

NOTICE OF PROPOSED RULEMAKING

CHAPTER 811

BOARD OF CHIROPRACTIC EXAMINERS

FILING CAPTION: Rule title change

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/22/2021 AT 8:35 AM

HEARING(S):

DATE: 07/22/2021

TIME: 8:30 AM - 3:30 PM

OFFICER: Mackenzie Purnell

ADDRESS: TBD

Zoom and Telephone

Open to public

All, OR 97301

SPECIAL INSTRUCTIONS:

Zoom and Telephone access will be posted on public agenda on agency website

NEED FOR THE RULE(S):

Updating rule title and clarifying when applications expire.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

OAR Ch. 811, www.oregon.gov/obce

FISCAL AND ECONOMIC IMPACT:

No direct fiscal impact

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

No cost associated for compliance.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

5 of our board members who will be reviewing and voting on this rule are licensed chiropractic physicians and some either own or work for small businesses.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

Including rule title change

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AMEND: 811-010-0085

RULE TITLE: **Chiropractic License Application Requirements**

RULE SUMMARY:

RULE TEXT:

- (1) Applicants shall be examined according to ORS 684.050 or 684.052.
- (2) The Board shall provide an Applicant's Guide, which contains all necessary examination information.
- (3) Fee and application requirements include the following:
 - (a) The application fee must be received by the Board prior to applicant receiving approval to sit for the examinations.
 - (b) Request for re-examination of the Ethics/Jurisprudence, Minor Surgery/Proctology and/or the Obstetrics/Gynecology examinations must be submitted directly to the national testing agency.
 - (c) A complete set of fingerprints or LiveScan Transmittal Verification form and the criminal background check results obtained from any state or local law enforcement agency, or from any other agency approved by the Board. Applicants shall use forms or methods prescribed by the Board.
 - (d) Applicant must pay to the Board the current actual cost of conducting the state and federal background check.
- (4) Documents to be submitted prior to approval to take the Oregon Specifics Examinations:
 - (a) A completed official application including a recent photograph and fingerprints or LiveScan Transmittal Verification form;
 - (b) Social Security Number Authorization form;
 - (c) Evidence of the applicant's good moral character on the **official** letterhead of, and signed by, a chiropractic physician;
 - (d) A signed affidavit attesting to successful completion of at least two years of liberal arts and sciences study in an accredited college or university. Original transcripts must be provided if requested by the Board;
 - (e) A transcript certified by the registrar, from an approved chiropractic college or university, including transcripts of coursework as required by OAR 811-020-0006. A transcript of grades is necessary from each chiropractic college or university attended; and

(f) An official transcript of passing grades from the National Board of Chiropractic Examiners on Part I, II, and III, and physiotherapy.

(5) Documents and fee to be submitted prior to licensure include:

(a) The initial license fee;

(b) A diploma or other evidence of graduation certified by the registrar from an approved chiropractic college or university; and

(c) An official transcript of passing grades from the National Board of Chiropractic Examiners Part IV.

(6) All applicants must take and pass the Oregon Specifics Examination consisting of written examination in ethics and jurisprudence, obstetrics and gynecology, minor surgery and proctology. Applicants who have previously taken and passed obstetrics and gynecology, and/or minor surgery and proctology within the last five years from the date of application as received by the Board are not required to retake these tests. However, all applicants must take and pass the Ethics/Jurisprudence examination.

(7) Oregon Specifics Examination Grades: The Board shall determine the passing scores. All examinations are designed to test minimal competency to protect the public.

(8) An applicant failing to achieve a passing grade as determined by the Board for the Ethics/Jurisprudence, Minor Surgery/Proctology, and/or the Obstetrics/Gynecology examination(s), must contact the national testing agency for re-examination of the failed section(s).

(9) If the applicant fails to re-test on at least one failed section within 13 months of the last examination, the file shall become inactive and the applicant must re-apply and take the entire examination.

(10) An applicant attempting to give aid or accepting aid from another while examinations are in progress shall fail the examination and will not be allowed to take the examination for a period of five (5) years.

(11) Refunds:

(a) The application fee is non-refundable; and

(b) The criminal background check fee is non-refundable.

(12) The Board may reject applications for good cause, including evidence of unprofessional conduct.

(13) Applications that are not completed within 13 months expire and the applicant will need to reapply and newly qualify for licensure.

(14) Applicants who have completed all requirements for licensure, including passage of all required examinations, must submit the initial license fee to obtain license within one year from the date they completed all the requirements. An applicant's initial license will be valid for a minimum of 180 days. However, if the applicant's next birth date is within the 180 days, the initial license will be valid for an additional 12 months beyond the applicant's birth date.

Statutory/Other Authority: ORS 684

Statutes/Other Implemented: ORS 684.050 & 684.052