmonary resuscitation;**

**(E) 18 additional hours in education not to include business management;**

**(F) no more than four hours may be in the following subject areas:**

**(i) cardiopulmonary resuscitation (CPR) training;**

**(ii) automated external defibrillator (AED) training;**

**(iii) basic life support (BLS) training;**

**(G) no more than 16 hours may be obtained over the internet or by distance learning; and**

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(Eff. 3/8/71, Register 37; am 9/30/81, Register 79; am 6/29/84, Register 90; am 5/10/90, Register 114; am 8/21/91, Register 119; am 4/7/96, Register 138; am 2/21/97, Register 141; am 5/27/2006, Register 178; am 1/29/2009, Register 189; am 8/14/2010, Register 195; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.120 AS 08.20.170  
AS 08.20.110 AS 08.20.130

12 AAC 16.033(7) is amended to read:

(7) an official grade transcript sent directly to the department from the National Board of Chiropractic Examiners showing that the applicant has successfully passed [EITHER] the Special Purposes Examination of Chiropractic (SPEC) or [BOTH] parts one, [AND] two, **three, and four** of the national examination;

(Eff. 5/23/2003, Register 166; am 5/27/2006, Register 178; am 1/29/2009, Register 189; am 8/14/2010, Register 195; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.130 AS 08.20.170  
AS 08.20.110 AS 08.20.141

12 AAC 16.037(b) is amended to read:

(b) An applicant who has been in the active practice of chiropractic for five continuous years before the date of application for a license in **this** [THE] state may substitute successful passage of the Special Purposes Examination of Chiropractic (SPEC) of the National Board of

Chiropractic Examiners for **parts** [PART] three **and four** of the **national** examination [OF THE NATIONAL BOARD OF CHIROPRACTIC EXAMINERS].

(Eff. 2/21/97, Register 141; am 12/7/97, Register 144; am 5/10/98, Register 146; am \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.120 AS 08.20.130

12 AAC 16 is amended by adding a new section to Article 2 to read:

**12 AAC 16.041. Preceptor scope of practice.** A chiropractic preceptor must

- (1) be physically present to provide personal supervision of a chiropractic intern during the preceptorship;
- (2) supervise no more than one chiropractic intern at a time;
- (3) permit a chiropractic intern to perform the chiropractic adjustment as set out in AS 08.20.900(4) only under personal supervision;
- (4) prior to any chiropractic manipulative therapy performed by the intern, provide a patient with an informed consent document that states that the chiropractic intern is a chiropractic student and not a licensed chiropractic physician in this state;
- (5) maintain a malpractice insurance policy with coverage limits of at least \$1,000,000 per claim, and a minimum aggregate limit of \$3,000,000 per policy period; and
- (6) have been licensed under this chapter in this state for no less than five years preceding the acceptance of a chiropractic intern. (Eff. \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.170

12 AAC 16 is amended by adding a new section to Article 2 to read:

**12 AAC 16.042. Intern scope of practice.** (a) A chiropractic intern may, under the personal supervision of a chiropractic preceptor, use chiropractic core methodologies as defined in AS 08.20.900(6), except that chiropractic diagnosis must be provided by the chiropractic preceptor.

(b) A chiropractic intern may, under the general supervision of a chiropractic preceptor,

(1) perform diagnostic imaging studies;

(2) perform examination procedures;

(3) use ancillary methodologies as defined in AS 08.20.900(1).

(c) A chiropractic preceptor is subject to disciplinary action if an intern is in violation of AS 08.20.170, 12 AAC 16.920 – .980.

(d) An intern must be enrolled in a graduate-level course of study at a chiropractic institution accredited by the Council on Chiropractic Education (CCE), and be accepted into and approved to participate in an internship program. Internship placement will be made by and overseen by the accredited chiropractic college program.

