



Notice of Intent to Adopt Rules

Revised October 2014

1. General Information

a. Agency/Board Name Administration and Information		
b. Agency/Board Address 2001 Capitol Ave, Room 104	c. City Cheyenne	d. Zip Code 82002
e. Name of Contact Person Emily Cronbaugh	f. Contact Telephone Number (307) 777-6529	
g. Contact Email Address emily.cronbaugh@wyo.gov		
h. Date of Public Notice October 16, 2015	i. Comment Period Ends November 30, 2015	
j. Program Board of Chiropractic Examiners		

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 Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.

a. If "New," provide the Enrolled Act numbers and years enacted: **SEA 47 (2014), HEA 40 (2014)**

b. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed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: 1	Chapter Name: General Provisions	<input checked="" type="checkbox"/> New	<input checked="" type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number: 2	Chapter Name: Licensure Requirements and Application Procedures	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number: 4	Chapter Name: Renewal of Licenses	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number: 5	Chapter Name: Fees	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number: 6	Chapter Name: Suspension, Revocation or Denial of License	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input checked="" type="checkbox"/> Repealed
Chapter Number: 7	Chapter Name: <small>Process and Procedure for Application, Licensure, and Disciplinary Matters</small>	<input checked="" type="checkbox"/> New	<input checked="" type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number: 8	Chapter Name: Information Practices	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input checked="" type="checkbox"/> Repealed
Chapter Number: 10	Chapter Name: Preceptor Training Programs	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed

c. The Statement of Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

Complete all that apply:

The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):
1 and 7
(Provide chapter numbers)

These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Reasons).
(Provide chapter numbers)

N/A These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

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: <http://chiropractic.wyo.gov/rules-and-regulations>

* 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.

Printed Name of Authorized Individual	Emily Cronbaugh
Title of Authorized Individual	Executive Director
Date of Authorization	10/16/2015

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). Electronic copies (PDFs) 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.

**AMENDED STATEMENT OF PRINCIPAL REASONS
FOR FORMAL ADOPTION OF REGULAR RULES**

Pursuant to the legislative mandates contained in 2014 Senate Enrolled Act 47 (administrative rules streamlining) and 2014 House Enrolled Act 40 (general procedures for licensing boards), the Wyoming Board of Chiropractic Examiners has adopted amendments to Chapters 1 and 7. To comply with Senate Enrolled Act 47, the Board adopted the Office of Administrative Hearings' uniform rules for contested case hearings in their entirety and incorporated them by reference into Chapters 1 and 7. To comply with House Enrolled Act 40, the Board added a section to Chapter 1 to establish by resolution a regular meeting of the Board and added a section in Chapter 2 to establish an application review process and procedures.

Pursuant to the directive from the Governor's Office to reduce and streamline agency rules, the Board drastically reduced their rules in 2013 following major statutory changes to their Practice Act. At that time, the Board reduced its rules by 30% in length. The Board did not achieve a reduction in number because of new areas of regulation as a result of legislative amendments. Specifically, the Board created Chapter 9 – Acupuncture and Chapter 10 – Preceptorship Training Programs and repealed Appendix A and Chapter 3 – Standards to Follow.

Being cognizant of the ongoing obligation to reduce rules, the Board is now proposing amendments to Chapters 1, 2, 4, 5, 7, and 10 and repealed Chapters 6 and 8. The proposed amendments to the Board's rules will reduce the rules by 25% in number and increase by only 15% in length. The increase in length comes primarily from changes in Chapter 7 – Process and Procedure for Application, Licensure, and Disciplinary Matters. Specifically, the Board believes that clarifying the procedure related to licensure and disciplinary matters is beneficial to licensees with vested property interests, applicants, and the public. Other increases in length include changes in Chapter 1 relating to new provisions as a result of statutory mandates identified above. Specifically, the Board proposes the following amendments related to each chapter:

Chapter 1: General Provisions

- Updated and reduced language in existing definitions, and deleted unnecessary or obsolete definitions.
- Added a section to identify the location of the Board Office.
- Added section on Board Meeting and clarified established regular Board meetings would be held by resolution.
- Modified section on References by Incorporation, including the uniform contested case rules from Chapter 7.
- Added a section for Public Records Inspection.
- Added a section for Change of Name.

Chapter 2: Licensure Requirements and Application Procedures

- Added section for Application Status and Application Review Committee.
- Added and clarified methods for licensure in Initial Licensure, Endorsement, and Temporary Licensure sections.

Chapter 4: Renewal of Licenses

- Added and clarified Late Renewal section.
- Added and clarified Restoration section.
- Added and clarified Relicensure section.
- Added and clarified Reinstatement section for Discipline from Chapter 7.

Chapter 5: Fees

- Clarified the General Information section.
- Reformatted and grouped fees to mirror Chapter 2.
- Added fees associated with endorsement because this is a newly created application procedure for those applicants.
- Added fees associated with restoration and reinstatement because these are newly created application procedures for those applicants seeking licensure that do not wish to actively practice, have failed to timely renew, or have previously been disciplined.

Chapter 6: Suspension, Revocation or Denial of License (Repealed)

- Repealed Chapter and moved disciplinary information to Chapter 7.

Chapter 7: Process and Procedure for Application, Licensure, and Disciplinary Matters

- Reorganized the Chapter to include all disciplinary, application, and licensure matters into one chapter.
- Removed the required content of a complaint form as these details can be listed within the complaint form itself.
- Added and clarified Grounds for Discipline from Chapter 6.
- Added Application Review and Investigation Process.
- Consolidated and clarified several sections into Complaint Review and Disciplinary Investigation Process and Petition and Notice of Hearing sections.
- Added section for summary suspensions.
- Added Lawful Service section.
- Clarified the Dismissal and Default section.
- Incorporated by reference the uniform contested case rules adopted by Office of Administrative Hearings.
- Added Burden and Standard of Proof section.
- Clarified Board Decision and Order.
- Revised Judicial Review section.

Chapter 8: Information Practices (Repealed)

- Repealed Chapter.

Chapter 10: Preceptorship Training Programs

- Clarified eligibility of interns and preceptors.
- Clarified supervision required of an intern.
- Clarified expiration date of an intern permit.

CHAPTER 1

GENERAL PROVISIONS

Section 1. Authority. The Board is authorized under the Act and the WAPA to promulgate rules and regulations related to the licensure and discipline of chiropractors and regulation of the practice of chiropractic in Wyoming.

