



Notice of Intent to Adopt Rules

Revised July 2013

1. General Information

a. Agency/Board Name		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Contact Person	f. Contact Telephone Number	
g. Contact Email Address		
h. Date of Public Notice	i. Comment Period Ends	
j. Program		

2. Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.

If "New," provide the Enrolled Act numbers and years enacted:

a. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed
Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.

Chapter Number:	Short Title:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
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c. The Statement of Reasons is attached to this certification.

d. N/A In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Section 5 of the Rules on Rules).

e. A copy of the proposed rules* may be obtained:

By contacting the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

* If Item "d" above is not checked, the proposed rules shall be in strike and underscore format.

3. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. Yes No

	If "Yes:"	Date:	Time:	City:	Location:

b. What is the manner in which interested persons may present their views on the rulemaking action?
 By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:
 To the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Contact Person listed in Section 1 above.

4. Federal Law Requirements

a. These rules are created/amended/revoked to comply with federal law or regulatory requirements. Yes No

	If "Yes:"	Applicable Federal Law or Regulation Citation:

Indicate one (1):
 The proposed rules meet, but do not exceed, minimum federal requirements.
 The proposed rules exceed minimum federal requirements.

Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:
 To the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

5. State Statutory Requirements

a. Indicate one (1):
 The proposed rule change *MEETS* minimum substantive statutory requirements.
 The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):
 The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:
 By contacting the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____
 Not Applicable.

6. Authorization

a. I certify that the foregoing information is correct.

<i>Printed Name of Authorized Individual</i>	
<i>Title of Authorized Individual</i>	
<i>Date of Authorization</i>	

Distribution List:

- Attorney General and LSO: Hard copy of Notice of Intent; Statement of Reasons; clean copy of the rules; and strike-through and underline version of rules (if applicable). *Optional:* electronic copies of all items noted (in addition to hard copies) may be emailed to LSO at Criss.Carlson@wyoleg.gov.
- Secretary of State: Electronic version of Notice of Intent sent to Rules@wyo.gov.

STATEMENT OF PRINCIPAL REASONS
FOR FORMAL ADOPTION OF REGULAR RULES

Pursuant to authority of W.S. 33-10-104(a) and in accordance with W.S. 33-1-201 and the directive from the Governor's Office to reduce and streamline agency rules, the Wyoming Board of Chiropractic Examiners has adopted new and amended emergency rules for Chapters 1, 2, 3, 4, 5, 6, 7, 8, and 9.

In the legislative session of 2013, the Wyoming Legislature amended the Chiropractic Practice Act. Specifically, Enrolled Act No. 99:

- Removed statutory language regarding licensure requirements for examinations and education, continuing education requirements for licensure renewals, and removing specific limits on licensure fees;
- Added statutory language granting authority to the Board to regulate acupuncture, temporary licensure, and preceptorship;
- Altered effective date for licensure from June to August.

To address the Wyoming Legislature's amendments to the Chiropractic Practice Act, the Board adopted several amendments, including:

- Updating and adding new definitions in Chapter 1.
- Reorganizing Chapter 2 to include all aspects of licensure applications including education, examinations, and application procedures. In doing so, language regarding examinations from Chapter 3 was moved to Chapter 2.
- Amending Chapter 3 to address new rules for preceptorship programs. When the examination sections were removed from Chapter 3 and placed on Chapter 2, only one section remained (Advertising). That advertising section was moved to Chapter 8.
- Updating, clarifying, and limited Chapter 4 to renewal application requirements. In doing so, language regarding administrative services (change of name, document replacement, license verification) were moved to Chapter 8.
- Adding and clarifying continuing education requirements for renewal applications in Chapter 4.
- Reformatting Chapter 5 to include specific amounts for fees and adding new fees associated with preceptorship program and temporary licensure.
- Amending Chapter 8 to included advertising and other administrative services sections.
- Creating a new Chapter 9 to address and regulate acupuncture services.

To address the Governor's Office request for agencies to reduce and streamline their rules, the Board adopted several general amendments, including:

- Removing unnecessary and duplicative references to statutory language
- Utilizing organization abbreviations
- Condensing sections regarding similar subject matter
- Identifying chiropractor licensed to practice in the State of Wyoming as licensees

CHAPTER 1

GENERAL PROVISIONS

Section 1. Statement of Purpose. These Board Rules are adopted to interpret and implement the Act establishing the Board and conferring upon it the responsibility for licensing chiropractors and regulating the practice of chiropractic in the State.

Section 2. Severability. If any provisions of these rules or the application thereof to any licensee or circumstance is invalid, such invalidity shall not affect other provisions or application of these Board Rules which can be given effect without the invalid provision or application, and to this end the provisions of these rules are declared to be severable.

Section 3. Terms Defined by Statute. Terms defined in the Act shall have the same meaning when used in the Board Rules unless the context or subject matter clearly requires a different interpretation.

Section 4. Definitions.

- (a) “Act” means W.S. 33-10-101 *et seq.*
- (b) “ACA” means the American Chiropractic Association.
- (c) “ARC” means Application Review Committee.
- (d) “Board” means the Wyoming State Board of Chiropractic Examiners.
- (e) “Board Rules” means the administrative rules and regulations promulgated by the Board.
- (f) “CCE” means Council on Chiropractic Education.
- (g) “CCEI” means Council on Chiropractic Education International.
- (h) “DC” means Disciplinary Committee.
- (j) “Dry Needling” is a physical intervention that uses a filiform needle to stimulate trigger points, diagnose and treat neuromuscular pain and functional movement deficits; is based on Western medical concepts; requires an examination and diagnosis, and treats specific anatomic entities selected according to physical signs. Dry needling does not include the stimulation of auricular or distal points or meridians.
- (k) “IAMA” means International Academy of Medical Acupuncturists.
- (l) “ICA” means the International Chiropractic Association.
- (m) “Intern” means a student studying chiropractic concurrently participates in an undergraduate or postgraduate preceptorship program offered by an accredited chiropractic

college or university that has completed Parts I and II of the NBCE examination.

- (n) “IMS” means intramuscular stimulation.
- (o) “Licensee” means a chiropractor licensed in Wyoming.
- (p) “OAH” means Wyoming Office of Administrative Hearings.
- (q) “Official custodian” means the Executive Director of the Wyoming State Board of Chiropractic Examiners.
- (r) “PACE” means Providers of Approved Continuing Education.
- (s) “Preceptor” means chiropractor licensed in Wyoming.
- (t) “NBCE” means the National Board of Chiropractic Examiners.
- (u) “NCCAOM” means National Certification Commission for Acupuncture and Oriental Medicine.
- (v) “SPEC” means Special Purposes Examination for Chiropractic.
- (w) “State” means the State of Wyoming.

Section 6. Incorporation by Reference.

- (a) For any rule, regulation or code incorporated by reference in these Board Rules:
 - (i) The Board has determined that incorporation of the full text in these Board Rules would be unduly cumbersome or expensive;
 - (ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (b) of this section;
 - (iii) The incorporated rule, regulation or code is maintained at 2800 Central Ave., Cheyenne, WY 82002 and is available for public inspection and copying at cost at the same location.
- (b) Each rule, regulation or code incorporated by reference in these Board Rules is further identified as follows:
 - (i) The code incorporated by reference in Chapter 6, Section 2(b) of these Board Rules is Code of Ethics as existing on July 1, 2013 including amendments adopted by ACA and ICA as of that date.
 - (ii) The rule or regulation incorporated by reference in Chapter 7, Section 11(a) of these Board Rules is Chapter 2 - Contested Case Proceedings as existing on July 1, 2013 including amendments adopted by OAH as of that date.

CHAPTER 1
GENERAL PROVISIONS

Section 1. Statement of Purpose. ~~These Wyoming State Board of Chiropractic Examiners Rules and Regulations are~~ Board Rules are set forth and promulgated for the adopted to purpose of interpreting and implementing ~~W.S. 33-10-101 et seq.,~~ the Act establishing the Board and conferring upon it the responsibility for licensing chiropractors and regulating the practice of chiropractic in the State.

~~**Section 2. Citation.** The Wyoming State Board of Chiropractic Examiners Rules and Regulations shall be known, and may be cited as, the Board of Chiropractic Examiners Rules.~~

~~**Section 3.**~~ **Section 2. Severability.** If any provisions of these rules or the application thereof to any licensee or circumstance is invalid, such invalidity shall not affect other provisions or application of these Board Rules which can be given effect without the invalid provision or application, and to this end the provisions of these rules are declared to be severable.

~~**Section 4.**~~ **Section 3. Terms Defined by Statute.** Terms defined in ~~W.S. 33-10-101 et seq.~~ the Act shall have the same meanings when used in ~~these regulations~~ the Board Rules unless the context or subject matter clearly requires a different interpretation.

~~**Section 5.**~~ **Section 4. Definitions.**

(a) “Act” means W.S. 33-10-101 et seq.

~~(a)~~ (b) “ACA” means the American Chiropractic Association.

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(n) “IMS” means intramuscular stimulation.

(o) “Licensee” means a chiropractor licensed in Wyoming.

~~(n)~~(p) “OAH” means Wyoming Office of Administrative Hearings.

~~(o)~~(q) “Official custodian” means the ~~Secretary-Treasurer~~ Executive Director of the Wyoming State Board of Chiropractic Examiners.

(r) “PACE” means Providers of Approved Continuing Education.

(s) “Preceptor” means chiropractor licensed in Wyoming.

(t) “NBCE” means the National Board of Chiropractic Examiners.

(u) “NCCAOM” means National Certification Commission for Acupuncture and Oriental Medicine.

~~(p)~~(v) “SPEC” means Special Purposes Examination for Chiropractic.

~~(q)~~(w) “State” means the State of Wyoming.

Section 6. Incorporation by Reference.

(a) For any rule, regulation or code incorporated by reference in these Board Rules:

(i) The Board has determined that incorporation of the full text in these Board Rules would be unduly cumbersome or expensive;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (b) of this section;

(iii) The incorporated rule, regulation or code is maintained at 2800 Central Ave., Cheyenne, WY 82002 and is available for public inspection and copying at cost at the same location.