(e) An intern may practice under a chiropractic preceptor for a period of no more than six months or the time period approved by their accredited chiropractic college, whichever comes first. Written extensions of an internship may be granted by the board. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_,

Register \_\_\_\_\_)

**Authority:** AS 08.20.055                      AS 08.20.170                      AS 08.20.900  
AS 08.20.100                      AS 08.20.195

12 AAC 16.048(a)(6) is amended by adding a new subparagraph to read:

(D) International Board of Chiropractic Neurology (IBCN);

(Eff. 1/6/2002, Register 161; am 8/20/2004, Register 171; am 8/14/2010, Register 195; am  
\_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.155

12 AAC 16 is amended by adding a new section to Article 2 to read:

**12 AAC 16.051. Patient examinations for school and sports activities.** A chiropractic physician may perform physical examinations under AS 08.20.100(b)(5) within the scope of chiropractic practice. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.100

12 AAC 16 is amended by adding a new section to Article 2 to read:

**12 AAC 16.052. Chiropractic clinical assistant scope of practice.** (a) Only a chiropractic clinical assistant may, under the general supervision of a licensed chiropractic physician, perform the following procedures:

- (1) diagnostic imaging studies;
- (2) examination procedures;
- (3) ancillary methodologies as defined in AS 08.20.900(1).

(b) A chiropractic clinical assistant may not provide chiropractic diagnosis, chiropractic adjustment as in AS 08.20.900(6), and formulation or alteration of treatment plans.

(c) A chiropractic clinical assistant must maintain current CPR certification from a nationally recognized provider.

(d) In order to meet the initial certification requirements of AS 08.20.168 and practice as a chiropractic clinical assistant in this state, a currently employed chiropractic clinical assistant with 2,000 hours or more experience must complete the requirements as set forth by the Certified Chiropractic Clinical Assistant Program (CCCA) administered by the Federation of Chiropractic Licensing Boards (FCLB), or the CTA Program administered by the Tennessee Chiropractic Association or an equivalent nationally recognized program as determined by the board in accordance with AS 08.20.055(4) by \_\_\_\_/\_\_\_\_/\_\_\_\_\_. *{fill in date, six months from the regulations effective date}*

(e) In order to meet the initial certification requirements of AS 08.20.168 and practice as a chiropractic clinical assistant in this state, a currently employed chiropractic clinical assistant with less than 2,000 hours of experience must complete the requirements as set forth by the Certified Chiropractic Clinical Assistant Program (CCCA) administered by the Federation of Chiropractic Licensing Boards (FCLB), or the CTA Program administered by the Tennessee Chiropractic Association or an equivalent nationally recognized program as determined by the board in accordance with AS 08.20.055(4) by \_\_\_\_/\_\_\_\_/\_\_\_\_\_. *{fill in date, one year from the regulations effective date}*

(f) In order to meet the certification requirements of AS 08.20.168 and practice as a chiropractic clinical assistant in this state, a newly hired chiropractic clinical assistant must complete the requirements as set forth by the Certified Chiropractic Clinical Assistant Program (CCCA) administered by the Federation of Chiropractic Licensing Boards (FCLB), or the CTA Program administered by the Tennessee Chiropractic Association or an equivalent nationally recognized program as determined by the board in accordance with AS 08.20.055(4) within 12 months of hire date.

(g) A person enrolled in an educational program recognized by the board that leads to certification as a chiropractic clinical assistant will be allowed to provide clinical services under the general supervision of a chiropractic physician to gain the necessary practical clinical experience.

(h) No person may use the title “Certified Chiropractic Clinical Assistant” or another designation indicating status, including abbreviations, or hold themselves out directly or indirectly as a certified chiropractic clinical assistant, unless that person has met the requirements under (d), (e), or (f) of this section.

(i) After completing the initial certification requirements under (d), (e), or (f) of this section, a chiropractic clinical assistant must maintain current certification per the requirements of the Certified Chiropractic Clinical Assistant Program (CCCA) administered by the Federation of Chiropractic Licensing Boards (FCLB), or the CTA Program administered by the Tennessee Chiropractic Association or an equivalent nationally recognized program as determined by the board in accordance with AS 08.20.055(4). (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055                      AS 08.20.168                      AS 08.20.195  
AS 08.20.100                      AS 08.20.170                      AS 08.20.900

12 AAC 16.130(a) is amended to read:

(a) The state chiropractic examination consists of a written [AND ORAL] examination, administered by the board or the board’s agent, covering AS 08.01 – AS 08.03, AS 08.20, 12 AAC 02, 12 AAC 16, and 18 AAC 85, and any other subjects that the board determines are necessary to demonstrate knowledge of chiropractic as defined in AS 08.20.