Section 2. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to establish administrative procedures.

Section 3. 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) “**CE**” means continuing education hours.
- (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 Acupuncture.
- (l) “**ICA**” means the International Chiropractor 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) “**PACE**” means Providers of Approved Continuing Education.

- (q) **“Preceptor”** means chiropractor licensed in Wyoming.
- (r) **“NBCE”** means the National Board of Chiropractic Examiners.
- (s) **“NCCAOM”** means National Certification Commission for Acupuncture and Oriental Medicine.
- (t) **“SPEC”** means Special Purposes Examination for Chiropractic.
- (u) **“WAPA”** means the Wyoming Administrative Procedure Act, W.S. 16-3-101 through -115.

Section 4. Board Office. The Board Office shall be located at 2001 Capitol Avenue, Cheyenne, Wyoming.

Section 5. Board Meetings. The Board shall meet in accordance with the Board’s resolution.

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 cumbersome or inefficient given the length or nature of the rules;

(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 is maintained at the Board Office 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) Referenced in Chapter 7, Section 11 is Chapter 2 - Uniform Rules for Contested Case Practice and Procedure, adopted by the Office of Administrative Hearings and effective on October 17, 2014, found at: <http://soswy.state.wy.us/Rules/RULES/9644.pdf>;

(ii) Referenced in Chapter 7, Section 2 is Code of Ethics, adopted by ACA and effective in 2007, found at: http://www.acatoday.org/content_css.cfm?CID=719; and

(iii) Referenced in Chapter 7, Section 2 is Code of Ethics, adopted by ICA and effective in 1991, found at: <http://www.chiropractic.org/ethics>.

Section 7. Public Records Inspection.

(a) If a member of public requests an electronic or hard copy of public records, then that individual shall pay a fee. Such fee shall include cost of administrative time and producing a copy of the public record.

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

- (i) An appointment shall be made to review the records between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding state holidays, at the Board Office,
- (ii) Records inspection shall take place in the presence of Board staff, and
- (iii) A member of the public may request copies upon payment of a fee.

Section 8. Change of Name, Address, or Telephone Number. Each applicant and licensee shall notify the Board in writing of any change to their legal name, home address, business address, e-mail address, or telephone number within thirty (30) days of the change.

Section 9. Requests for Rosters. Any person requesting a roster of licensees shall submit a completed request form and payment of a fee.

Section 10. Duplicate Pocket Card and Wall Certificate. Any person requesting a duplicate pocket card and wall certificate shall submit a completed request form and payment of a fee.

Section 11. License Verification. Any person requesting verification of their license shall submit a completed request form and payment of a fee.

CHAPTER 1

GENERAL PROVISIONS

Section 1. Authority. The Board is authorized under the Act and the WAPA to promulgate rules and regulations related to the licensure and discipline of chiropractors and regulation of the practice of chiropractic in Wyoming.

~~**Section 1. Statement of Purpose.** These Board Rules are adopted to interpret and implement the Act establishing the Board's authority to establish administrative procedures 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. Section 2. 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. Section 3. 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.
- (f)(g) "CE" means continuing education hours.
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- (k) "IAMA" means International Academy of Medical Acupuncture.

(l) “ICA” means the International Chiropractor 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)~~ (p) “PACE” means Providers of Approved Continuing Education.

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

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

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

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

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

(u) “WAPA” means the Wyoming Administrative Procedure Act, W.S. 16-3-101 through -115.

Section 4. Board Office. The Board Office shall be located at 2001 Capitol Avenue, Cheyenne, Wyoming.

Section 5. Board Meetings. The Board shall meet in accordance with the Board’s resolution.

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~~ inefficient given the length or nature of the rules;

(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 the Board Office ~~2001 Capitol Ave., Room 104, 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) Referenced in Chapter 7, Section 11 is Chapter 2 - Uniform Rules for Contested Case Practice and Procedure, adopted by the Office of Administrative Hearings and effective on October 17, 2014, found at: <http://soswy.state.wy.us/Rules/RULES/9644.pdf>;

~~(+)(ii) Referenced in Chapter 7, Section 2 is Code of Ethics, adopted by ACA and effective in 2007, found at: <http://www.acatoday.org/content/css.cfm?CID=719>; and 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.~~

~~(iii) Referenced in Chapter 7, Section 2 is Code of Ethics, adopted by ICA and effective in 1991, found at: <http://www.chiropractic.org/ethics> 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.~~

Section 7. Public Records Inspection.

(a) If a member of public requests an electronic or hard copy of public records, then that individual shall pay a fee. Such fee shall include cost of administrative time and producing a copy of the public record.

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

(i) An appointment shall be made to review the records between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding state holidays, at the Board Office.

(ii) Records inspection shall take place in the presence of Board staff, and

(iii) A member of the public may request copies upon payment of a fee.

Section 8. Change of Name, Address, or Telephone Number. Each applicant and licensee shall notify the Board in writing of any change to their legal name, home address, business address, e-mail address, or telephone number within thirty (30) days of the change.

Section 9. Requests for Rosters. Any person requesting a roster of licensees shall submit a completed request form and payment of a fee.

Section 10. Duplicate Pocket Card and Wall Certificate. Any person requesting a duplicate pocket card and wall certificate shall submit a completed request form and payment of a fee.

~~(+)~~**Section 11. License Verification.** Any person requesting verification of their license shall submit a completed request form and payment of a fee.

CHAPTER 2

LICENSURE REQUIREMENTS AND APPLICATION PROCEDURES

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

Section 2. Application Status.

(a) For those applicants seeking licensure, all requirements shall be met during the timeframe identified immediately prior to submitting a completed application.

(b) Applications shall be deemed “complete” when all necessary documentation has been received by the Board office.

(c) Applications shall expire one year after submission. If an application expires, an applicant shall submit a new application, including payment of fee.

Section 3. Application Review Committee.

(a) Every application shall be reviewed by the ARC.

(b) An applicant for licensure shall have committed no acts which are grounds for disciplinary action, or if the act was committed, the ARC has found after investigation that sufficient restitution has been made and the applicant no longer presents a threat to the public safety.

(c) If the ARC is unable to ascertain from documents submitted by the applicant that the applicant is eligible for licensure, the ARC may require the applicant to provide additional documentation, information, or meet informally with the ARC.

Section 4. Initial Licensure.