(b) Each rule, regulation or code incorporated by reference in these Board Rules is further identified as follows:

(i) The code incorporated by reference in Chapter 6, Section 2(b) of these Board Rules is Code of Ethics as existing on July 1, 2013 including amendments adopted by ACA and ICA as of that date.

(ii) The rule or regulation incorporated by reference in Chapter 7, Section 11(a) of these Board Rules is Chapter 2 - Contested Case Proceedings as existing on July 1, 2013 including amendments adopted by OAH as of that date.

CHAPTER 2

APPLICATION PROCEDURES

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to issue a chiropractic license to those applicants who meet the educational requirements, have successfully completed the required examinations and other qualifications established by the Board.

Section 2. Educational Requirement. Applicant shall have completed a chiropractic education at a CCE or CCEI accredited college or university.

(a) All applicants for licensure that matriculated in a chiropractic college or university prior to October 1, 1975, shall present evidence of having graduated from a chiropractic college or university which meets equivalent standards comparable to CCE or CCEI.

(b) A college or university may obtain equivalency approval by the Board if the standards which the college or university utilizes are equivalent to those published and utilized by the CCE or CCEI.

Section 3. NBCE Examination Requirement.

(a) Applicants who graduated prior to 1996 shall successfully pass Parts I, II, III, and Part IV or SPEC Exam.

(b) Applicants who graduated in or after 1996 shall successfully pass Parts I, II, III and IV.

(c) Those applicants who perform physiotherapy services shall successfully pass physiotherapy exam.

Section 4. Application Requirements. Applicant shall submit all of the following materials:

(a) A completed application form;

(b) All appropriate fees paid only by cashier's check or money order;

(c) A passport-size colored photograph;

(d) Official transcripts from each college, junior college, or university attended mailed directly to the Board by the respective college or university;

(e) A copy of the national board transcripts mailed directly to the Board by the NBCE;

(f) A verification letter from every other jurisdiction in which the applicant has been licensed to practice chiropractic; and

(g) Two (2) character references addressed to the Board.

Section 5. Jurisprudence Examination. Applicant shall successfully pass the Board's jurisprudence examination. An applicant shall not take the Board's jurisprudence examination more than two (2) times in a calendar year.

Section 6. When Eligibility is Unclear. When the ARC is unable to ascertain from the documents submitted that the applicant meets the above criteria, the ARC shall request additional documentation or information. The Board may also request the applicant to appear before the Board at a regularly scheduled meeting to clarify issues relating to the applicant's qualifications.

Section 7. ARC Review of Initial Application.

(a) If the ARC approves the applicant's initial application, this finding will be communicated in writing to the applicant along with information and instruction for sitting for the Board jurisprudence or SPEC examination.

(b) If the ARC denies the applicant's initial application, the reasons for this rejection shall be communicated in writing. The applicant shall have the right to submit new information and/or appear before the Board with the opportunity to demonstrate to the Board that the licensure requirements are met.

Section 8. Issuance of License. Upon verification and acceptance by the Board of the applicant's documentation of qualifications, the applicant shall be granted licensure and the Board shall issue to each successful applicant a certificate bearing the date of issuance and the seal of the Board. The Board shall enclose a letter with each certificate stating the terms of the license and the basis on which such license may be renewed.

Section 9. Temporary License Application; conditions; limitations.

(a) Pursuant to W.S. 33-10-105(c), the Board may issue a temporary license.

(b) Applicant shall submit all of the following materials:

(i) A completed temporary license application form as provided by the Board;

(ii) All appropriate fees paid only by cashier's check or money order;

(iii) A passport-size colored photograph;

(iv) A verification letter from the jurisdiction in which the applicant is currently licensed to practice chiropractic and is in good standing;

(v) Personal statement describing reasons for requesting a temporary license.

(c) A temporary license is valid for the 10-day period to designated on the license and is not renewable.

(d) The Board may not grant more than two (2) temporary licenses to an applicant during any calendar year.

CHAPTER 2

APPLICATION PROCEDURES

Section 1. License TypesStatement of Purpose. These Board Rules are adopted to implement the Board's authority ~~Board is authorized~~ to issue ~~one (1) type of a chiropractic~~ license to those applicants who meet the educational requirements, ~~experiential~~, have successfully completed the required examinations and other qualifications established by the Board ~~and who substantiate those qualifications to the Board's satisfaction.~~

Section 2. Educational Requirement. Applicant shall have completed a chiropractic education at a CCE or CCEI accredited college or university.

(a) All applicants for licensure that matriculated in a chiropractic college or university prior to October 1, 1975, shall present evidence of having graduated from a chiropractic college or university which meets equivalent standards comparable to CCE or CCEI.

(b) A college or university may obtain equivalency approval by the Board if the standards which the college or university utilizes are equivalent to those published and utilized by the CCE or CCEI.

Section 3. NBCE Examination Requirement.

(a) Applicants who graduated prior to 1996 shall successfully pass Parts I, II, III, and Part IV or SPEC Exam.

(b) Applicants who graduated in or after 1996 shall successfully pass Parts I, II, III and IV.

(c) Those applicants who perform physiotherapy services shall successfully pass physiotherapy exam.

Section 2.**Section 4. Application Requirements.** ~~Every applicant for a license to practice chiropractic in the State-~~Applicant shall submit all of the following materials ~~at least 15 days prior to examination:~~

- (a) A completed ~~and notarized~~ application form ~~as provided by the Board;~~
- (b) All appropriate fees paid only by cashier's check or money order;
- (c) A passport-size colored photograph;
- (d) Official transcripts from each college, junior college, or university attended mailed directly to the Board by the respective ~~institution~~ college or university;

~~(e) ——— A notarized copy of the diploma indicating a doctorate degree in chiropractic;~~

~~(f)~~ (e) ——— A copy of the national board transcripts mailed directly to the Board by the National Board of Chiropractic Examiners NBCE;

~~(g)~~(f) _____ A verification letter from every other jurisdiction in which the applicant has been licensed to practice chiropractic; and

(g) _____ Two (2) character references addressed to the Board ~~on the form provided by the Board.~~

Section 5. Jurisprudence Examination. Applicant shall successfully pass the Board's jurisprudence examination. An applicant shall not take the Board's jurisprudence examination more than two (2) times in a calendar year.

Section 6. When Eligibility is Unclear. When the ~~Board~~ ARC is unable to ascertain from the documents submitted that the applicant meets the above criteria, the ARC ~~shall request from the applicant whatever~~ additional documentation or information ~~is necessary to enable the Board to make that decision.~~ The Board may also request the applicant to appear before the Board at a regularly scheduled meeting to clarify issues relating to ~~that individual's~~ the applicant's qualifications.

Section 7. ARC Review of Initial Application.

(a) _____ If the ARC approves the applicant's initial application, this finding will be communicated in writing to the applicant along with information and instruction for sitting for the Board jurisprudence or SPEC examination.

~~Section 3.~~(b) _____ If the ARC denies the applicant's initial application, the reasons for this rejection shall be communicated in writing. The applicant shall have the right to submit new information and/or appear before the Board with the opportunity to demonstrate to the Board that the licensure requirements are met.

~~(a) _____ If the Board approves the applicant's initial application, this finding will be communicated in writing to the applicant along with information and instruction for sitting for the State or S.P.E.C. examination. If the applicant is denied on the basis of initial application materials, the reasons for this rejection shall be communicated in writing. The applicant shall have the right of reconsideration based on submission of new information and/or an appearance before the Board with the opportunity to demonstrate to the Board that the licensure requirements are met.~~

Section 8. Issuance of License. Upon verification and acceptance by the Board of the applicant's documentation of qualifications, the applicant shall be granted licensure and the Board shall issue to each successful ~~candidate~~ applicant a certificate bearing the date of issuance and the seal of the Board. The Board shall enclose a letter with each certificate stating the terms of the license and the basis on which such license may be renewed.

Section 9. Temporary License Application; conditions; limitations.

(a) _____ Pursuant to W.S. 33-10-105(c), the Board may issue a temporary license.

(b) _____ Applicant shall submit all of the following materials:

(i) _____ A completed temporary license application form as provided by the Board;

(ii) _____ All appropriate fees paid only by cashier's check or money order;

(iii) A passport-size colored photograph;

(iv) A verification letter from the jurisdiction in which the applicant is currently licensed to practice chiropractic and is in good standing; and

(v) Personal statement describing reasons for requesting a temporary license.

(c) A temporary license is valid for the 10-day period to designated on the license and is not renewable.

(d) The Board may not grant more than two (2) temporary licenses to an applicant during any calendar year.

CHAPTER 3
STANDARDS TO BE FOLLOWED
REPEALED

CHAPTER 3

STANDARDS TO BE FOLLOWED

REPEALED

~~**Section 1. — Advertising.** The State Board encourages the use of Chiropractic public relations, but the material shall never make statements of any kind that might be construed as false or misleading. Advertising shall not deceive the public in any manner.~~

~~**Section 2. — National Chiropractic Board.** The Board may accept chiropractors who have successfully passed the examination given by the National Board of Chiropractic Examiners. Parts I, II, III are required of all applicants who have graduated in or after 1987. Parts I and II are required of all applicants graduating prior to 1987. Part IV is required of all candidates. All license applicants will be required to take the State Board. Written, practical, and x-ray examinations may be required of applicants before the Board. A personal appearance shall be required of all applicants before the Board.~~

~~**Section 3. — Criteria and Procedures, Acceptance.**~~

~~(a) — The Board accepts the criteria and procedures of the Commission Accreditation of the Council on Chiropractic Education, or its successor.~~

~~(b) — All applicants for licensure that matriculated in a chiropractic college after October 1, 1975, must present evidence of having graduated from a chiropractic college having accredited status with the Commission on Accreditation of the Council on Chiropractic Education, or its successor, or from a chiropractic college which meets equivalent standards thereof.~~

~~(c) — An institution may obtain equivalency approval by the Board if the standards which the institution utilizes are equivalent to those published and utilized by the Council on Chiropractic Education.~~

~~**Section 4. — Examinations.**~~

~~(a) — New applicants shall be required to take and successfully pass the State Board.~~

~~(b) — Any applicant who has failed the examination of the Board two (2) times shall present evidence of having completed at least one (1) full semester in an approved chiropractic college before eligibility for re-examination. Additional semester hours taken shall relate to subjects failed.~~

~~(c) — Candidates falling under the categories listed below, at the discretion of the Board, shall be required to successfully pass all or a portion of the State examination and/or the SPEC examination: reciprocity or endorsement, disciplinary action, impairment, licensure suspension or revocation, or licensure lapse. On the SPEC examination a successful passing score is one at or above 75 percent. All candidates shall be required to make a personal appearance before the Board at the scheduled State examination.~~

CHAPTER 4

RENEWAL OF LICENSES

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to establish the requirements for annual license renewal.