(Eff. 3/8/71, Register 37; am 9/30/81, Register 79; am 10/21/82, Register 84; am 4/22/83,

Register \_\_\_\_\_, \_\_\_\_\_ 2020 **PROFESSIONAL REGULATIONS**

Register 86; am 6/3/89, Register 110; am 5/10/90, Register 114; am 5/10/98, Register 146; am 1/6/2002, Register 161; am 8/20/2004, Register 171; am 8/14/2010, Register 195; am \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.120 AS 08.20.130

12 AAC 16.205(j) is amended to read:

(j) In this section, "special event" means an athletic, **educational**, cultural, or performing arts event held in this state. (Eff. 11/21/2004, Register 172; am 8/14/2010, Register 195; am \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.01.062 AS 08.20.055 AS 08.20.170

12 AAC 16.290 is amended to read:

**12 AAC 16.290. Hours of continuing education required.** (a) **An** [EXCEPT AS PROVIDED IN (b) OF THIS SECTION, AN] applicant for renewal of a chiropractic license **who has been licensed at least two years** must **complete** [OBTAIN AND DOCUMENT SUCCESSFUL COMPLETION OF THE FOLLOWING:

(1) FOR AN APPLICANT WHO FILES A COMPLETE RENEWAL APPLICATION WITH THE DEPARTMENT FOR A LICENSE PERIOD THAT CONCLUDES ON OR BEFORE DECEMBER 31, 2012, 24 CREDIT HOURS OF APPROVED CONTINUING EDUCATION DURING THE CONCLUDING LICENSING PERIOD; AT LEAST ONE-THIRD AND NO MORE THAN ONE-HALF OF THE TOTAL HOURS REQUIRED UNDER THIS PARAGRAPH MUST BE DEVOTED TO

(A) RADIOGRAPHIC SAFETY;

(B) RADIOGRAPHIC TECHNIQUES AND INTERPRETATION; OR

(C) DIAGNOSTIC IMAGING;

(2) FOR AN APPLICANT WHO FILES A COMPLETE RENEWAL APPLICATION WITH THE DEPARTMENT FOR A LICENSE PERIOD THAT CONCLUDES AFTER JANUARY 1, 2013,] 32 credit hours of approved continuing education **that was earned** during the concluding licensing period **including at least** [, AS FOLLOWS:]

**(1)** [(A)] eight hours of the total hours required under this **subsection** [PARAGRAPH] must be devoted to

**(A)** [(i)] radiographic safety;

**(B)** [(ii)] radiographic techniques and interpretation; or

**(C)** [(iii)] diagnostic imaging;

**(2)** [(B)] two hours of the total hours required under this **subsection** [PARAGRAPH] must be devoted to coding and documentation;

**(3)** [(C)] two hours of the total hours required under this **subsection** [PARAGRAPH] must be devoted to ethics and boundaries; **and**

**(4)** [(D)] two hours of the total hours required under this **subsection** [PARAGRAPH] must be devoted to cardiopulmonary resuscitation (CPR) training.

(b) An applicant for renewal of a chiropractic license **who has been licensed at least one year but less than two years of the concluding license period** [FOR THE FIRST TIME] must **complete** [OBTAIN AND DOCUMENT SUCCESSFUL COMPLETION OF THE FOLLOWING:

(1) FOR A LICENSE PERIOD THAT CONCLUDED ON OR BEFORE DECEMBER 31, 2012, 12 CREDIT HOURS OF APPROVED CONTINUING EDUCATION

FOR EACH COMPLETE CALENDAR YEAR THE APPLICANT WAS LICENSED DURING THE CONCLUDING LICENSING PERIOD;