(a) Eligibility. An applicant may seek licensure if the applicant is not licensed to practice in another jurisdiction or that jurisdiction’s licensure requirements are not as stringent as Wyoming.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Submit evidence of clinical competency by:

(A) Completion of education at a CCE or CCEI accredited college or university. All applicants 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.

(B) Successful completion of NBCE examination as follows:

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

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

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

(iii) Successful completion of the jurisprudence examination; and

(iv) Submit license verification directly from every jurisdiction, if necessary.

Section 5. Licensure by Endorsement.

(a) Eligibility. An applicant may seek licensure if the applicant is actively licensed in good standing to practice in another jurisdiction with licensure requirements as stringent as Wyoming.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Meet requirements identified in Section 4(b)(ii);

(iii) Successful completion of the jurisprudence examination; and

(iv) Submit license verification directly from every jurisdiction.

Section 6. Temporary Licensure.

(a) Eligibility. An applicant may seek licensure if the applicant is actively licensed in good standing to practice in another jurisdiction with licensure requirements as stringent as Wyoming.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Meet requirements identified in Section 4(b)(ii); and

(iii) Submit license verification directly from their jurisdiction.

(c) Limitations and Conditions. A temporary license is valid for only ten (10) consecutive days and shall not be renewed. The Board shall not grant more than two (2) temporary licenses to an applicant during any calendar year.

CHAPTER 2

LICENSURE REQUIREMENTS AND APPLICATION PROCEDURES

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to issue establish the requirements and procedures for licensure.~~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. Application Status.

(a) For those applicants seeking licensure, all requirements shall be met during the timeframe identified immediately prior to submitting a completed application.

(b) Applications shall be deemed "complete" when all necessary documentation has been received by the Board office.

(c) Applications shall expire one year after submission. If an application expires, an applicant shall submit a new application, including payment of fee.

Section 3. Application Review Committee.

(a) Every application shall be reviewed by the ARC.

(b) An applicant for licensure shall have committed no acts which are grounds for disciplinary action, or if the act was committed, the ARC has found after investigation that sufficient restitution has been made and the applicant no longer presents a threat to the public safety.

(c) If the ARC is unable to ascertain from documents submitted by the applicant that the applicant is eligible for licensure, the ARC may require the applicant to provide additional documentation, information, or meet informally with the ARC.

Section 4. Initial Licensure Educational Requirement.

(a) Eligibility. An applicant may seek licensure if the applicant is not licensed to practice in another jurisdiction or that jurisdiction's licensure requirements are not as stringent as Wyoming.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Submit evidence of clinical competency by:

~~**Section 2.** Completion of 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.

(B) Successful completion of NBCE examination as follows:

~~(a)~~

~~(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.~~

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.

(I)

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

(II)

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

(iii) Successful completion of the jurisprudence examination; and

(iv) Submit license verification directly from every jurisdiction, if necessary.

Section 5. Licensure by Endorsement.

(a) Eligibility. An applicant may seek licensure if the applicant is actively licensed in good standing to practice in another jurisdiction with licensure requirements as stringent as Wyoming.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Meet requirements identified in Section 4(b)(ii);

(iii) Successful completion of the jurisprudence examination; and

~~(e)~~ (iv) Submit license verification directly from every jurisdiction.

~~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, Section 6. — Temporary Licensure Application; conditions; limitations.**~~

~~(a) Eligibility. An applicant may seek licensure if the applicant is actively licensed in good standing to practice in another jurisdiction with licensure requirements as stringent as Wyoming. Pursuant to W.S. 33-10-105(c), the Board may issue a temporary license.~~

- (b) Application Requirements. Applicant shall ~~submit all of the following materials:~~
- (i) Submit a completed application and payment of fees;~~A completed temporary license application form as provided by the Board;~~
 - (ii) Meet requirements identified in Section 4(b)(ii); and~~All appropriate fees paid only by cashier's check or money order;~~
 - ~~(iii) Submit license verification directly from their jurisdiction. 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) (iii) Personal statement describing reasons for requesting a temporary license.~~
- (e) Limitations and Conditions. A temporary license is valid for only the ten (10) - consecutive days and shall not be renewed.~~period to designated on the license and is not renewable.~~
- ~~(d)~~(c) The Board ~~shall~~may not grant more than two (2) temporary licenses to an applicant during any calendar year.

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 and procedures for annual license renewal.

Section 2. Annual Renewal of Licenses.

(a) Licensure Expiration. Licenses shall expire August 1 of each year. Licensees that fail to timely renew shall forfeit the right to practice. 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.

(b) Renewal Procedure. The licensee seeking renewal shall:

- (i) Submit a completed renewal application and payment of fee; and
- (ii) Submit evidence of completion of twelve (12) CE that complies with Section 3.

Section 3. Continuing Education Requirements.

(a) Renewal Period. CE shall be obtained August 1 to July 31 of the year of expiration.

(b) Sponsorship. The Board shall accept CE sponsored by:

- (i) ICA;
- (ii) ACA;
- (iii) Any CCE accredited chiropractic college or university;
- (iv) Any state chiropractic association; or
- (v) PACE.

(c) Content. CE shall be directly related to the scope of practice defined in the Act.

(i) Acceptable subjects shall include, but are not limited to: ethics, technique, physiotherapy, acupuncture, clinical nutrition, diagnostic imaging and interpretation of imaging, record keeping and coding classes, and other subjects as defined as the practice of chiropractic and approved by the Board.

(ii) Unacceptable subjects shall include, but are not limited to: practice building subjects in which the principal purpose of the program is to sell or promote a commercial product, courses in which the primary use of the information presented is to increase the revenue of the practice, and business management courses.

(d) Method. A minimum of eight (8) CE shall be earned at in person conferences or hands on training. A maximum of four (4) CE may be earned online.

(e) Waiver. The Board may grant a waiver for CE requirements to licensees who have petitioned and demonstrated just cause based on extenuating circumstances.

Section 4. Late Renewal.

(a) Unlicensed Practice. Failure to timely renew may subject the licensee to disciplinary action for unlicensed practice.

(b) Administrative Grace Period.

(i) The administrative grace period shall be from August 2 to August 31.

(ii) Licensees that failed to timely renew may apply for late renewal during the administrative grace period. However, licensees shall not practice until the Board approves their request for late renewal.

(iii) Licensees applying for late renewal during the administrative grace period shall comply with the requirements identified in Section 2(b) and shall be assessed a late fee.

(iv) On September 1, any expired license not renewed shall lapse. If a license lapses, the applicant shall apply for restoration or relicensure.