Section 2. Annual Renewal of Licenses.

- (a) Licenses expire on August 1 of each year.
- (b) The Board shall mail a renewal application to licensees at their address of record no later than July 1. Failure to receive the renewal application from the Board does not excuse a licensee from the requirements for renewal under the Act or these rules.
- (c) The licensee shall submit the following materials:
 - (i) Renewal application;
 - (ii) Verification of continuing education; and
 - (iii) Renewal fee.
- (d) Completed renewal application materials postmarked:
 - (i) On or before August 1 shall incur no penalty;
 - (ii) Between August 2 through August 31 shall be assessed a late fee;
 - (iii) On or after September 1, the license shall lapse.
- (e) After receipt of completed renewal application materials, the Board shall issue a renewal card bearing the licensee's name, license number and expiration date.
- (f) To restore lapsed privileges, the licensee shall submit an application for relicensure. In addition, the Board may require the SPEC examination and/or the Board jurisprudence examination.

Section 3. Continuing Education Requirements. All licensees shall attend a minimum of twelve (12) continuing education credit hours between August 1st and July 31st to be eligible for renewal.

- (a) The Board has developed the following guidelines for determining qualification for continuing education credits required licensure renewal.
 - (i) Credit hours shall be sponsored by one of the following entities:
 - (A) ICA;

- (B) ACA;
- (C) Any CCE or CCEI accredited chiropractic college or university;
- (D) Any state chiropractic association; or
- (E) PACE.

(ii) Subjects accepted include, but limited to: ethics, technique, physiotherapy, acupuncture, clinical nutrition, diagnostic imaging and interpretation of imaging, and other subjects as defined as the practice of chiropractic and approved by the Board.

(iii) Courses that are practice management in nature are not acceptable for continuing education credit hours.

Section 4. Exemptions to the Educational Requirement for Licensure Renewal.

(a) Licensees in the State and not in active practice are not required to maintain educational requirements.

(b) All licensees in active practice shall maintain continuing educational requirements except as provided below:

(i) Licensees who have graduated within twelve (12) months of the date of renewal application may be exempt from continuing educational requirements at the discretion of the Board.

(ii) Licensees who are unable to obtain the educational requirements due to major illness shall present certification of the illness acceptable to the Board.

CHAPTER 4

RENEWAL OF LICENSES

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to establish the requirements for annual license renewal.

~~Section 1.~~ Section 2. Annual Renewal of Licenses.

(a) _____ Licenses expire on ~~June~~ August 1 of each year.

(b) _____ The Board shall mail a renewal ~~notice~~ application to ~~L~~ licensees at their address of record no later than ~~thirty (30) days prior to the expiration date.~~ July 1. Failure to receive the renewal application from the Board does not excuse a licensee from the requirements for renewal under the Act or these rules.

~~(a) _____~~

~~(b) _____ Failure to receive notice from the Board for renewal of a license does not excuse a licensee from the requirements for renewal under the Act or these rules.~~

(c) _____ The licensee shall submit the following materials:

(i) Renewal application;

(ii) Verification of continuing education; and

(iii) Renewal fee.

(d) _____ Completed renewal application materials postmarked:

(i) On or before August 1 shall incur no penalty;

(ii) Between August 2 through August 31 shall be assessed a late fee;

(iii) On or after September 1, the license shall lapse.

(e) _____ After receipt of completed renewal application materials, the Board shall issue a renewal card bearing the licensee's name, license number and expiration date.

~~(e) _____ A renewal card shall be issued bearing the chiropractors's name, license number and expiration date upon receipt of the renewal fee in the amount defined in the current fee table. The renewal fee shall be postmarked no later than June 1 in order to meet the renewal deadline without penalty.~~

~~(d) _____ Renewals postmarked after June 1 shall be assessed a late fee in addition to the renewal fee.~~

~~(e) Licenses shall be considered revoked after July 1 and the chiropractors shall no longer be licensed to practice.~~

(f) To restore ~~revoked~~ lapsed privileges, the licensee shall submit an ~~current~~ application for relicensure ~~and double the renewal fee.~~ In addition, the Board ~~shall~~ may require the SPEC examination and/or the State Board jurisprudence examination ~~in addition to verifications from other state boards.~~

Section 3. Continuing Education Requirements. All licensees shall attend a minimum of twelve (12) continuing education credit hours between August 1st and July 31st to be eligible for renewal.

(a) The Board has developed the following guidelines for determining qualification for continuing education credits required licensure renewal.

(i) Credit hours shall be sponsored by one of the following entities:

(A) ICA;

(B) ACA;

(C) Any CCE or CCEI accredited chiropractic college or university;

(D) Any state chiropractic association; or

(E) PACE.

(ii) Subjects accepted include, but limited to: ethics, technique, physiotherapy, acupuncture, clinical nutrition, diagnostic imaging and interpretation of imaging, and other subjects as defined as the practice of chiropractic and approved by the Board.

(iii) Courses that are practice management in nature are not acceptable for continuing education credit hours.

~~**Section 2. Change of Name and/or Address.** It is the responsibility of the licensee to inform the Board in writing of any change in legal name, mailing address or telephone number.~~

~~**Section 3. Verification of Licensure or Certification to Another Jurisdiction.** Upon request for written verification of licensure or certification and the required verification fee, the Board shall provide the information in writing to the jurisdiction specified by the chiropractors.~~

~~**Section 4. Replacement Wall Document.**~~

~~(a) Upon receipt of the licensee's notarized statement verifying that the wall document was lost, stolen or destroyed and payment of the replacement fee, the Board shall issue a replacement wall document.~~

~~(b) Upon receipt of the licensee's legal notice of a legal name change, surrender of the original document and payment of the replacement document fee, the Board shall issue a replacement document in the licensee's new name.~~

~~Section 5.~~ **Section 4. Exemptions to the Educational Requirement for Licensure Renewal.**

(a) ~~Chiropractors licensed~~ Licensees in the State and not in active practice are not required to maintain educational requirements.

(b) All ~~chiropractors licensees~~ licensees in active practice shall maintain continuing educational requirements except as provided below:

(i) ~~Chiropractors~~ Licensees who have graduated within twelve (12) months of the date of renewal application may be exempt from continuing educational requirements at the discretion of the Board.

(ii) ~~Chiropractors~~ Licensees who are unable to obtain the educational requirements due to major illness shall present certification of the illness acceptable to the Board.

CHAPTER 5

FEES

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to determine and collect reasonable fees.

Section 2. General Information.

(a) Fees shall be payable in the exact amount, by **money order or cashier's check**, for all services and shall be paid in advance of the services rendered. Renewal fees may also be paid by personal check.

(b) All fees collected by the Board are non-refundable.

Section 3. Fees. Services for which the Board charges a fee shall include but is not be limited to the following fee schedule.

(a)	License Application Fee:	\$500
(b)	Temporary License Application Fee:	\$150
(c)	Intern/Preceptor Application Fee:	\$100
(d)	Annual License Renewal Fee:	\$200
(e)	Renewed Late Fee (August 2-August 31):	\$200
(f)	Relicensure Fee:	\$400
(g)	Replacement Document Fee (pocket card or certificate):	\$25
(h)	License Verification to Another Jurisdiction	\$25
(j)	Hard-Copy Roster	\$100

CHAPTER 5

FEES

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to determine and collect reasonable fees.

~~Section 1.~~ Section 2. General Information.

~~(a) — The current fee schedule shall appear in the official records of the Board's activities and shall be kept on file in the Board office.~~

~~(b) — At the time of application, a copy of the current fee schedule shall be provided to applicants.~~

~~(e)~~ (a) Fees shall be payable in the exact amount, by **money order or cashier's check**, for all services and shall be paid in advance of the services rendered. —Renewal fees may also be paid by personal check.

~~(d)~~ (b) All fees collected by the Board are non-refundable.

~~Section 2.~~ Section 3. Fees. Services for which the Board charges a fee shall include but is not be limited to the following fee schedule.

(a) License Application Fee: ~~Shall not exceed a fee of~~ _____
_____ \$500 ~~per applicant.~~

(b) Temporary License Application Fee: _____ \$150

(c) Intern/Preceptor Application Fee: _____ \$100

~~(b) — State Examination Fee: Included in Application Fee.~~

~~(c) — Reciprocity Fee: Included in Application Fee.~~

~~(d) — Initial License Fee: Included in Application Fee.~~

~~(e)~~ (d) Annual License Renewal Fee: ~~Shall not exceed a fee of \$500 per year.~~ _____
_____ \$200

~~(f)~~ (e) Renewed Late Fee: ~~June 2-July 1: (August 2-August 31):~~ _____
_____ ~~\$Shall not exceed a fee of \$200.~~

~~(g)~~ (f) Relicensure Fee ~~Restoration of Revoked License Fee due to non-renewal:~~ _____
_____ \$400 ~~Double the current annual license renewal fee.~~

~~(h)~~ (g) Replacement Document Fee (pocket card or certificate): _____ \$25

(h) License Verification to Another Jurisdiction \$25

~~(i)~~ (j) Hard-Copy Roster: \$100

~~(j) Verification to Another Jurisdiction: \$25~~

CHAPTER 6

SUSPENSION, REVOCATION OR DENIAL OF LICENSE

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to establish prohibited acts regarding the practice of chiropractic in the State.