(2) FOR A LICENSE PERIOD THAT CONCLUDES AFTER JANUARY 1, 2013,] 16 credit hours of approved continuing education [FOR EACH COMPLETE CALENDAR YEAR THE APPLICANT WAS LICENSED] **that was earned** during the concluding licensing period **including at least**

**(1) eight hours of the total hours required under this subsection must be devoted to**

**(A) radiographic safety;**

**(B) radiographic techniques and interpretation; or**

**(C) diagnostic imaging;**

**(2) two hours of the total hours required under this subsection must be devoted to coding and documentation;**

**(3) two hours of the total hours required under this subsection must be devoted to ethics and boundaries; and**

**(4) two hours of the total hours required under this subsection must be devoted to cardiopulmonary resuscitation (CPR) training.**

(c) Two of the hours required under (a) of this section will be credited **as clinical hours** to each applicant for renewal for completing the jurisprudence review prepared by the board, covering the provisions of AS 08.20 and this chapter. An applicant for renewal must verify, in an affidavit, that the applicant has complied with this subsection before the applicant's license renewal will be processed.

(d) An applicant for renewal of a license to practice chiropractic must submit, on a form

provided by the department, a sworn statement of the continuing education that the applicant completed during the concluding licensing period. [THE STATEMENT MUST INCLUDE THE FOLLOWING INFORMATION:

- (1) THE SPONSORING ORGANIZATION;
- (2) THE TITLE AND DESCRIPTION OF THE COURSE;
- (3) THE DATES OF ATTENDANCE OR PERIOD OF CORRESPONDENCE;
- (4) THE NUMBER OF CONTINUING EDUCATION HOURS CLAIMED;
- (5) THE COURSE APPROVAL NUMBER ISSUED BY THE DEPARTMENT.]

(e) An applicant for renewal of a chiropractic license may receive up to four hours of the credit

[(1)] required under **(a)** [(a)(1)] of this section from one or more of the following subject areas:

- (1)** [(A)] cardiopulmonary resuscitation (CPR) training;
- (2)** [(B)] automated external defibrillator (AED) training;
- (3)** [(C)] basic life support (BLS) training [;

(2) REQUIRED UNDER (A)(2) OF THIS SECTION FROM ONE OR MORE OF THE FOLLOWING SUBJECT AREAS:

- (A) AUTOMATED EXTERNAL DEFIBRILLATOR (AED) TRAINING;
- (B) BASIC LIFE SUPPORT (BLS) TRAINING].

(f) No more than 16 credit hours of the credit hours required under **(a)** [(a)(2)] of this section for a renewal of a chiropractic license may be obtained over the Internet or by distance learning.

**(g) An applicant applying for renewal who has been licensed more than 90 days but**

**less than one year of the concluding biennial license period is not required to submit proof of completion of continuing education.** Eff. 6/29/84, Register 90; am 5/10/90, Register 114; am 12/7/97, Register 144; am 5/8/99, Register 150; am 1/29/2009, Register 189; am 11/28/2009, Register 192; am 8/14/2010, Register 195; am 9/7/2012, Register 203; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.170

The article heading for Article 4 is amended to read:

**Article 4. Utilization [PEER] Review.**

12 AAC 16.400 is amended to read:

**12 AAC 16.400. Utilization [PEER] review committee.** (a) For the purposes of AS 08.20.185, the board will, in its discretion, appoint a **utilization** [PEER] review committee that is advisory to the board.

(b) A **utilization** [PEER] review committee appointed by the board will consist of four individuals. Three members of the **utilization** [PEER] review committee must be chiropractic physicians licensed under AS 08.20, and one member must be a public member who meets the requirements of AS 08.01.025.

(c) A member of a **utilization** [PEER] review committee may not review a case if the member is in a direct business relationship with the chiropractic physician, insurer, or patient in the case being reviewed.

(d) In this section, a "direct business relationship" includes an employer-employee relationship, doctor-patient relationship, and a legal contractual relationship. (Eff. 2/21/97,

Register 141; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.185

12 AAC 16.410 is amended to read:

**12 AAC 16.410. Term of appointments to utilization [PEER] review committee.** (a)

Members of the utilization [PEER] review committee are appointed for staggered terms of two years.