Section 5. Restoration.

(a) Eligibility. An applicant may seek restoration if the applicant's license expired within twelve (12) months.

(b) Application Requirements. Applicant shall:

(i) Submit a completed restoration application and payment of fee; and

(ii) Submit evidence of completion of twelve (12) CE that complies with Section 3.

Section 6. Relicensure.

(a) Eligibility. An applicant may seek relicensure if the applicant has been licensed in Wyoming and either failed to timely renew or is seeking to return to active clinical practice.

(b) Application Requirements. Applicant shall:

(i) Submit a completed relicensure application and payment of fee;

(ii) Demonstrate competency by:

(A) Submitting verification showing completion of twelve (12) CE that complies with Section 3 for every year the license has been expired, not to exceed five (5) years; or

(B) Submitting verification showing successful completion of the SPEC examination administered by NBCE within the last twelve (12) months, if not actively practicing within the last five (5) years; and

(iii) Successfully pass the jurisprudence examination.

Section 7. Reinstatement of Licensure.

(a) Eligibility. An applicant may seek reinstatement of their license if that license has been revoked, surrendered, suspended, conditioned, or restricted.

(b) Application Reinstatement Requirements. The applicant shall:

- (i) Submit a completed reinstatement application and payment of fee;
- (ii) Submit evidence of complying with the requirements of a previous Board order;
- (iii) Submit evidence of applicant's ability to safely and competently practice; and
- (iv) Submit evidence demonstrating just cause for reinstatement.

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 and procedures for annual license renewal.

Section 2. Annual Renewal of Licenses.

~~(a) — Licensure Expiration. Licenses shall expire on August 1 of each year. Licensees that fail to timely renew shall forfeit the right to practice.~~

~~(b) (a) — 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) (b) — Renewal Procedure. The licensee seeking renewal shall submit the following materials:~~

~~(i) — Submit a completed renewal application and payment of fee; and~~

~~(ii) — Submit evidence of completion of twelve (12) CE that complies with Section 3. Verification of continuing education; and~~

~~(iii) (i) — 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.

~~(a) — Renewal Period. CE shall be obtained All licensees shall attend a minimum of twelve (12) continuing education credit hours between August 1st to and July 31st of the year of expiration to be eligible for renewal.~~

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

~~(i)(b)~~ Sponsorship. The Board shall accept CE Credit hours shall be sponsored by one of the following entities:

~~(A)(i)~~ ICA;

~~(B)(ii)~~ ACA;

~~(C)(iii)~~ Any CCE accredited chiropractic college or university;

~~(D)(iv)~~ Any state chiropractic association; or

~~(E)(v)~~ PACE.

(c) Content. CE shall be directly related to the scope of practice defined in the Act.

~~(ii)(i)~~ Acceptable sSubjects ~~shall accepted~~ include, but are not limited to: ethics, technique, physiotherapy, acupuncture, clinical nutrition, diagnostic imaging and interpretation of imaging, record keeping and coding classes, and other subjects as defined as the practice of chiropractic and approved by the Board.

(ii) Unacceptable subjects shall include, but are not limited to: practice building subjects in which the principal purpose of the program is to sell or promote a commercial product, courses in which the primary use of the information presented is to increase the revenue of the practice, and business management courses~~Courses that are practice management in nature are not acceptable for continuing education credit hours.~~

(d) Method. A minimum of eight (8) CE shall be earned at in person conferences or hands on training. A maximum of four (4) CE may be earned online.

~~(iii)(e)~~ Waiver. The Board may grant a waiver for CE requirements to licensees who have petitioned and demonstrated just cause based on extenuating circumstances.

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.~~

Section 4. Licensees who are unable to obtain the educational requirements due to major illness shall present certification of the illness acceptable to the Board. **Late Renewal.**

(a) Unlicensed Practice. Failure to timely renew may subject the licensee to disciplinary action for unlicensed practice.

(b) Administrative Grace Period.

(i) The administrative grace period shall be from August 2 to August 31.

(ii) Licensees that failed to timely renew may apply for late renewal during the administrative grace period. However, licensees shall not practice until the Board approves their request for late renewal.

(iii) Licensees applying for late renewal during the administrative grace period shall comply with the requirements identified in Section 2(b) and shall be assessed a late fee.

(iv) On September 1, any expired license not renewed shall lapse. If a license lapses, the applicant shall apply for restoration or relicensure.

Section 5. Restoration.

(a) Eligibility. An applicant may seek restoration if the applicant's license expired within twelve (12) months.

(b) Application Requirements. Applicant shall:

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Section 6. Relicensure.

(a) Eligibility. An applicant may seek relicensure if the applicant has been licensed in Wyoming and either failed to timely renew or is seeking to return to active clinical practice.

(b) Application Requirements. Applicant shall:

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(ii) Demonstrate competency by:

(A) Submitting verification showing completion of twelve (12) CE that complies with Section 3 for every year the license has been expired, not to exceed five (5) years; or

(B) Submitting verification showing successful completion of the SPEC examination administered by NBCE within the last twelve (12) months, if not actively practicing within the last five (5) years; and

(iii) Successfully pass the jurisprudence examination.

Section 7. Reinstatement of Licensure.

(a) Eligibility. An applicant may seek reinstatement of their license if that license has been revoked, surrendered, suspended, conditioned, or restricted.

(b) Application Reinstatement Requirements. The applicant shall:

(i) Submit a completed reinstatement application and payment of fee;

(ii) Submit evidence of complying with the requirements of a previous Board order;

(iii) Submit evidence of applicant's ability to safely and competently practice; and

~~(iii)~~(iv) Submit evidence demonstrating just cause for reinstatement.

