



**NOTICE OF TELECONFERENCE**  
**LICENSING & CONTINUING EDUCATION COMMITTEE MEETING**

**August 22<sup>nd</sup>, 2019**

**12 p.m. – 1:30 p.m. or until completion of business**

One or more Committee Members will participate in this meeting at the teleconference sites listed below. Each teleconference location is accessible to the public and the public will be given an opportunity to address the Licensing & Continuing Education Committee at each teleconference location. The public teleconference sites for this meeting are as follows:

**Teleconference Meeting Locations:**

901 P Street, Suite 142A  
Sacramento, CA 95814  
(Board Staff)

Sergio Azzolino, D.C., Chair  
Azzolino Chiropractic Neurology &  
Integrative Wellness  
1545 Broadway Street., Suite 1A  
San Francisco, CA 94109  
(415) 563-3800

Heather Dehn, D.C.  
Dehn Chiropractic  
4343 Marconi Ave., #5  
Sacramento, CA 95821  
(916) 488-0202

David Paris, D.C.  
VA Health Administration in Redding  
760 Cypress Ave.  
Redding, CA 96001  
(530) 244-8806

**AGENDA**

- 1. Call to Order & Establishment of a Quorum**
- 2. Approval of June 28, 2019 Committee Meeting Minutes**
- 3. Review, Discussion and Possible Action on proposed language to Continuing Education regulations: Denial & Appeal of Providers and Denial & Appeal of Continuing Education Courses.**
- 4. Public Comment on Items Not on the Agenda**  
*Note: The Committee may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a).] Public comment is encouraged; however, if time constraints mandate, comments may be limited at the discretion of the Chair.*
- 5. Future Agenda Items**  
*Note: The Committee may not discuss or take action on any matter raised during this future agenda items section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125.]*
- 6. Adjournment**

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Meetings of the Board of Chiropractic Examiners' Committee are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. Public comments will be taken on agenda items at the time the specific item is raised. The Board's Committee may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-5355 or access the Board's Web Site at [www.chiro.ca.gov](http://www.chiro.ca.gov).

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The meeting facilities are accessible to individuals with physical disabilities. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting the Board at (916) 263-5355 or e-mail [chiroinfo@dca.ca.gov](mailto:chiroinfo@dca.ca.gov) or send a written request to the Board of Chiropractic Examiners, 901 P Street, Suite 142A, Sacramento, CA 95814. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

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**Agenda Item 2  
August 22, 2019**

**Approval of June 28, 2019 Committee Meeting Minutes**

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**Purpose of the item**

The Licensing and Continuing Education Committee will review the June 28<sup>th</sup>, 2019 Committee Meeting minutes.

**Action(s) requested**

The Committee will be asked to make a motion to approve the June 28<sup>th</sup>, 2019 Committee Meeting minutes.

**Background**

N/A

**Recommendation(s)**

N/A

**Next Step**

N/A

**Attachment(s)**

- Meeting minutes from the June 28<sup>h</sup>, 2019 Licensing & Continuing Education Committee Meeting.

**Board of Chiropractic Examiners  
TELECONFERENCE MEETING MINUTES  
Licensing & Continuing Education Committee  
June 28, 2019**

Teleconference Meeting Locations:

Board of Chiropractic Examiners  
901 P Street, Ste 142A  
Sacramento, CA 95814  
(916) 263-5355

Dionne McClain, DC  
McClain Sports & Wellness, Inc.  
6360 Wilshire Blvd., Ste 410  
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(323) 653-1014

Heather Dehn, D.C.  
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(916) 488-0202

David Paris, D.C.  
VA Health Administration in Redding  
760 Cypress Ave.  
Redding, CA 96001  
(530) 244-8806

**Committee Members Present**

Dionne McClain, D.C., Chair  
Heather Dehn, D.C.  
David Paris, D.C.

**Staff Present**

Robert Puleo, Executive Officer  
Marcus McCarther, Assistant Executive Officer  
Michael Kanotz, Senior Attorney  
Dixie Van Allen, Staff Services Manager  
Natalie Boyer, Continuing Education Analyst  
Andreia McMillen, Policy Analyst  
Tammi Pitto, Staff Services Analyst

**Call to Order**

Dr. McClain called the meeting to order at 12:08 p.m.

**Roll Call**

Dr. Dehn called roll. All members were present at addresses on the agenda. A quorum was established.

## **Approval of April 16, 2019 Committee Meeting Minutes**

**MOTION: DR. DEHN MOVED TO APPROVE THE MINUTES OF THE APRIL 16<sup>th</sup>, 2019 LICENSING & CONTINUING EDUCATION COMMITTEE MEETING.**

**SECOND: DR. PARIS SECONDED THE MOTION.**

Discussion: Dr. McClain wished for clarification, on page nine, if Dr. Paris was referring to the Council on Chiropractic Education (CCE) or the California Chiropractic Association (CCA) in his statement.

Dr. Paris responded that both were accurate.

Dr. McClain was satisfied with the clarification.

**VOTE: 3-0, (DR. MCCLAIN – AYE, DR. PARIS – AYE, DR. DEHN– AYE)  
MOTION CARRIED.**

## **Review, Discussion and Possible Action on proposed language to CE regulations**

Mr. McCarther introduced the Continuing Education (CE) regulation and staff's recent work. Mr. McCarther began by examining the similarities and differences between the 14 qualifying subject areas identified in the Major Policy Issues document and the eight competencies in the Continuing Education Meta-Competencies document. Most of the 14 qualifying subject areas did have corresponding competencies or objectives within the meta-competencies that board staff had identified and notated.

