

DEPARTMENT OF ADMINISTRATIVE SERVICES
DIVISION OF PROFESSIONAL REGULATION
700 BOARD OF CHIROPRACTIC
Statutory Authority: 24 Delaware Code, Section 706(a)(1) (24 **Del.C.** §706(a)(1))
24 DE Admin. Code 700

ORDER

After due notice in the Register of Regulations and two Delaware newspapers, a public hearing was held on April 20, 2005 at a scheduled meeting of the Delaware Board of Chiropractic to receive comments regarding proposed amendments to Regulation 4.2.1. The proposal amends rule 4.2.1 *Continuing Education for Licensees Other Than New Licensees* to provide that the maximum allowable online continuing education credits permissible in each full reporting period for renewal is twelve (12) of the twenty-four (24) required hours. The regulation does not change the total number of required continuing education credit hours and does not affect those licensees who have been licensed for less than two (2) years. The proposed regulation was published in the Register of Regulations, Vol. 8, Issue 9, March 1, 2005.

Summary of the Evidence and Information Submitted

No written comments were received. No members of the public attended the hearing.

Findings of Fact with Respect to the Evidence and Information Submitted

There was no public comment received at the public hearing concerning the proposed amendments to the regulation. The Board finds that the amendments to the regulation are necessary to clarify the number of credit hours that may be obtained through online courses. The Board finds that actual classroom instruction is beneficial to licensees and, therefore, finds that no more than twelve (12) of the twenty-four (24) required credit hours required may be fulfilled through participation in online courses. The regulation does not change the total number of required continuing education credit hours.

The "primary objective of the Board of Chiropractic, to which all other objectives and purposes are secondary, is to protect the general public, specifically those persons who are the direct recipients of the services regulated by this chapter, from unsafe practices and from occupational practices which tend to reduce competition or fix the price of services rendered. The secondary objectives of the Board are to maintain minimum standards of practitioner competency and to maintain certain standards in the delivery of services to the public. In meeting its objectives, the Board shall develop standards assuring professional competence." 24 **Del.C.** §700.

In summary, the Board finds that adopting the amendments to regulation 4.2.1 meets both objectives and is in the best interest of the citizens of the State of Delaware. The Board finds the proposed amendments to Regulation 4.2.1 are necessary to protect the general public, particularly the recipients of chiropractic services and are in the best interests of those individuals regulated by the Board with regard to maintaining minimum standards of competency.

The Law

The Board's rulemaking authority is provided by 24 **Del.C.** §706 (a)(1).

Decision and Effective Date

The Board hereby adopts the changes to Regulation 4.2.1 to be effective 10 days following publication of this order in the Register of Regulations.

Text and Citation

The text of the revised rules remains as published in Register of Regulations, Vol. 8, Issue 9, March 1, 2005, without any changes.

SO ORDERED this 21st day of April, 2005.

STATE BOARD OF CHIROPRACTIC

William Cowan, D.C., Chairman, Professional Member
Gary Morgan, D.C., Professional Member
Terry Jackson, Public Member
Pramela Kaza, Public Member
Michael P. Kelman, D.C., Professional Member

700 Board of Chiropractic

4.0 Continuing Education

4.1 Continuing Education for New Licensees:

4.1.1 At the time of the initial license renewal, some individuals will have been licensed for less than two (2) years. Therefore, for these individuals only, the continuing education hours will be pro-rated as follows:

License Granted During First Year:	Credit Hours
	Required:
July 1 - December 31	24 hours
January 1 - June 30	18 hours

License Granted During Second Year: Credit Hours
Required:

July 1 - December 31	12 hours
January 1 - June 30	0 hours

4.2 Continuing Education for Licensees other than new licensees:

4.2.1 Unless otherwise excused by the Board for good cause such as illness, extended absence from the country, or unique personal hardship which is not the result of professional negligence or inadvertence, all Chiropractors seeking renewal more than two (2) years from initial licensure or reinstatement of a lapsed license must provide to the Board adequate proof of the satisfactory completion of twenty four (24) credit hours of Board approved continuing education within the immediately preceding two (2) year period. Of the required twenty four (24) credit hours of Board approved continuing education, a maximum of twelve (12) credit hours may be fulfilled by participating in online courses.

4.2.2 Proof of continuing education shall be received at the Division of Professional Regulation, Dover, Delaware, no later than April 30th of the reporting year and shall be received every 2 years after such date. Continuing education completed before April 30th of the reporting year shall not be carried over to the next renewal period. The Board has the right to conduct an audit of the proof of continuing education submitted by licensees.

4 DE Reg. 1940 (6/1/01)

***Please Note: As the rest of the sections were not amended they are not being published. A complete set of the rules and regulations for the Board of Chiropractic is available at:**

<http://dpr.delaware.gov/boards/chiropractic/index.shtml>

8 DE Reg. 1586 (5/1/05)