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. Application and 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)	Initial License Application Fee	\$500
(b)	License by Endorsement Application Fee	\$500
(c)	Temporary License Application Fee	\$150
(d)	Intern/Preceptor Application Fee	\$100
(e)	Annual License Renewal Fee	\$200
(f)	Renewed Late Fee (August 2-August 31)	\$100
(g)	Restoration Application Fee (September 1-July 31)	\$400
(h)	Relicensure Application Fee	\$400
(j)	Reinstatement Application Fee	\$550
(k)	Roster Fee	\$100
(l)	Duplicate Document Fee	\$25
(m)	License Verification	\$25

CHAPTER 5

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(a) <u>Initial</u> License Application Fee:	\$500
<u>(b) License by Endorsement Application Fee</u>	<u>\$500</u>
(b) <u>(c)</u> Temporary License Application Fee:	<u>\$150</u>
(e) <u>(d)</u> Intern/Preceptor Application Fee:	<u>\$100</u>
(d) <u>(e)</u> Annual License Renewal Fee:	<u>\$200</u>
<u>(f)</u> Renewed Late Fee (August 2-August 31):	<u>\$2100</u>
(e) <u>(g)</u> Restoration Application Fee (September 1-July 31)	<u>\$400</u>
(f) <u>(h)</u> Relicensure <u>Application</u> Fee: \$400	
<u>(j)</u> Reinstatement Application Fee	<u>\$550</u>
<u>(k)</u> Roster Fee	<u>\$100</u>
(j) <u>Duplicate</u> Replacement Document Fee (pocket card or certificate): \$25	<u></u>
<u>(l)</u>	
(g) License Verification to Another Jurisdiction \$25	<u></u>
(k) <u>(m)</u> <u>Hard Copy Roster</u>	<u>\$100</u>

CHAPTER 6
SUSPENSION, REVOCATION OR DENIAL OF LICENSE
REPEALED

CHAPTER 6

SUSPENSION, REVOCATION OR DENIAL OF LICENSE

REPEALED

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 7

PROCESS AND PROCEDURE FOR APPLICATION, LICENSURE, AND DISCIPLINARY MATTERS

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to:

- (a) Conduct investigations, hearing and proceedings concerning:
 - (i) Actions relating to an application for a license, including granting or denying; or
 - (ii) Alleged violations of the Act or other Board Rules.
- (b) Determine and administer appropriate disciplinary action against an applicant or licensee.
- (c) For purposes of this chapter, "licensee" means a chiropractor issued a license by the Board or an intern issued a permit to practice chiropractic in Wyoming.

Section 2. Grounds for Disciplinary Action. The Board may take disciplinary action or refuse to issue or renew a license for one (1) or more of the following acts or conduct:

- (a) Failure to conform with the Code of Ethics of the ACA or the ICA as incorporated by reference in Chapter 1;
- (b) Inability to function with reasonable skill and safety for the following reasons, including but not limited to:
 - (i) Substance abuse/dependency or clinically diagnosed substance use disorder; or
 - (ii) Physical or mental disability, including cognitive impairment or other impairment from consumption of drugs or alcohol;
- (c) Immoral, unprofessional, or dishonorable conduct;
- (d) Violation of professional boundaries, including, but not limited to:
 - (i) Harassment, intimidation or abuse, sexual or otherwise, of a client or patient;
 - (ii) Engaging in sexual intercourse or other sexual contact with a client or patient;
 - (iii) Entering into financial transactions with clients; or
 - (iv) Exercising undue influence to exploit a patient, student or supervisee for financial or other personal advantage to the practitioner or a third party;

- (e) Practicing outside the areas of professional competence as established by education, training, and experience;
- (f) Practicing below the applicable standard of care;
- (g) Malpractice or negligence in the practice of chiropractic;
- (h) Fraud or deceit, including, but not limited to: prescription fraud, falsification of a medical record, omission of required information or submission of false information;
- (j) Disciplinary action taken by another state against a licensee;
- (k) Conviction of fraud in filing Medicare or Medicaid claims or in filing claims to any third party payor;
- (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) Failure to comply with reasonable requests from the Board including, but not limited to, failing to:
 - (i) Answer the administrative complaint;
 - (ii) Respond to request for explanation for failure to disclose required information; or
 - (iii) Cooperate in the investigation;
- (n) Failure to comply with a term, condition or obligation of a Board order;
- (o) Failure to appropriately supervise; or
- (p) Practicing without a valid license.

Section 3. Application Review and Investigation Process.

- (a) Application Review and Investigation. In application matters:
 - (i) Every applicant bears the burden of satisfying license requirements; and
 - (ii) Every application for a license issued by the Board shall be subject to investigation to determine whether the requirements set forth in the Act and Board Rules are satisfied.
- (b) Application Review Committee Action. Following investigation, the ARC may:
 - (i) Recommend a license be issued, renewed, restored, relicensed, or reinstated;
 - (ii) Recommend a license be issued, renewed, restored, relicensed, or reinstated subject to conditions, restrictions, or other disciplinary action;

(iii) Recommend approval of a settlement agreement, which may include the issuance, renewal, restoration, relicense, or reinstatement of a license with the imposition of a reprimand, conditions, restrictions, suspension, other discipline or a combination there of; or

(iv) Recommend denial of the application.

(c) Notice of Intent to Recommend Approval Subject to Conditions, Restrictions, Other Disciplinary Action or Denial of License.

(i) The ARC shall notify the applicant of its intent to recommend:

(A) Approval of the license subject to conditions, restrictions, or other disciplinary action; or

(B) Denial of the application.

(ii) The Notice of Intent shall contain:

(A) A brief description of the facts or conduct which warrant the issuance or denial of a license subject to conditions, restrictions, or other disciplinary action;

(B) A statement of the nature of the actions which warrant the issuance or denial of a license subject to conditions, restrictions, or other disciplinary action and a citation to the applicable statutory provisions in the Act or the Board Rules; and

(C) Notice of the right to a hearing if a written request is received by the Board office within thirty (30) days of the date of mailing the Notice of Intent.

(d) Applicant's Request for Hearing.

(i) The applicant may request a hearing if the ARC:

(A) Recommends approval of the license subject to conditions, restrictions, or other disciplinary action; or

(B) Recommends denial of the application.

(ii) The applicant shall submit a written request for hearing to the Board office within thirty (30) days of the date of the Notice of Intent.

(iii) Failure of the applicant to pursue proceedings related to the application after requesting a hearing may result in dismissal.

Section 4. Complaint Review and Investigation Process.

(a) Complaint Review and Investigation.

(i) Complaints shall be submitted to the Board upon the form provided by the Board and contain the name, address, and signature of the person making the complaint. The Board may initiate complaints.

(ii) Complaints shall be investigated by the DC or the Board staff.

(iii) DC may meet informally with the licensee.

(b) Voluntary Surrender. A licensee may petition the Board in writing to voluntarily surrender their license. The Board shall hold an expedited hearing at its earliest convenience. The Board may accept or reject the petition for voluntary surrender and may consider whether the licensee is under investigation.