Section 2. Ethics.

(a) The protection of the public health, safety, welfare and interest of the public shall be the primary guide in determining the appropriate professional conduct of all licensees.

(b) The current national code of ethics as promulgated by the ACA and the ICA shall be used by the Board to provide guidelines to ethical standards for all licensees. Any violation of these codes of ethics shall be a violation of these Board Rules.

Section 3. Suspension, Revocation and Denial of Licenses and Other Disciplinary Sanctions. In addition to prohibited acts set forth in the Act, the Board may suspend, revoke or deny licenses and take other disciplinary action for any of the following reasons:

- (a) Immoral, unprofessional or dishonorable conduct.
- (b) Harassment, intimidation or abuse, sexual or otherwise, of a client or patient;
- (c) Engaging in sexual intercourse or other sexual contact with a client or patient;
- (d) Practicing outside the areas of professional competence as established by education, training and experience;
- (e) Gross or repeated malpractice or gross negligence in the practice of chiropractic;
- (f) Conviction of fraud in filing Medicare or Medicaid claims or in filing claims to any third party payor.
- (g) Exercising undue influence to exploit a patient, student or supervisee for financial or other personal advantage to the practitioner or a third party;
- (h) The suspension or revocation by another state of a license to practice chiropractic. A certified copy of the order of suspension or revocation shall be conclusive evidence thereof;
- (j) Refusal to appear before the Board after having been ordered to do so in writing by the Executive Director or President of the Board;
- (k) Failure to meet the requirements for licensure set forth herein;
- (l) Conviction of any crime or offense that reflects the inability of the practitioner to practice chiropractic with due regard for the health and safety of clients or patients;
- (m) Violation of a Board decision or order.

CHAPTER 6

SUSPENSION, REVOCATION OR DENIAL OF LICENSE

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to establish prohibited acts regarding the practice of chiropractic in the State.

~~Section 1.~~ Section 2. Ethics.

(a) The protection of the public health, safety, welfare and interest of the public shall be the primary guide in determining the appropriate professional conduct of all licensees ~~chiropractors whose activities are regulated by the Board.~~

(b) The current national code of ethics as promulgated by the ~~American Chiropractic Association~~ ACA and the ~~International Chiropractic Association~~ ICA, ~~as appropriate to the individual practitioner,~~ shall be used by the Board to provide guidelines to ethical standards for all ~~chiropractors licensed under the Act~~ licensees. Any violation of these codes of ethics shall be a violation of these Board Rules.

Section 2. Section 3. Suspension, Revocation and Denial of Licenses and Other Disciplinary Sanctions. In addition to prohibited acts set forth in the Act, the Board may suspend, revoke or deny licenses and take other disciplinary action for any of the following reasons:

~~(a) Fraud, deception or misrepresentation in applying for a license or certificate, in taking an examination, or in rendering services;~~

~~(b)~~ (a) Immoral, unprofessional or dishonorable conduct.

~~(c) Practicing chiropractic in such a manner as to endanger the welfare of clients or patients;~~

~~(d) Conviction of a felony;~~

~~(e)~~ (b) Harassment, intimidation or abuse, sexual or otherwise, of a client or patient;

~~(f)~~ (c) Engaging in sexual intercourse or other sexual contact with a client or patient;

~~(g)~~ (d) Practicing outside the areas of professional competence as established by education, training and experience;

~~(h) Gross or repeated malpractice or gross negligence in the practice of chiropractic;~~

~~(i) Aiding or abetting the practice of chiropractic by individuals not licensed by the Board.~~

~~(j)~~ (f) Conviction of fraud in filing Medicare or Medicaid claims or in filing claims to any third party payor.

~~(k)~~(g) Exercising undue influence to exploit a patient, student or supervisee for financial or other personal advantage to the practitioner or a third party;

~~(h)~~(h) ——— The suspension or revocation by another state of a license to practice chiropractic. A certified copy of the order of suspension or revocation shall be conclusive evidence thereof;

~~(m)~~(j) Refusal to appear before the Board after having been ordered to do so in writing by the ~~E~~xecutive ~~D~~irector~~officeer~~ or President of the Board;

~~(n)~~ ——— Making any fraudulent or untrue statement to the Board;

~~(o)~~ ——— Violation of the current National Code of Ethics as set forth by the American Chiropractic Association or the International Chiropractic Association;

~~(p)~~ ——— Inability to practice chiropractic with reasonable skill and safety to patients or clients by reason of illness, or as a result of any mental or physical condition;

~~(q)~~ ——— Addiction to alcohol, narcotics or other habit-forming drugs;

~~(r)~~ ——— Willfully or negligently violating any of the provisions of the Act;

~~(s)~~(k) Failure to meet the requirements for licensure set forth herein;

~~(t)~~(l) Conviction of any crime or offense that reflects the inability of the practitioner to practice chiropractic with due regard for the health and safety of clients or patients;

~~(u)~~(m) Violation of a Board decision or order.

CHAPTER 7

COMPLAINT PRACTICE AND PROCEDURE

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to conduct investigations, hearing and proceedings regarding alleged violations of the Act or other Board Rules.

Section 2. Complaints. All complaints against a licensee shall be filed with the Board in writing and should contain:

- (a) Name and address of licensee;
- (b) Name, address and telephone number of complainant;
- (c) Nature of alleged violations;
- (d) A short and concise statement of facts relating to the alleged violations; and
- (e) Signature of complainant.

Section 3. Investigation.

(a) The Board shall consider the complaint to determine if further investigation of the matter is warranted. If further investigation is deemed necessary, the Board shall assign the complaint to a DC.

(b) Upon completion of the investigation, the DC may:

(i) Prepare and file a formal complaint and notice of hearing with the Board, setting the matter for a contested case hearing;

(ii) Recommend the Board reprimand the licensee; or

(iii) Recommend to Board dismiss the complaint.

(c) The Board may resolve a complaint at any time by:

(i) Sending a written letter of warning to the licensee;

(ii) Accepting a voluntary surrender of a license;

(iii) Accepting conditional terms for settlement;

(iv) Dispensing with it in an informal manner; or

(v) Dismissal.

Section 4. Notice and Opportunity to Show Compliance. Prior to commencing formal proceedings to refuse to renew, suspend or revoke the license of an alleged offender, the Board shall give notice by mail to the licensee and an opportunity to show compliance with all lawful requirements for retention of the license within ten (10) days of receipt of the notice.

Section 5. Hearing Officer. The Board may employ and secure a hearing officer to assist and advise the Board in the conduct of a hearing and the preparation of recommended findings of fact, conclusions of law and order.

Section 6. Service of Notice and Formal Complaint. The DC shall serve a Notice and Complaint by mail at least thirty (30) days prior to the date set for hearing. It shall be sent by certified or registered mail with return receipt to the licensee's known address.

Section 7. Answer or Appearance. The licensee shall file an Answer or Notice of Appearance, which shall be received by the Board at least three (3) working days prior to the date set for hearing in the matter.

Section 8. Default. In the event of the failure of a licensee to answer or otherwise appear within the time allowed, a default shall be entered and the allegations as set forth in the Notice and Complaint shall be taken as true and an order of the Board entered accordingly.

Section 9. Contested Case Hearings.

(a) The hearing officer shall preside over the formal contested case hearing which shall be conducted pursuant to the WAPA and Chapter 2 of OAH rules for contested cases.

(b) All testimony shall be recorded verbatim by a competent reporter or by electronic recording devices. If the written transcript is prepared at the request of a party, the cost of the transcript shall be paid by the party making the request, unless the Board for good cause shown waives assessment of such costs.

Section 10. Decision, Findings of Fact and Conclusions of Law and Order.

(a) The Board shall issue an order containing findings of fact and conclusions of law. The decision and order shall be filed with the Board and shall, without further action, become the decision and order as a result of the hearing.

(b) Upon entry and filing, the Board shall mail copies of the decision to the licensee or their attorney.

Section 11. Appeals.

(a) Appeals from Board decisions are governed by the Wyoming Administrative Procedure Act and Wyoming Rules of Appellate Procedure.

(b) Costs of transcripts and any reasonable costs assessed by the Board regarding the record on appeal shall be borne by the party making the appeal.

CHAPTER 7
COMPLAINT PRACTICE AND PROCEDURE

Section 1. Statement of Purpose. ~~These Board Rules are adopted to implement the Board's authority to conduct investigations, hearing and proceedings regarding alleged violations of the Act or other Board Rules.~~

~~**Section 1.**~~ **Section 2. Complaints.** All complaints against a licensee ~~chiropractor~~ shall be filed with the Board in writing and should contain:

- (a) Name and address of licensee;
- (b) Name, address and telephone number of complainant;
- (c) Nature of alleged violations;
- (d) A short and concise statement of facts relating to the alleged violations; and
- (e) Signature of complainant.

~~**Section 2.**~~ **Section 3. Investigation.**

(a) The Board shall consider the complaint to determine if further investigation of the matter is warranted. If further investigation is deemed necessary, the Board shall assign the complaint to an DC. ~~investigator which may be a Board member or hire an independent investigator to assist a representative of the Attorney General's Office.~~

(b) Upon completion of the investigation, the ~~investigator~~ DC may:

(i) Prepare and file a formal complaint and notice of hearing with the Board, setting the matter for a contested case hearing;

(ii) Recommend ~~to the Board that a reprimand be given to the chiropractor~~ the licensee; or

(iii) Recommend to ~~the Board that the complaint be dismissed~~. dismiss the complaint.

(c) The Board may resolve a complaint at any time by:

(i) Sending a written letter of warning to ~~a chiropractor~~ the licensee;

(ii) Accepting a voluntary surrender of a license;

(iii) Accepting conditional terms for settlement;

(iv) Dispensing with it in an informal manner; or

(v) Dismissal.

~~Section 3.~~**Section 4. Notice and Opportunity to Show Compliance.** Prior to commencing formal proceedings to refuse to renew, suspend or revoke the license of an alleged offender, the Board shall give notice by mail to the licensee and an opportunity to show compliance with all lawful requirements for retention of the license within ten (10) days of receipt of the notice.

