

BOARDS AND COMMISSIONS
Board of Chiropractic Examiners
(Amendment)

201 KAR 21:042. Standards, applications and approval of continuing education.

RELATES TO: KRS 312.085, 312.095, 312.145, 312.175

STATUTORY AUTHORITY: KRS 312.019, 312.085, 312.095, 312.175

NECESSITY, FUNCTION, AND CONFORMITY: KRS 312.019(9) authorizes the Kentucky Board of Chiropractic Examiners to promulgate administrative regulations consistent with KRS Chapter 312, regulating the practice of chiropractic. This administrative regulation establishes standards for continuing education and the procedures relating to the application and approval of continuing education.

Section 1. Standards for Continuing Education.

- (1) Continuing education shall be approved by the board, or by a committee designated by the board to act between sessions of the board.
- (2) The continuing education program shall be:
 - (a) A post graduate course of study at or sponsored by a chiropractic college accredited by the Council on Chiropractic Education or its successors; or
 - (b) Sponsored by a national or state chartered organization of chiropractors or a chiropractic college; and
 - (c) Open to all doctors of chiropractic in Kentucky who desire to attend.
- (3) The instructors and speakers shall be in the field of chiropractic, chiropractic education, or allied sciences.
- (4) The programs to be presented shall contain subjects of clinical benefit to licensees and on a postgraduate level of education.
- (5) The programs shall comply with the Kentucky chiropractic scope of practice as defined by KRS 312.017; and the board or its designated committee shall determine whether online versus live education is appropriate for the subject matter being offered in its determination whether to approve programs as proposed.

Section 2. Requirements for Online Continuing Education.

- (1) Any entity submitting an online course for approval shall be Pre-Approved Continuing Education (PACE) Commission certified; and submit the program through the PACE pre-check program using the Kentucky Board of Chiropractic Examiners Continuing Education Application form.
- (2) The program shall:
 - (a) Have a mechanism to ensure that users view each page of the program;
 - (b) Ensure the user has earned all of the time required for the program;
 - (c) Have a mechanism in place for the user to be able to contact the provider regarding questions about the continuing education programs;
 - (d) Include a mechanism to evaluate the user's knowledge of the subject matter contained in the program;
 - (e) Provide a printed verification or allow the user to print verification only upon completion of the program; and
 - (f) Ensure that the course time cannot be earned away from the program and that automatic lock out occurs if the keyboard becomes unattended.
- (3) Programs shall be completed and earned one (1) at a time. The user of a program shall not earn credit for multiple windows or programs completed simultaneously.

Section 3. Application for Approval.

(1) The sponsoring party of a proposed educational program for license renewal shall apply for approval of the program prior to its presentation by submitting the Kentucky Board of Chiropractic Examiners Continuing Education Application, and by providing to the board:

- (a) The name of the course;
- (b) The name of the sponsoring organization;
- (c) The objective of the program;
- (d) The number of classroom hours over which the educational program will be presented, and the dates presented;
- (e) The names of the instructors and speakers and the name and address of the institution with which they are associated, if applicable;
- (f) The instructors' or speakers' educational background and other relevant qualifications;
- (g) The name and address of the person authorized to certify attendance; and
- (h) An educational program review fee as established in subparagraph 1. through 3. of this paragraph.

1. Live Events Only - A live event is an event at which both the presenter and attendee are present in person. A minimum fee of twenty-five (25) dollars for a live one-time event of sixteen (16) hours or less. Any event over sixteen (16) hours will be two (2) dollars per requested credit hour with a maximum fee of \$100. For events with multiple dates and locations there will be an additional twenty-five (25) dollar fee.

2. Online Events Only - A minimum fee of twenty-five (25) dollars for a live one-time event or recorded event of sixteen (16) hours or less. Any event over sixteen (16) hours will be two (2) dollars per requested credit hour with a maximum fee of \$100. The online event shall remain approved for one (1) calendar year.

3. Live Event That Will Also Be Recorded To Be Used As Online CE – A minimum fee of fifty (50) dollars for an event of sixteen (16) hours or less. Any event over sixteen (16) hours will be two (2) dollars per requested credit hour with a maximum fee of \$100. The online event shall remain approved for one (1) calendar year.

(2) The educational program may be monitored by an officer of the board, the field coordinator of the board, or a person designated by the president of the board.

(3)

(a) A proposed program shall be received by the board for approval at least sixty (60) days prior to the date of the presentation.

(b) The board, or a designee of the board to act between meetings of the board, shall give written notification of the board's approval or disapproval of the program to the sponsoring party not more than thirty (30) days after receiving the proposed educational program.

(c) An online course shall remain approved for one (1) calendar year from a date of the event provider's choosing if that date is no earlier than sixty (60) days from the date the board received the submission for approval.

Section 4. Incorporation by Reference.

(1) "Kentucky Board of Chiropractic Examiners Continuing Education Application", DPL-KBCE-05, March 2023, is incorporated by reference.

(2) These materials may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Chiropractic Examiners, 500 Mero Street, Frankfort, Kentucky 40601, from 8:00 a.m. to 4:00 p.m.

DR. JAMES ENGLAND, Chair

APPROVED BY AGENCY: March 13, 2023

FILED WITH LRC: March 14, 2023 at 1:15 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall, if requested, be held on May 25, 2023 at 12:00 noon EST in Room 127CW, The Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky 40601. All attendees shall comply with all Executive Orders relating to the State of Emergency as may be in effect on the date of the public hearing, which may be found at: <https://governor.ky.gov/covid-19>. Members of the public may utilize the following link to attend the meeting by video conference: Join from PC, Mac, Linux, iOS or Android: [https://us06web.zoom.us/j/82428127008?](https://us06web.zoom.us/j/82428127008?pwd=blg4a3hSZVkvTnFtUnpMWDFaNkY5QT09)

[pwd=blg4a3hSZVkvTnFtUnpMWDFaNkY5QT09](https://us06web.zoom.us/j/82428127008?pwd=blg4a3hSZVkvTnFtUnpMWDFaNkY5QT09) // Password: 059844 // Or Telephone: Dial: USA 713 353 0212; USA 8888227517 (US Toll Free) // Conference code: 446599. Individuals interested in attending this hearing shall notify this agency in writing by May 20, 2023, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until 11:59 pm on May 31, 2023. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

CONTACT PERSON: Clayton Patrick, General Counsel, Department of Professional Licensing, 500 Mero Street 237 CW, phone (502) 782-0562 (office), fax (502) 564-4818, email Clayton.Patrick@ky.gov.