(c) Disciplinary Committee Action. Following investigation, the DC may:

(i) Recommend dismissal of the complaint;

(ii) Recommend issuance of a notice of warning;

(iii) Recommend approval of a settlement agreement, which may include a reprimand, conditions, restrictions, non-renewal, suspension, voluntary surrender, other discipline or a combination thereof;

(iv) Recommend disciplinary action which may include a reprimand, conditions, restrictions, non-renewal, suspension, revocation, other discipline or a combination thereof; or

(v) Recommend summary suspension.

Section 5. Summary Suspension.

(a) Recommendation. If the DC recommends summary suspension, the Board shall conduct an expedited hearing to determine whether the licensee's continued practice presents a clear and imminent danger to public health, safety or welfare.

(b) Notice of Intent to Recommend Summary Suspension.

(i) The DC shall notify the licensee of its intent to recommend summary suspension.

(ii) The Notice of Intent shall contain:

(A) Copy of the complaint;

(B) Notice that a summary suspension hearing shall be set for expedited hearing at the earliest opportunity a quorum of Board members may be assembled; and

(C) Statement that failure to answer to the complaint or appear at the hearing may result in default.

(c) Notice of Expedited Hearing. Upon confirmation of the date and time of the expedited hearing, the DC shall notify the licensee of the date and time of the hearing.

Section 6. Formal Proceedings for Disciplinary Action.

(a) Notice of Intent to Recommend Disciplinary Action.

(i) The DC shall notify the licensee of its intent to recommend disciplinary action.

(ii) The Notice of Intent shall:

(A) Include a brief description of the facts or conduct which warrant the intended action; and

(B) Provide the licensee an opportunity to show compliance or respond to allegations for disciplinary action within fifteen (15) days of the date of the mailing.

(b) Informal Conference. The licensee may request an informal conference to provide any additional information or to resolve an administrative complaint without a hearing.

Section 7. Petition. The DC shall initiate formal proceedings for disciplinary action by serving a Petition and Notice of Hearing to the licensee by certified mail, by regular mail, by electronic mail to the e-mail address indicated to be the preferred method of communication or by personal service at least thirty (30) days prior to the date set for hearing.

Section 8. Notice of Hearing.

(a) Hearing. Upon receipt of a written request for hearing from an applicant or commencement of formal proceedings for disciplinary action against a licensee, the Board shall conduct a hearing. The Board shall serve a Notice of Hearing on the applicant or licensee.

(b) Notice of Hearing. The Notice of Hearing shall contain:

(i) The name and last known address of the applicant or licensee;

(ii) A brief statement of the matters asserted relating to:

(A) The recommendation to deny the application, the facts upon which the recommendation to deny is based, the statutory provisions and/or the Board Rules the applicant is alleged to have violated; or

(B) The nature of the Petition, the facts upon which the Petition is based, the statutory provisions and/or the Board Rules the licensee is alleged to have violated;

(iii) The time, place, and nature of the hearing;

(iv) The legal authority and jurisdiction; and

(v) A statement indicating:

(A) The applicant's failure to appear at the hearing or pursue proceedings may result in a dismissal; or

(B) The licensee's failure to answer the allegations contained in the Petition within twenty (20) days of the date of mailing and failure to appear at a noticed hearing may result in a default judgment.

Section 9. Lawful Service. There shall be a presumption of lawful service for a Notice of Intent, Petition, Notice of Hearing, or any other communication required by these Board Rules sent to the last known address of the applicant or licensee by certified mail, by regular mail, by electronic mail to the e-mail address indicated to be the preferred method of communication, or by personal service.

Section 10. Dismissal and Default.

(a) Dismissal. The Board may enter an order of dismissal based on the allegations contained in the recommendation to deny in any case where the applicant or the applicant's representative has not appeared at a noticed hearing.

(b) Default. The Board may enter an order of default judgment based on the allegations contained in the Petition in any case where the licensee or the licensee's representative has not answered the allegations contained in the Petition and has not appeared at a noticed hearing.

Section 11. Contested Case Hearing. The hearing officer shall preside over the contested case hearing which shall be conducted pursuant to the WAPA and the Office of Administrative Hearings rules concerning contested case proceedings incorporated by reference in Chapter 1.

Section 12. Burden and Standard of Proof.

(a) Summary Suspension. The DC shall bear the burden to prove by a preponderance of evidence that the licensee presents a clear and immediate danger to the public health, safety, and welfare if allowed to continue to practice.

(b) Application/Licensure Matters. The applicant shall bear the burden to prove by a preponderance of evidence that they meet the qualifications for licensure. The burden shall shift to the ARC or DC to prove by clear and convincing evidence that the applicant should be denied a license. The burden shall shift to the applicant to persuade the Board that the ARC or DC's grounds for denial are insufficient.

(c) Discipline Matters. The DC shall bear the burden to prove by clear and convincing evidence that a licensee violated the Act or the Board's Rules.

Section 13. Board Decision and Order.

(a) Board Action. The Board may resolve an application matter, complaint or Petition by:

(i) Approving the recommendations of the ARC or DC; or

(ii) Conducting a contested case hearing. Following the hearing and deliberation of all evidence admitted at a contested case hearing, the Board may:

- (A) Issue, renew, restore, relicense, or reinstate a license;
- (B) Issue, renew, restore, relicense, or reinstate a license with conditions, restrictions, or other disciplinary action;
- (C) Deny a license;
- (D) Dismiss the Petition due to lack of clear and convincing evidence;
- (E) Issue a notice of warning; or
- (F) Impose a reprimand, conditions, restrictions, suspension, revocation, other discipline or a combination thereof.

(b) Board Order. The Board shall issue a written decision which shall be sent to the applicant, licensee, or their representative.

Section 14. Judicial Review.

(a) Appeals from decisions of the Board are governed by the WAPA 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

PROCESS COMPLAINT PRACTICE AND PROCEDURE FOR APPLICATION, LICENSURE, AND DISCIPLINARY MATTERS

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to:

(a) ~~Conduct investigations, hearing and proceedings concerning regarding:~~

(i) Actions relating to an application for a license, including granting or denying; or

(ii) ~~a~~ Alleged violations of the Act or other Board Rules.

(b) Determine and administer appropriate disciplinary action against an applicant or licensee.

~~Section 1.~~(c) For purposes of this chapter, "licensee" means a chiropractor issued a license by the Board or an intern issued a permit to practice chiropractic in Wyoming.