Section 5. Hearing Officer. The Board may employ and secure a hearing officer to assist and advise the Board in the conduct of a hearing and the preparation of recommended findings of fact, conclusions of law and order.

~~Section 4.~~**Section 6. Service of Notice and Formal Complaint.** The DC shall serve a Notice and Complaint ~~shall be served~~ by mail at least thirty (30) days prior to the date set for hearing. It shall be sent by certified or registered mail with return receipt to the ~~chiropractors's~~ licensee's known address.

~~Section 5. Docket.~~ A contested case shall be assigned a number when a complaint is filed with the Board. A separate file shall be established for each docketed case, in which all papers, pleadings, documents, transcripts, evidence and exhibits shall be placed.

~~Section 6.~~**Section 7. Answer or Appearance.** The ~~chiropractors~~ licensee shall file an Answer or Notice of Appearance, which shall be received by the Board at least three (3) working days prior to the date set for hearing in the matter.

~~Section 7. Default in Chiropractors Answering or Appearing.~~ In the event of the failure of a ~~chiropractors~~ licensee to answer or otherwise appear within the time allowed, a default shall be entered and the allegations as set forth in the Notice and Complaint shall be taken as true and an oOrder of the Board entered accordingly.

~~Section 8. Discovery.~~ In all contested cases coming before the Board, the taking of depositions and discovery shall be available to the parties.

~~Section 9. Subpoenas.~~ Subpoenas for appearance and to produce testimony, books, papers, documents or exhibits may be issued by the Board or hearing officer on behalf of any party to the contested case.

~~Section 10. Contested Case Hearing.~~ All issues and matters set forth in the Notice and Complaint shall be presented to the Board. A chiropractors may be represented by an attorney, licensed to practice law in this State or is otherwise associated at the hearing with an attorney licensed to practice law in this State.

~~Section 11. Hearing Officer.~~ The Board may employ and secure a hearing officer to assist and advise the Board in the conduct of a hearing and the preparation of recommended findings of fact, conclusions of law and order.

~~Section 12.~~**Section 8. Order of Procedure at Hearing.** As nearly as may be, hearings shall be conducted in accordance with the following order of procedure:

(a) ~~————~~ The Board or hearing officer shall announce that the hearing is convened upon the call of the docket number and title of the matter and case to be heard, and thereupon the Board or

~~hearing officer shall incorporate all pleadings into the record and shall note for the record all subpoenas issued and all appearances of record;~~

~~(b) All persons testifying at the hearing shall be administered the standard oath;~~

~~(c) The attorney or representative of the State shall thereupon proceed to present State's evidence. Witnesses may be cross examined by the chiropractors or attorney if represented. Redirect examination may be permitted;~~

~~(d) The chiropractors shall be heard in the same manner as the State's evidence. The State shall have the opportunity of cross examination and redirect examination may be permitted;~~

~~(e) Opening statements may be made.~~

~~(f) Closing statements, at the conclusion of the presentation of evidence, may be made by the parties or attorneys. A rebuttal statement may be made by the State. The time for oral argument may be limited by the Board or hearing officer;~~

~~(g) After all proceedings have been concluded, the Board or hearing officer shall dismiss and excuse all witnesses and declare the hearing closed. Any party who may wish or desire to tender written briefs of law unto the Board may do so. The Board may take the case under advisement and shall declare unto each of the parties that the decision of the Board shall be announced within due and proper time following consideration of all of the matters presented at the hearing; and~~

~~(h) The Board and hearing officer shall retain the right and opportunity to examine any witness upon the conclusion of all testimony offered by a particular witness.~~

~~**Section 13. Rules of Civil Procedure to Apply.** The rules of practice and procedure contained in the Wyoming Rules of Civil Procedure insofar as they are applicable and not inconsistent with the matters before the Board and applicable to the rules and orders promulgated by the Board shall apply.~~

~~**Section 14. Attorneys.** The filing of an answer or other appearance by an attorney constitutes an appearance for the party for whom the pleading is filed. The Board and all parties shall be notified in writing of any withdrawal. Any person appearing before the Board at a hearing in a representative capacity shall be precluded from examining or cross-examining any witness unless the person is an attorney licensed to practice law in this State, or associated with an attorney licensed to practice law in this State. This rule shall not be construed to prohibit any chiropractors from representing themselves in any hearing before the Board, but any chiropractors appearing in their own behalf shall not be relieved of abiding by all rules established for the hearing proceedings.~~

~~**Section 15. Attorney General to be Present.** In all hearings held upon formal action brought before the Board, a representative of the Office of the Attorney General of Wyoming shall appear on behalf of the State, and shall present all evidence, testimony and legal authority in support of the Notice and Complaint to be considered by the Board.~~

~~**Section 16. — Record of Proceedings.** When the denial, revocation or suspension of any license or permit is the subject for hearing, it shall be regarded as a contested case and the proceedings, including all testimony, shall be reported verbatim by a court reporter or other adequate recording device.~~

Section 9. Contested Case Hearings.

(a) The hearing officer shall preside over the formal contested case hearing which shall be conducted pursuant to the WAPA and Chapter 2 of OAH rules for contested cases.

(b) All testimony shall be recorded verbatim by a competent reporter or by electronic recording devices. If the written transcript is prepared at the request of a party, the cost of the transcript shall be paid by the party making the request, unless the Board for good cause shown waives assessment of such costs.

~~**Section 17.**~~ **Section 10. Decision, Findings of Fact and Conclusions of Law and Order.**

(a) ~~The Board shall, with the assistance of the hearing officer, following the full and complete hearing, make and enter a written decision and~~ issue an order containing findings of fact and conclusions of law. The decision and order shall be filed with the Board and shall, without further action, become the decision and order as a result of the hearing.

~~(b) — No member, staff or agent of the Board who participated or advised in the investigation or presentation of evidence at the hearing shall participate or advise in the decision.~~

~~(e)~~ (b) Upon entry and filing, the Board shall mail copies of the decision to the chiropractors licensee and or each attorney of record their attorney.

Section 11. Appeals. to District Court.

~~**Section 18. —** Appeals from Board decisions shall be taken to the district court having jurisdiction and proper venue in accordance with applicable statutes and the Wyoming Rules of Appellate Procedure.~~ are governed by the Wyoming Administrative Procedure Act and Wyoming Rules of Appellate Procedure.

(a) _____

~~**Section 19.**~~ (b) Costs of transcripts and any reasonable costs assessed by the Board regarding the record on appeal shall be borne by the party making the appeal. **Transcript in Case of Appeal.** ~~In the case of an appeal to the district court, the appellant shall pay and arrange for the transcript of the testimony. The transcript shall be verified by the oath of the reporter who took the testimony as a true and correct transcript of the testimony and other evidence in the case.~~

CHAPTER 8

INFORMATION PRACTICES

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to establish procedures for the administration of the Board.

Section 2. Disclosure.

(a) The information in files compiled by the Board concerning each licensee, except for Board decisions concerning licensure or certification, is confidential and shall be released only to the licensees to whom the record pertains, to others upon the chiropractor's notarized written consent or upon court order.

(b) Board decisions regarding licensure or certification are considered public information. Disciplinary actions shall be reported as appropriate to the Chiropractic Information Network/Board Action Databank.

(c) Disclosure of confidential records and public records shall also be governed by W.S. 16-4-201 *et seq.*, Public Records Act.

Section 3. Access.

(a) Any licensee or others with the licensee's notarized written consent may personally inspect the contents of pertinent Board files with the following exceptions:

- (i) Personal recommendations;
- (ii) Unofficial complaints; and
- (iii) State board examination and all documents relating to the grading thereof.

(b) Record inspection shall take place under the following conditions:

(i) An appointment must be made to review the file between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday at the offices of the Board.

(ii) Record inspection must take place in the presence of a member of the Board or a representative of its administrative staff.

(iii) Original documents must remain with the Board but may be copied at the Board offices for a reasonable fee. Such fee shall include cost of administrative time and copying.

Section 4. Correction and Amendment. Any licensee may clarify erroneous, inaccurate or misleading information in their file by submitting a written statement to the Board which will be placed in the file.

Section 5. Requests for Rosters.

(a) The roster shall be made available to state agencies and licensees upon request, free of charge.

(b) Any other organization may obtain a roster in the following manner:

(i) A money order or cashier's check in the amount of \$100.00 must accompany a written request for a published list updated yearly.

(ii) A money order or cashier's check in the amount of \$200.00 and a standard personal computer storage device must accompany a written request for an electronic copy of the roster. The data will be presented in the software format currently used by the Board.

Section 6. Advertising. The Board encourages the use of chiropractic public relations, but the material shall never make statements of any kind that might be construed as false or misleading. Advertising shall not deceive the public in any manner.

Section 7. Change of Name and/or Address. It is the responsibility of the licensee to inform the Board in writing of any change in legal name, mailing address or telephone number.

Section 8. Verification of Licensure or Certification to Another Jurisdiction. Upon request for written verification of licensure or certification and the required verification fee, the Board shall provide the information in writing to the jurisdiction specified by the licensee.

Section 9. Replacement Wall Document.

(a) Upon receipt of the licensee's notarized statement verifying that the wall document was lost, stolen or destroyed and payment of the replacement fee, the Board shall issue a replacement wall document.

(b) Upon receipt of the licensee's legal notice of a legal name change, surrender of the original document and payment of the replacement document fee, the Board shall issue a replacement document in the licensee's new name.

CHAPTER 8
INFORMATION PRACTICES

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to establish procedures for the administration of the Board.

Section 1. Section 2. Disclosure.

(a) The information in files compiled by the Board concerning each ~~chiropractors~~licensee, except for Board decisions concerning licensure or certification, is confidential and shall be released only to the ~~chiropractors~~licensees to whom the record pertains, to others upon the chiropractor's notarized written consent or upon court order.

(b) Board decisions regarding licensure or certification are considered public information. Disciplinary actions shall be reported as appropriate to the Chiropractic Information Network/Board Action Databank.