(b) Repealed 1/29/2009.

(c) A member of the utilization [PEER] review committee may be removed by the board for cause.

(d) A member of the utilization [PEER] review committee may not serve on the committee for more than four consecutive years. The member may not be reappointed until two years have elapsed since the member last served on the committee. (Eff. 2/21/97, Register 141; am 1/29/2009, Register 189; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.185

12 AAC 16.420 is amended to read:

**12 AAC 16.420. Conduct of utilization [PEER] review.** (a) A patient, patient's representative, insurer, or the patient's chiropractic physician may file a request for utilization [PEER] review with the board by submitting to the department

(1) a written request for review of the care provided, fees charged, or services rendered by a licensee to a patient;

(2) the utilization [PEER] review fee established in 12 AAC 02.150; and

(3) if the **utilization** [PEER] review committee requires a patient's treatment records for review, a completed release, on a form provided by the department, signed by the patient.

(b) A licensee's acceptance of or request for payment for treatment given to a patient constitutes the licensee's consent to submit to the **utilization** [PEER] review committee the information required in (c) of this section.

(c) A licensee involved in a case submitted to the **utilization** [PEER] review committee shall submit to the **utilization** [PEER] review committee all necessary records and other information concerning the patient's treatment.

(d) The **utilization** [PEER] review committee shall conduct a **utilization** [PEER] review for each request for **utilization** [PEER] review submitted to it in accordance with guidelines established by the board. Except as provided in (f) of this section, the **utilization** [PEER] review committee shall report its findings to the board and furnish a copy of its findings to the patient, licensee, and third-party payor involved in the case.

(e) The findings of the **utilization** [PEER] review committee must include a determination of whether the

(1) licensee provided or ordered appropriate treatment or services; and

(2) fees charged are a reasonable and appropriate cost of treatment; in determining the reasonableness and appropriateness of costs, the committee may consider, among other appropriate factors, charges by health care providers other than [CHIROPRACTORS] **chiropractic physicians** for the same or similar services.

(f) If the **utilization** [PEER] review committee determines that reasonable cause exists to believe the licensee has violated a provision of AS 08.20 or this chapter for which a licensee may

be disciplined, the **utilization** [PEER] review committee may not report its finding to the board, but instead shall refer the matter to the department's investigative section. The **utilization** [PEER] review committee shall provide all information gathered in connection with the **utilization** [PEER] review to the department's investigative section.

(g) Repealed 1/6/2002. (Eff. 2/21/97, Register 141; am 1/6/2002, Register 161; am 8/20/2004, Register 171; am 5/27/2006, Register 178; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.185

The introductory language of 12 AAC 16.430(a) is amended to read:

(a) When making a determination as to whether a licensee provided reasonable and appropriate treatment or services or charged reasonable and appropriate costs of treatment to a patient, the **utilization** [PEER] review committee appointed under 12 AAC 16.400 may rely on the guidelines, standards, or recommendations of the following organizations accepted by the board:

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12 AAC 16.430(b) is amended to read:

(b) The **utilization** [PEER] review committee shall take into consideration the differences between the standards and guidelines of the organizations listed in (a) of this section when making a determination as to whether the care provided by the licensee was provided in a manner required of a reasonably competent practitioner acting under the same or similar circumstances.

(Eff. 1/6/2002, Register 161; am 11/28/2009, Register 192; am 9/7/2012, Register 203; am

\_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.185

12 AAC 16.990(a) is amended by adding new paragraphs to read:

(7) "general supervision" means the directing of the authorized activities by a licensed chiropractic physician and shall not be construed to require the physical presence of the supervisor when directing such activities;

(8) "personal supervision" means that the licensed chiropractic physician must be physically present at the same office location where the services are being furnished.

(Eff. 6/29/84, Register 90; am 8/31/86, Register 99; am 6/3/89, Register 110; am 1/6/2002, Register 161; am 8/14/2010, Register 195; am 3/16/2011, Register 197; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.20.055 AS 08.20.900