Section 2. Grounds for Disciplinary Action. The Board may take disciplinary action or refuse to issue or renew a license for one (1) or more of the following acts or conduct:

~~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~~

(a) ~~Signature of complainant.~~ Failure to conform with the Code of Ethics of the ACA or the ICA as incorporated by reference in Chapter 1;

(b) Inability to function with reasonable skill and safety for the following reasons, including but not limited to:

(i) Substance abuse/dependency or clinically diagnosed substance use disorder; or

(ii) Physical or mental disability, including cognitive impairment or other impairment from consumption of drugs or alcohol;

(c) Immoral, unprofessional, or dishonorable conduct;

(d) Violation of professional boundaries, including, but not limited to:

- (i) Harassment, intimidation or abuse, sexual or otherwise, of a client or patient;
- (ii) Engaging in sexual intercourse or other sexual contact with a client or patient;
- (iii) Entering into financial transactions with clients; or
- (iv) Exercising undue influence to exploit a patient, student or supervisee for financial or other personal advantage to the practitioner or a third party;
- (e) Practicing outside the areas of professional competence as established by education, training, and experience;
- (f) Practicing below the applicable standard of care;
- (g) Malpractice or negligence in the practice of chiropractic;
- (h) Fraud or deceit, including, but not limited to: prescription fraud, falsification of a medical record, omission of required information or submission of false information;
- (j) Disciplinary action taken by another state against a licensee;
- (k) Conviction of fraud in filing Medicare or Medicaid claims or in filing claims to any third party payor;
- (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) Failure to comply with reasonable requests from the Board including, but not limited to, failing to:
 - (i) Answer the administrative complaint;
 - (ii) Respond to request for explanation for failure to disclose required information; or
 - (iii) Cooperate in the investigation;
- (n) Failure to comply with a term, condition or obligation of a Board order;
- (o) Failure to appropriately supervise; or
- ~~(e)~~(p) Practicing without a valid license.

Section 3. Application Review and Investigation Process.

- (a) Application Review and Investigation. In application matters:
 - (i) Every applicant bears the burden of satisfying license requirements; and

(ii) Every application for a license issued by the Board shall be subject to investigation to determine whether the requirements set forth in the Act and Board Rules are satisfied.

(b) Application Review Committee Action. Following investigation, the ARC may:

(i) Recommend a license be issued, renewed, restored, relicensed, or reinstated;

(ii) Recommend a license be issued, renewed, restored, relicensed, or reinstated subject to conditions, restrictions, or other disciplinary action;

(iii) Recommend approval of a settlement agreement, which may include the issuance, renewal, restoration, relicense, or reinstatement of a license with the imposition of a reprimand, conditions, restrictions, suspension, other discipline or a combination there of; or

(iv) Recommend denial of the application.

(c) Notice of Intent to Recommend Approval Subject to Conditions, Restrictions, Other Disciplinary Action or Denial of License.

(i) The ARC shall notify the applicant of its intent to recommend:

(A) Approval of the license subject to conditions, restrictions, or other disciplinary action; or

(B) Denial of the application.

(ii) The Notice of Intent shall contain:

(A) A brief description of the facts or conduct which warrant the issuance or denial of a license subject to conditions, restrictions, or other disciplinary action;

(B) A statement of the nature of the actions which warrant the issuance or denial of a license subject to conditions, restrictions, or other disciplinary action and a citation to the applicable statutory provisions in the Act or the Board Rules; and

(C) Notice of the right to a hearing if a written request is received by the Board office within thirty (30) days of the date of mailing the Notice of Intent.

(d) Applicant's Request for Hearing.

(i) The applicant may request a hearing if the ARC:

(A) Recommends approval of the license subject to conditions, restrictions, or other disciplinary action; or

(B) Recommends denial of the application.

(ii) The applicant shall submit a written request for hearing to the Board office within thirty (30) days of the date of the Notice of Intent.

(iii) Failure of the applicant to pursue proceedings related to the application after requesting a hearing may result in dismissal.

Section 3. Section 4. Complaint Review and Investigation Process.

~~(a) Complaint Review and Investigation. 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.~~

(i) Complaints shall be submitted to the Board upon the form provided by the Board and contain the name, address, and signature of the person making the complaint. The Board may initiate complaints.

(ii) Complaints shall be investigated by the DC or the Board staff.

(iii) DC may meet informally with the licensee.

(b) Voluntary Surrender. A licensee may petition the Board in writing to voluntarily surrender their license. The Board shall hold an expedited hearing at its earliest convenience. The Board may accept or reject the petition for voluntary surrender and may consider whether the licensee is under investigation.

~~(a) Disciplinary Committee Action. Following~~

~~(b)(c) 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~~

~~(i) Recommend to Board dismissal of the complaint;~~

~~(iii)~~

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

~~(i)(ii) Recommend issuance of a notice Sending a written letter of warning to the licensee;~~

(iii) Recommend approval of a settlement agreement, which may include a reprimand, conditions, restrictions, non-renewal, suspension, voluntary surrender, other discipline or a combination thereof; Accepting a voluntary surrender of a license;

(iv) Recommend disciplinary action which may include a reprimand, conditions, restrictions, non-renewal, suspension, revocation, other discipline or a combination thereof;

(v) Recommend summary suspension.

Section 5. Summary Suspension.

(a) Recommendation. If the DC recommends summary suspension, the Board shall conduct an expedited hearing to determine whether the licensee's continued practice presents a clear and imminent danger to public health, safety or welfare.

(b) Notice of Intent to Recommend Summary Suspension.

(i) The DC shall notify the licensee of its intent to recommend summary suspension.

(ii) The Notice of Intent shall contain:

(A) Copy of the complaint;

(B) Notice that a summary suspension hearing shall be set for expedited hearing at the earliest opportunity a quorum of Board members may be assembled; and

(C) Statement that failure to answer to the complaint or appear at the hearing may result in default.

(c) Notice of Expedited Hearing. Upon confirmation of the date and time of the expedited hearing, the DC shall notify the licensee of the date and time of the hearing.

Section 6. Formal Proceedings for Disciplinary Action.

(a) Notice of Intent to Recommend Disciplinary Action.

(i) The DC shall notify the licensee of its intent to recommend disciplinary action.

(ii) The Notice of Intent shall:

(A) Include a brief description of the facts or conduct which warrant the intended action; and

(B) Provide the licensee an opportunity to show compliance or respond to allegations for disciplinary action within fifteen (15) days of the date of the mailing.