(c) Disclosure of confidential records and public records shall also be governed by W.S. 16-4-201 *et seq.*, Public Records Act.

Section 2. Section 3. Access.

(a) Any ~~chiropractors~~licensee or others with the ~~chiropractors's~~licensee's notarized written consent may personally inspect the contents of pertinent Board files with the following exceptions:

- (i) Personal recommendations; ~~and~~
- (ii) Unofficial complaints; ~~and~~
- (iii) State board examination and all documents relating to the grading thereof.

(b) Record inspection shall take place under the following conditions:

(i) An appointment must be made to review the file between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday at the offices of the Board.

(ii) Record inspection must take place in the presence of a member of the Board or a representative of its administrative staff.

(iii) Original documents must remain with the Board but may be copied at the Board offices for a reasonable fee. Such fee shall include cost of administrative time and copying.

Section 3. Section 4. Correction and Amendment. Any ~~chiropractors~~licensee may clarify erroneous, inaccurate or misleading information in their file by submitting a written statement to the Board which will be placed in the file.

Section 4. Section 5. Requests for Rosters.

(a) The roster shall be made available to state agencies and ~~chiropractors~~ licensees upon request, free of charge.

(b) Any other organization may obtain a roster in the following manner:

(i) A money order or cashier's check in the amount of \$100.00 must accompany a written request for a published list updated yearly.

(ii) A money order or cashier's check in the amount of \$200.00 and a standard personal computer ~~diskette~~ storage device must accompany a written request for an electronic copy of the roster. The data will be presented in the software format currently used by the Board.

Section 6. Advertising. The Board encourages the use of chiropractic public relations, but the material shall never make statements of any kind that might be construed as false or misleading. Advertising shall not deceive the public in any manner.

Section 7. Change of Name and/or Address. It is the responsibility of the licensee to inform the Board in writing of any change in legal name, mailing address or telephone number.

Section 8. Verification of Licensure or Certification to Another Jurisdiction. Upon request for written verification of licensure or certification and the required verification fee, the Board shall provide the information in writing to the jurisdiction specified by the licensee.

Section 9. Replacement Wall Document.

(a) Upon receipt of the licensee's notarized statement verifying that the wall document was lost, stolen or destroyed and payment of the replacement fee, the Board shall issue a replacement wall document.

(b) Upon receipt of the licensee's legal notice of a legal name change, surrender of the original document and payment of the replacement document fee, the Board shall issue a replacement document in the licensee's new name.

CHAPTER 9

ACUPUNCTURE

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to regulate acupuncture and competency requirements to provide such services.

Section 2. Competency Requirements. Licensees who choose to provide acupuncture services as part of their practice shall demonstrate competency and training to perform clinical acupuncture. These requirements include:

- (a) Demonstrate a minimum of 100 hours;
- (b) Certification from the IAMA, the NCCAOM or the equivalent as determined by the Board; or
- (c) Certification from the NBCE Acupuncture examination.

Section 3. Exceptions to Requirements. Licensees who choose to provide acupuncture services may seek an exception to the minimum requirement of 100 hours if the licensee is able to demonstrate competency in IMS/Dry needling.

Section 4. Competency for IMS/Dry Needling. To demonstrate competency to perform dry needling, a licensee shall meet the following requirements:

- (a) A minimum of twenty-four (24) hours of face-to-face IMS/dry needling course study (online study is not considered appropriate training).
- (b) A licensee performing IMS/dry needling in his/her practice shall have written informed consent for each patient where this technique is used. The patient shall sign and receive a copy of the informed consent form. The consent form shall, at a minimum, clearly state the risks and benefits of IMS/dry needling.
- (c) IMS/dry needling shall not be delegated and shall be directly performed by a qualified, licensed chiropractor.
- (d) IMS/dry needling shall be performed in a manner consistent with generally accepted standard of practice, including clean needle techniques, and standards of the center for communicable diseases.

CHAPTER 9

ACUPUNCTURE

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to regulate acupuncture and competency requirements to provide such services.

Section 2. Competency Requirements. Licensees who choose to provide acupuncture services as part of their practice shall demonstrate competency and training to perform clinical acupuncture. These requirements include:

(a) Demonstrate a minimum of 100 hours;

(b) Certification from the IAMA, the NCCAOM or the equivalent as determined by the Board; or

(c) Certification from the NBCE Acupuncture examination.

Section 3. Exceptions to Requirements. Licensees who choose to provide acupuncture services may seek an exception to the minimum requirement of 100 hours if the licensee is able to demonstrate competency in IMS/Dry needling.

Section 4. Competency for IMS/Dry Needling. To demonstrate competency to perform dry needling, a licensee shall meet the following requirements:

(a) A minimum of twenty-four (24) hours of face-to-face IMS/dry needling course study (online study is not considered appropriate training).

(b) A licensee performing IMS/dry needling in his/her practice shall have written informed consent for each patient where this technique is used. The patient shall sign and receive a copy of the informed consent form. The consent form shall, at a minimum, clearly state the risks and benefits of IMS/dry needling.

(c) IMS/dry needling shall not be delegated and shall be directly performed by a qualified, licensed chiropractor.

(d) IMS/dry needling shall be performed in a manner consistent with generally accepted standard of practice, including clean needle techniques, and standards of the center for communicable diseases.

CHAPTER 10

PRECEPTORSHIP TRAINING PROGRAMS

Section 1. Statement of Purpose. The Board Rules are adopted to implement the Board's authority to regulate and approve preceptor training programs in the State.

Section 2. Eligibility; Application.

(a) Both intern and preceptor shall submit a written application to the Board for approval of participation in a preceptor training program.

(i) The intern and preceptor shall submit all of the following materials:

(A) A completed application form as provided by the Board;

(B) All appropriate fees paid only by cashier's check or money order;

(C) A passport-size colored photograph of intern; and

(D) A waiver of confidentiality under subsection (b)(ii) and (d)(ii) containing the notarized signatures from both the intern and preceptor.

(b) The Board shall approve participation for a preceptor who:

(i) Concurrently participates as a preceptor at the chiropractic college or university in which the intern is enrolled throughout the time period of the preceptor program and provides verifiable proof of participation; and

(ii) Submits a written waiver of confidentiality that permits the Board access to any information, records, or documentation collected or used by the college or university to evaluate the preceptor's eligibility for or performance in the program; and

(iii) Is continuously licensed in the State for at least five years before the date the program is to begin and, if the program is to include practice of chiropractic specialties, is certified in those specialties for at least three years before the date upon which the program is to begin.

(c) The Board shall approve participation by an intern who:

(i) Provides verifiable proof of concurrent participation and enrollment in an undergraduate or postgraduate preceptorship program offered by an accredited chiropractic college or university;

(ii) Submits a written waiver of confidentiality that permits the Board access to any information, records, or documentation collected or used by the college to evaluate the intern's eligibility for or performance in the program;

(iii) Provides a certificate of attainment on Parts I and II of the examination by the NBCE; and

(iv) Successfully completes and provides documentation of the coursework and certification required for practice of chiropractic specialties, if specialties are to be included in the training program.

(d) The Board shall not approve participation for an intern or preceptor who:

(i) Has been the subject of disciplinary sanction or convicted of a felony or misdemeanor involving moral turpitude;

(ii) Is currently under investigation for a licensing violation, or a felony or misdemeanor involving moral turpitude;

(iii) Fails to demonstrate good character and reputation;

(iv) Fails to demonstrate the physical and mental ability to practice chiropractic skillfully and safely; or

(v) Has practiced chiropractic without a license or through participation in an approved preceptor program.

Section 3. Practice Limitations.

(a) Under the supervision of the preceptor and commensurate with the intern's education, training, and experience, an intern may engage in the practice of health care, as defined in W.S. 33-10-101, except that an intern shall not perform any procedure defined as a chiropractic specialty requiring certification unless the intern and the preceptor have met the eligibility requirements in Section 1 of this chapter for that specialty.

(b) At all times when patients may be present, the intern shall wear a badge showing the intern's name and the title "Intern" in capital letters equal in size to the name.

(c) Before an intern conducts an examination or renders care to a patient, the preceptor shall secure from the patient a written consent to the examination or care. The written consent shall specify that the patient understands that an intern is not a licensed doctor, and that the preceptor retains responsibility for quality of care. The preceptor shall maintain the signed consent as a part of the patient's file.

Section 4. Regulation and Termination of the Preceptorship Program.

(a) The Board, on its own initiative or upon receipt of a complaint, may investigate conduct of an intern or preceptor occurring within the program for compliance with this Chapter.

(b) If after investigation, the Board determines that the conduct of the intern or preceptor imperatively requires emergency action, the Board shall suspend approval of the program pending proceedings for termination or other action. The Board shall promptly notify

the intern, the preceptor, and the college or university of the suspension, the reasons for the suspension, and the conditions under which the suspension may be lifted, if any.

(c) If after a hearing, the Board determines that the conduct of the preceptor or the intern constitutes a violation of this Chapter or W.S. 33-10-110, the Board shall terminate the program and may sanction the preceptor or deny licensure to the intern if the intern has applied for a license.

(d) If the Board receives written verification from a chiropractic college or university that the intern or preceptor is no longer concurrently participating in the associated chiropractic college program, the Board shall terminate approval of the intern's training program.

(e) An intern may participate in a preceptorship program until the results of the next scheduled Part IV of the NBCE examination are released or for six months immediately following the intern's date of graduation from chiropractic college or university, whichever occurs first.

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(b) The Board shall approve participation for a preceptor who:

(i) Concurrently participates as a preceptor at the chiropractic college or university in which the intern is enrolled throughout the time period of the preceptor program and provides verifiable proof of participation; and

(ii) Submits a written waiver of confidentiality that permits the Board access to any information, records, or documentation collected or used by the college or university to evaluate the preceptor's eligibility for or performance in the program; and

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(c) If after a hearing, the Board determines that the conduct of the preceptor or the intern constitutes a violation of this Chapter or W.S. 33-10-110, the Board shall terminate the program and may sanction the preceptor or deny licensure to the intern if the intern has applied for a license.