(b) Informal Conference. The licensee may request an informal conference to provide any additional information or to resolve an administrative complaint without a hearing.

Section 7. Petition. The DC shall initiate formal proceedings for disciplinary action by serving a Petition and Notice of Hearing to the licensee by certified mail, by regular mail, by electronic mail to the e-mail address indicated to be the preferred method of communication or by personal service at least thirty (30) days prior to the date set for hearing.

Section 8. Notice of Hearing.

(a) Hearing. Upon receipt of a written request for hearing from an applicant or commencement of formal proceedings for disciplinary action against a licensee, the Board shall conduct a hearing. The Board shall serve a Notice of Hearing on the applicant or licensee.

(b) Notice of Hearing. The Notice of Hearing shall contain:

(i) The name and last known address of the applicant or licensee;

(ii) A brief statement of the matters asserted relating to:

(A) The recommendation to deny the application, the facts upon which the recommendation to deny is based, the statutory provisions and/or the Board Rules the applicant is alleged to have violated; or

(B) The nature of the Petition, the facts upon which the Petition is based, the statutory provisions and/or the Board Rules the licensee is alleged to have violated;

(iii) The time, place, and nature of the hearing;

(iv) The legal authority and jurisdiction; and

(v) A statement indicating:

(A) The applicant's failure to appear at the hearing or pursue proceedings may result in a dismissal; or

(B) The licensee's failure to answer the allegations contained in the Petition within twenty (20) days of the date of mailing and failure to appear at a noticed hearing may result in a default judgment.

~~(ii) Section 9. Lawful Service.~~ There shall be a presumption of lawful service for a Notice of Intent, Petition, Notice of Hearing, or any other communication required by these Board Rules sent to the last known address of the applicant or licensee by certified mail, by regular mail, by electronic mail to the e-mail address indicated to be the preferred method of communication, or by personal service.

~~(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 10. Dismissal and Default.

~~(a) Dismissal. The Board may enter an order of dismissal based on the allegations contained in the recommendation to deny in any case where the applicant or the applicant's representative has not appeared at a noticed hearing.~~

~~**Section 8.(b) Default.** The Board may enter an order of default judgment based on the allegations contained in the Petition in any case where the licensee or the licensee's representative has not answered the allegations contained in the Petition and has not appeared at a noticed hearing. 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) **Section 11.** The hearing officer shall preside over the formal-contested case hearing which shall be conducted pursuant to the WAPA and the Office of Administrative Hearings Chapter 2 of OAH rules concerning for contested case proceedings incorporated by reference in Chapter 1s.~~

~~(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 12. Burden and Standard of Proof.

~~(a) Summary Suspension. The DC shall bear the burden to prove by a preponderance of evidence that the licensee presents a clear and immediate danger to the public health, safety, and welfare if allowed to continue to practice.~~

~~(b) Application/Licensure Matters. The applicant shall bear the burden to prove by a preponderance of evidence that they meet the qualifications for licensure. The burden shall shift to the ARC or DC to prove by clear and convincing evidence that the applicant should be denied a license. The burden shall shift to the applicant to persuade the Board that the ARC or DC's grounds for denial are insufficient.~~

~~(c) Discipline Matters. The DC shall bear the burden to prove by clear and convincing evidence that a licensee violated the Act or the Board's Rules.~~

Section 13. Board Decision and Order.

~~(a) Board Action. The Board may resolve an application matter, complaint or Petition by:~~

~~(i) Approving the recommendations of the ARC or DC; or~~

(ii) Conducting a contested case hearing. Following the hearing and deliberation of all evidence admitted at a contested case hearing, the Board may:

(A) Issue, renew, restore, relicense, or reinstate a license;

(B) Issue, renew, restore, relicense, or reinstate a license with conditions, restrictions, or other disciplinary action;

(C) Deny a license;

(D) Dismiss the Petition due to lack of clear and convincing evidence;

(E) Issue a notice of warning; or

(F) Impose a reprimand, conditions, restrictions, suspension, revocation, other discipline or a combination thereof.

(b) Board Order. The Board shall issue a written decision which shall be sent to the applicant, licensee, or their representative.

Section 14. Judicial Review.

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

Section 10. ~~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.~~ **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.~~

~~(a)(b)~~

CHAPTER 8
INFORMATION PRACTICES
REPEALED

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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)(a) — 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 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. Preceptor and Intern Eligibility.

(a) Preceptor Eligibility. 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) 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.

(b) Intern Eligibility. 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) Provides a certificate of attainment on Parts I and II of the examination by the NBCE; and

(iii) 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.

(c) Ineligibility. 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. Intern Application.

(a) Eligibility. An applicant may seek a permit to practice limitedly as an intern if the applicant meets the qualifications in Section 2(b).

(b) Application Requirements. Applicant shall submit:

- (i) A completed application and payment of fees; and
- (ii) A waiver of confidentiality executed by the intern and preceptor.

(c) Preceptor Application. Preceptor shall submit the preceptor application.

Section 4. 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) "Direct supervision" means that a preceptor provides guidance for the services to be provided with initial direction and periodic inspection of the service performance and is present on the premises while the services are being provided.

(c) 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.

(d) 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 5. 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 for up to six (6) months immediately following the intern's date of graduation from chiropractic college or university.

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. Preceptor and Intern Eligibility; Application.

(a) Preceptor Eligibility. The Board shall approve participation for a preceptor who: 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) (ii)~~ 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.

~~(e) (b)~~ Intern Eligibility. 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)~~ (ii) Provides a certificate of attainment on Parts I and II of the examination by the NBCE; and

~~(iv)~~ (iii) 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)~~ (c) **Ineligibility.** 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. Intern Application.

(a) Eligibility. An applicant may seek a permit to practice limitedly as an intern if the applicant meets the qualifications in Section 2(b).

(b) Application Requirements. Applicant shall submit:

(i) A completed application and payment of fees; and

(ii) A waiver of confidentiality executed by the intern and preceptor.

(c) Preceptor Application. Preceptor shall submit the preceptor application.

Section 3. Section 4. 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) "Direct supervision" means that a preceptor provides guidance for the services to be provided with initial direction and periodic inspection of the service performance and is present on the premises while the services are being provided.

~~(b)~~(c) 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.

~~(e)~~(d) 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, Section 5. 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 up to six ~~(6)~~ months immediately following the intern's date of graduation from chiropractic college or university, ~~whichever occurs first.~~