(d) If the Board receives written verification from a chiropractic college or university that the intern or preceptor is no longer concurrently participating in the associated chiropractic college program, the Board shall terminate approval of the intern's training program.

(e) An intern may participate in a preceptorship program until the results of the next scheduled Part IV of the NBCE examination are released or for six months immediately following the intern's date of graduation from chiropractic college or university, whichever occurs first.

APPENDIX A

CHIROPRACTORS

REPEALED

APPENDIX A

CHIROPRACTORS

REPEALED

~~33-10-101. Chiropractic defined. Chiropractic is the system of specific adjustment or manipulation of the joints and tissues of the body and the treatment of the human body by the application of manipulative, manual, mechanical, physiotherapeutic or clinical nutritional methods for which those persons licensed under this chapter are trained and may include the use of diagnostic x rays. A chiropractor may examine, diagnose and treat patients provided, however, chiropractors shall not perform surgery, direct the use of or administer drugs required by law to be dispensed on prescription only, practice obstetrics or prescribe or administer x ray therapy.~~

~~Source: Laws 1929, ch. 25, 4; R.S. 1931, 21-104; C.S. 1945, 37-704; W.S. 1957, 33-134; 1991, ch. 178, 1.~~

~~33-10-102. Board of chiropractic examiners; established; composition; qualifications of members. There is hereby created and established a board to be known as the state board of chiropractic examiners, which shall be composed of three (3) practicing chiropractors of integrity and ability, who shall be residents of the state of Wyoming, who shall have practiced chiropractic continuously in the state of Wyoming for a period of at least three (3) years and who shall have a diploma from a recognized chiropractic school or college.~~

~~Source: Laws 1929, ch. 25, 1; R.S. 1931, 21-101; C.S. 1945, 37-701; W.S. 1957, 33-135.~~

~~33-10-103. Board of chiropractic examiners; appointment; term; qualifications; vacancies; removal. The governor shall, appoint three (3) practicing chiropractors, who shall possess the qualifications specified in W.S. 33-10-102, to constitute the membership of the board. Members shall be appointed to a term of three (3) years, except that initial terms shall be staggered so that annually thereafter the governor shall appoint one (1) member who shall be a licensed chiropractic practitioner possessing the qualifications specified in W.S. 33-10-102, and who shall serve for a period of three (3) years or until his successor is appointed. The governor shall fill all vacancies occurring in the board. The governor may remove any board member as provided in W.S. 9-1-202.~~

~~Source: Laws 1929, ch. 25, 2; R.S. 1931, 21-102; C.S. 1945, 37-702; W.S. 1957, 33-136; Laws 1987, ch. 175, 1.~~

~~33-10-104. Board of chiropractic examiners; meetings; procedure; records; members to be licensed.~~

~~(a) The board of examiners shall convene within thirty (30) days after the appointment of its members and shall elect from its membership a president, vice president and secretary treasurer. The board shall hold a regular meeting once each year at the capitol of the state, the~~

~~date to be set by the board at its first meeting. The board shall hold special meetings at such times and places as a majority of the members thereof may designate, provided that not more than three (3) meetings shall be held in any one (1) year. A majority of the board shall constitute a quorum. The board shall have authority to administer oaths, take affidavits, summon witnesses and take testimony as to matters coming within the scope of its duties. It shall adopt a seal, which shall be affixed to all licenses issued by it and shall from time to time adopt rules and regulations as are proper and necessary for the performance of its duties. It shall adopt a schedule of minimum educational requirements not inconsistent with the provisions of this law [33-10-101 through 33-10-117], which shall be without prejudice, partiality or discrimination as to the standard schools of chiropractic. The secretary of said board shall keep a record of the proceedings of the board, which shall at all times be open to public inspection. The board shall also have on file with the secretary of state for public inspection a copy of its rules and regulations.~~

~~(b) A license to practice chiropractic within this state shall be issued to the licensee members of said board at first meeting, upon payment by each board member of the regular fee, as provided for in this act [33-10-101 through 33-10-117].~~

~~Source: Laws 1929, ch. 25, 3; R.S. 1931, 21-103; C.S. 1945, 37-703; W.S. 1957, 33-137.~~

~~33-10-105. License required. It shall be unlawful for any person to practice chiropractic in this state without first obtaining a license, as provided for in this act [33-10-101 through 33-10-117].~~

~~Source: Laws 1929, ch. 25, 5; R.S. 1931, 21-105; C.S. 1945, 37-705; W.S. 1957, 33-138.~~

~~33-10-106. Application for license; educational requirements; fees. Any person wishing to practice chiropractic in this state shall make application to the board of chiropractic examiners, through the secretary treasurer thereof, upon such form and in such manner as may be prescribed and directed by the board, at least fifteen (15) days prior to any meeting of the board. Each applicant shall be a graduate of a recognized school of chiropractic, in which he actually attended a course of study for at least four (4) years of nine (9) months each, preceded by a four-year high school course or its equivalent, and at least two (2) years of study in either a course of liberal arts or science at the University of Wyoming or in a college or university accredited by the board. Application shall be in writing and shall be signed by the applicant and sworn to before some officer authorized to administer oaths. There shall be paid by each applicant a license fee in an amount established by the board pursuant to W.S. 33-1-201 which fee shall accompany the application.~~

~~Source: Laws 1929, ch. 25, 6; R.S. 1931, 21-106; Laws 1939, ch. 54, 1; C.S. 1945, 37-706; Laws 1957, ch. 148, 1; ch. 242, 1; W.S. 1957, 33-139; Laws 1961, ch. 122, 1; 1976, ch. 14, 1; 1992, ch. 56, 2.~~

~~33-10-107. Time, place and subjects for examinations; reexamination.~~

~~—— (a) Examinations for license to practice chiropractic shall be given by the board at such times and places as it shall determine, and shall be given according to the method deemed by the board to be the most practicable and expeditious to test the applicant's qualifications. The secretary shall designate each applicant by a number instead of by name, so that his identity will not be disclosed to the members of the board until after the examination papers are graded.~~

~~—— (b) All examinations shall be made in writing and shall include the following subjects: principles and practice of chiropractic; sanitation, and hygiene, anatomy, physiology, symptomatology, diagnosis, chiropractic, orthopedy, pathology, and urinalysis. In addition the applicant must also give a clinical demonstration of vertebrae palpation, nerve tracing and adjusting, satisfactory to the board. Additional subjects may be prescribed from time to time by the board to meet with new conditions.~~

~~—— (c) A license shall be granted to all applicants who shall correctly answer seventy five percent (75%) of all questions asked, but if any applicant shall fail to answer correctly sixty percent (60%) of the questions in any one (1) subject of said examination, regardless of what his average grade might be, he or she shall not be entitled to a license. An applicant who fails to pass the examination may take a second examination at any time within one (1) year from and after his first failure without the payment of any additional fees.~~

~~—— Source: Laws 1929, ch. 25, 7; R.S. 1931, 21-107; C.S. 1945, 37-707; W.S. 1957, 33-140.~~

~~—— 33-10-108. Duties and authority of practitioners. Chiropractic practitioners shall observe and be subject to all state and municipal regulations relating to the control of contagious and infectious diseases, shall be permitted to sign death certificates, and shall, as to any and all matters pertaining to public health, report to the proper health officers the same as other practitioners.~~

~~—— Source: Laws 1929, ch. 25, 8; R.S. 1931, 21-108; C.S. 1945, 37-708; W.S. 1957, 33-141.~~

~~—— 33-10-109. Title of practitioners. Chiropractors licensed under this act [33-10-101 through 33-10-117] shall have the right to practice chiropractic in accordance with the method taught in the chiropractic schools and colleges recognized by the chiropractic board of examiners of this state. The prefix "Dr." or "doctor" shall not appear on any display sign before the name of the practitioner; but shall appear in connection with the title "doctor of chiropractic". Said title shall appear in same size type as name of practitioner.~~

~~—— Source: Laws 1929, ch. 25, 9; R.S. 1931, 21-109; C.S. 1945, 37-709; W.S. 1957, 33-142.~~

~~—— 33-10-110. Prohibited acts; refusal, revocation or suspension of license; appeals.~~

~~—— (a) It shall be unlawful for any holder of a license according to this chapter to commit any of the following acts:~~

~~_____ (i) To use any false, fraudulent or forged statement or document, or any fraudulent, deceitful, dishonest or immoral practice, in connection with any of the licensing requirements;~~

~~_____ (ii) To perform or attempt to perform an unlawful abortion or assist or advise the performance of any unlawful abortion;~~

~~_____ (iii) To commit or be convicted of a felony;~~

~~_____ (iv) To become addicted to a drug or intoxicant to such a degree as to render the licensee unsafe or unfit to practice chiropractic;~~

~~_____ (v) To practice chiropractic while having any physical or mental disability which renders the practice of chiropractic dangerous;~~

~~_____ (vi) To be guilty of any dishonest, unethical or unprofessional conduct likely to deceive, defraud or harm the public;~~

~~_____ (vii) To use willfully any false or fraudulent statement in any document connected with the practice of chiropractic;~~

~~_____ (viii) To knowingly perform any act which in any way assists an unlicensed person to practice chiropractic;~~

~~_____ (ix) To violate or attempt to violate, directly or indirectly or assist in or abet the violation or conspiring to violate any provision or terms of the Chiropractic Practice Act [33-10-101 through 33-10-117];~~

~~_____ (x) To practice chiropractic while adjudged mentally incompetent or insane;~~

~~_____ (xi) To practice chiropractic under a false or assumed name;~~

~~_____ (xii) To advertise the practice of chiropractic in any unethical or unprofessional manner;~~

~~_____ (xiii) To obtain a fee as personal compensation or gain to an employer or for a person on fraudulent representation that a manifestly incurable condition can be permanently cured; or~~

~~_____ (xiv) To willfully violate any privileged communication;~~

~~_____ (b) The board shall refuse to issue a license or certificate to any applicant proved guilty of any of the acts stated in section (a), and the board may revoke the license and certificate or suspend the license and certificate of any licensee proved guilty of any of the acts stated in section (a).~~

~~—— (c) Before refusing, revoking or suspending any license or certificate for any of the causes stated in section (a), the board shall give notice in writing by mailing by United States registered mail to the licensee or applicant at his last known address in Wyoming a statement of the nature of the offense charged. The licensee or applicant shall have thirty (30) days after mailing of the notice to file with the board a written statement of the nature of his defense. If no defense shall have been filed, the board shall proceed ex parte forthwith to hear proof of the charge, and, if proven, shall refuse, suspend or revoke the license and certificate. If the licensee or applicant shall file a defense, the matter forthwith shall be set for hearing by the board.~~

~~—— (d) At the hearing, the board shall be represented and advised by the attorney general and any complainant, applicant or licensee may be represented by counsel. The board and any complainant, applicant or licensee shall have the power to require by subpoena the attendance and testimony of witnesses and the production of papers. The fees and mileage for witnesses shall be the same as prescribed by law for trial by district courts in civil cases. In case of disobedience to a subpoena, the aid of any court of competent jurisdiction may be invoked and such court may issue an order requiring the witness to appear before the board and give evidence and to produce papers and any failure to obey such order of the court may be punished by the court as a contempt thereof. The testimony at the hearing shall be recorded in shorthand or by some other generally used method of taking and recording testimony if required by the board or demanded by the complainant, applicant or licensee, provided that the board or party making such demand shall arrange and pay for the same.~~

~~—— (e) Within thirty (30) days after the hearing, the board shall make its order in writing stating its decision. The complainant, applicant or licensee may appeal from such order to the district court in which he resides or to the district court of Laramie county by filing with the board within fifteen (15) days thereafter a written notice of appeal. Within thirty (30) days after receipt of the notice of appeal, unless the time shall be extended by order of the court appealed to, the board shall certify and deliver to the district court appealed to the original statement of the nature of the offense charged and the defense, or true and certified copies thereof. The appellant shall have five (5) days thereafter to perfect his appeal by filing with the clerk of the district court and with the board and any other parties a copy of the notice of appeal and a petition stating the grounds for the appeal, and if appellant shall fail to do so within the time fixed, the appeal shall be dismissed with prejudice by the court. The order shall remain in effect during the appeal unless the judge of the district court appealed to at any time after making of the order by the board, after three (3) days notice to the board giving an opportunity to be heard with respect thereto, shall fix a bond in a sum to be determined by the court in favor of the people of the state of Wyoming and conditioned upon the faithful performance of the requirements of his license during the appeal. Said bond shall be for the benefit of any persons damaged by any act of the appellant during the appeal or any time prior thereto, and any person so damaged may bring an action against the appellant and the sureties on the bond. Trial before the district court on said appeal shall be de novo and without a jury. The judgment of the district court may be appealed to the supreme court in the manner provided by law for appeal of civil matters.~~

~~—— Source: Laws 1929, ch. 25, 10; R.S. 1931, 21 110; C.S. 1945, 37 710; Laws 1957, ch. 148, 2; W.S. 1957, 33 143.~~

~~33-10-111. Appeal from decision of board. Any person feeling himself aggrieved by the decision of the board may have an appeal to the district court of the county wherein his license to practice is of record. The manner and procedure of appeal shall be the same as that provided by law in the cases of appeals from a justice court to the district court.~~

~~Source: Laws 1929, ch. 25, 17; R.S. 1931, 21-117; C.S. 1945, 37-717; W.S. 1957, 33-144.~~

~~33-10-112. License to be recorded; failure to record.~~

~~(a) Every person who shall receive a license from the state board of chiropractic examiners shall have it recorded in the office of the county clerk of the county of which he is a resident or in which he practices chiropractic.~~

~~(b) The county clerk shall keep in a book provided for that purpose a complete list of all certificates recorded by him, with the date of issue.~~

~~(c) The failure on the part of the holder of a license to have it recorded shall be sufficient grounds to revoke or cancel said license, provided, however, that before the board shall revoke a license for failure to record, ten (10) days written notice must be served on the person whose license is thus subject to revocation.~~

~~Source: Laws 1929, ch. 25, 11; R.S. 1931, 21-111; C.S. 1945, 37-711; W.S. 1957, 33-145; Laws 1991, ch. 112, 1.~~

~~33-10-113. Prerequisite for renewal of license; board's power to make regulations; fees.~~

~~(a) Each chiropractor shall, as a prerequisite to annual license renewal, submit as a part of the renewal application satisfactory evidence of a minimum of twelve (12) attendance hours during the preceding year at one (1) or more chiropractic symposiums. Symposiums approved for licensees practicing within the state of Wyoming are those sponsored or conducted by any state chiropractic association, the American Chiropractic Association, or the International Chiropractic Association, or an approved chiropractic college, which devote themselves to lectures or demonstrations concerning matters which are recognized in the state of Wyoming chiropractic laws.~~

~~(b) The board shall also adopt rules and regulations authorizing the board to grant exceptions to the educational requirements, including but not limited to retired chiropractors, chiropractors who graduated within twelve (12) months of the date of renewal application, or chiropractors who were unable to obtain the education requirements because of major illness.~~

~~(c) All persons practicing chiropractic within this state shall pay on or before June 1 of each year, a renewal license fee in an amount established by the board pursuant to W.S. 33-1-201. If any practicing chiropractor fails to pay the renewal license tax imposed by W.S. 33-10-101 through 33-10-117 within thirty (30) days after the same is due and payable, the board shall revoke his license. When the license is revoked, it can only be restored upon written application~~

~~therefor and payment to the board of a fee of twice the amount of the renewal fee in effect at the time the restoration application is filed.~~

~~——— Source: Laws 1977, ch. 113, 1; W.S. 1957, 33-146.1; Laws 1978, ch. 36, 1; 1992, ch. 56, 2.~~

~~——— 33-10-114. Disposition of money collected; expenses of board; per diem of members; compensation of secretary-treasurer.~~

~~——— (a) All money shall be received and collected as provided by law. The state treasurer shall place ten percent (10%) of the money in the general fund and the remainder in an account within the earmarked revenue fund, and shall pay out of the account on warrants drawn by the auditor of the state, upon vouchers issued and signed by the president and secretary-treasurer of the board. The money received and placed in the account may be used by the members of the state board of chiropractic examiners in defraying their salary, mileage and per diem allowance as hereinafter provided in carrying out the provisions of this act [33-10-101 through 33-10-117]. The secretary-treasurer shall keep an accurate and true account of all money received and all vouchers issued by the board. He shall, as required by W.S. 9-2-1014, report to the governor relative to all proceedings of the board.~~

~~——— (b) The members of the board shall receive ten dollars (\$10.00) together with per diem and mileage allowance as allowed to state employees for each day during which they are actually engaged in the discharge of their duties. The total expense for every purpose incurred by the board shall not exceed the total of the money collected.~~

~~——— (c) The board may, in its discretion, give the secretary-treasurer compensation not to exceed two hundred dollars (\$200.00) per year for the time spent by him in keeping the accounts of the board, drawing vouchers, or in the preparation of the report to the governor.~~

~~——— Source: Laws 1929, ch. 25, 13; R.S. 1931, 21-113; C.S. 1945, 37-713; Laws 1957, ch. 242, 3; W.S. 1957, 33-147; Laws 1961, ch. 122, 3; 1973, ch. 179, 1; ch. 215, 1; ch. 245, 3.~~

~~——— 33-10-115. Reciprocity with other states. Persons licensed to practice chiropractic under the laws of any other state having requirements equal to those provided for under W.S. 33-10-101 through 33-10-117 may, in the discretion of the board, be issued a license to practice in this state without examination upon payment of a fee in an amount determined by the board pursuant to W.S. 33-1-201.~~

~~——— Source: Laws 1929, ch. 25, 14; R.S. 1931, 21-114; C.S. 1945, 37-714; W.S. 1957, 33-148; Laws 1976, ch. 14, 1; 1992, ch. 56, 2.~~

~~——— 33-10-116. Violation of W.S. 33-10-101 through 33-10-117.~~

~~——— (a) Any person, corporation or association who shall practice, or attempt to practice, chiropractic, or any person who shall buy, sell, or fraudulently obtain any diplomas or licenses to practice chiropractic, or who shall use the title "doctor of chiropractic", or any word or title to~~

~~influence belief that he is engaged in the practice of chiropractic, without first complying with the provisions of this act [33-10-101 through 33-10-117], shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or by imprisonment in the county jail for not less than thirty (30) days nor more than six (6) months, or by both fine and imprisonment.~~

~~———(b) The attorney general, the state board of chiropractic examiners, any county attorney, or any licensed doctor of chiropractic in the state of Wyoming, may obtain an injunction in the name of the state of Wyoming upon the relation of such complainant enjoining any person, corporation or association and the officer and directors and employees of such corporation or association from engaging in the practice of chiropractic without a license and certificate or violation of any of the provisions of this chapter. The district court of the district in which the offending party resides or the district court of Laramie county shall have original jurisdiction of any such injunction proceedings. Any defendant who has been so enjoined who shall violate such injunction shall be punished for contempt of court by a fine of not less than two hundred dollars (\$200.00) or more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail for not less than six (6) months or not more than one (1) year, or both. An injunction may be issued without proof of actual damage sustained and upon proof of one (1) or more acts constituting practice of chiropractic without a license or in violation of any provision of this chapter.~~

~~———Source: Laws 1929, ch. 25, 15; R.S. 1931, 21-115; C.S. 1945, 37-715; Laws 1957, ch. 148, 3; W.S. 1957, 33-149; Laws 1981, Sp. Sess., ch. 22, 1.~~

~~———33-10-117. Restrictions. Nothing contained in this act [33-10-101 through 33-10-117] shall be construed to restrain or restrict any legally licensed physician or surgeon or any legally licensed osteopath, in the practice of his profession. The practice of chiropractic is hereby declared not to be the practice of medicine, surgery, or osteopathy, within the meaning of the laws of the state of Wyoming.~~

~~———Source: Laws 1929, ch. 25, 16; R.S. 1931, 21-116; C.S. 1945, 37-716; W.S. 1957, 33-150.~~