Mr. McCarther drew the Committee's attention to subject area four, 'evidence-based peer reviewed interventions', whose definition had not been fully determined by the Committee. Staff had identified that meta-competency six would be the best match based on content and intention for this subject area. Mr. McCarther felt this highlighted the benefits of using the meta-competency method as it offered detailed definitions and objectives for providers to create courses from.

Dr. Paris added that meta-competency two would also be a match for this particular subject area, he was not certain if only one competency could be selected.

Mr. McCarther agreed and stated a Continuing Education (CE) provider would have the opportunity to selected multiple competencies for their courses.

Dr. Paris was under the impression that staff were creating a document for providers to assist them in their selection of meta-competencies as it related to their CE courses.

Ms. Boyer agreed that such a document would be created, at a later point, for CE providers. The policy document, currently under review, was specifically for the Committee as a visual to identify similarities between the work already accomplished by the Committee and the newer meta-competency model.

Dr. Paris appreciated the clarification.

Dr. McClain noted that qualifying subject area six was without a correlating competency number and felt that meta-competency two would be appropriate.

Mr. McCarther agreed and went on to further explain that the policy document would be for internal purposes only, should the Board agree, the meta-competency document would be incorporated by reference into the regulations and a separate course application for CE providers would also be included with clearly identifiable instructions for how to utilize the meta-competencies.

Dr. Dehn inquired if the meta-competency document was included by reference, would the Board be required to update regulations every time CCE changed their meta-competencies.

Mr. McCarther responded that several changes had been made to the document to ensure the Board would not be beholden to make the same changes as CCE made in the future.

Mr. McCarther returned to Dr. McClain's statement that subject area six did not have a listed meta-competency primarily because staff was not certain which might be the best match for 'physical medicine modalities and therapeutic procedures'. Additionally, qualifying subject areas 13 and 14 did not have corresponding meta-competencies but Mr. McCarther felt that the content was relevant to CE courses and would not be prohibited from continuing to receive approval.

Dr. McClain agreed and felt that meta-competency two would be most appropriate for subject area six.

Dr. Dehn and Dr. Paris agreed with the recommendation.

Dr. Dehn agreed that subject area 14 'basic sciences' was not identified in the meta-competencies and could potentially be problematic if not properly defined, as it was so vague.

Mr. McCarther inquired of Ms. Boyer, whether 'basic science' was a subject area that was challenging to define and approve for CE credit.

Ms. Boyer responded that 'basic science' was one of the more clearly identifiable subject areas both for providers submitting applications and for staff reviewing courses.

Dr. Paris added that as the current definition included 'as related to clinical practice' that would be extremely helpful in sourcing out any content inappropriately submitted under this subject area.

Dr. McClain wished to return to qualifying subject area 10, she did not feel the definition currently listed on the policy document offered enough clarity.

Ms. Van Allen responded that the concerns over courses focused primarily on billing and coding, were those done with the intention of maximizing profit for the chiropractor or using personal injury cases as a method for profit.

Dr. McClain agreed with the concern and asked that the definition be updated for the document.

Mr. McCarther agreed that staff could update the definition but ultimately the policy document was just a guide and that going forward the conversation would surround the meta-competencies document and move away from the policy document.

Public Comment: Ms. Laurie Isenberg, Director of Postgraduate & Continuing Education at Life Chiropractic College West, reiterated Life Chiropractic College's commitment to philosophy as a qualifying subject area. Ms. Isenberg felt that meta-competency seven, objective B and D, correlated with the sentiments of chiropractic philosophy.

Mr. McCarther offered that there would be no objection to a course that could succinctly relate the content back to a meta-competency and its objectives.

Dr. Paris agreed and went on to add that the intent of this model was not to limit providers in their offerings or to include restrictive language to prevent viable course content.

Public Comment: Ms. Dawn Benton, Executive Director of CalChiro, inquired how subject area 14, 'basic science', fit into the meta-competencies.

Mr. McCarther offered that basic sciences permeated throughout multiple of the meta-competencies and it would be up to the provider to make the selection and provide support of their rationale.

Mr. McCarther moved the conversation to the Mandatory Hours in the policy document, the Committee had previously identified a 14 hour requirement to fulfill mandatory subject areas.

Dr. Paris wished to discuss the need for mandating the subject area in 'sexual boundaries'. In his research of other healthcare professional boards he saw no reference to sexual boundaries as a specific CE requirement. Dr. Paris was curious if the Committee had any data or support to justify the need for this specific mandatory subject area.

Mr. Puleo stated that the Enforcement Unit saw regular occurrences of sexual misconduct accusations filed and felt a course identifying appropriate behavior and communication techniques with patients would be prudent.

Dr. McClain added that the Committee was trying to address the significant amount of complaints the Enforcement Unit received regarding inappropriate sexual conduct. Additionally, in the environment of 'Me Too' the Committee wished to be at the forefront of addressing concerns and protecting the public.

Dr. Dehn included that a course of this nature could potentially eliminate poor bedside manner and increase patient communication for medically appropriate procedures.

Dr. Paris understood the rationale from his colleagues but felt that the burden of proof had not been met. As a requirement only for chiropractors it gives the impression of chiropractors as outliers amongst healthcare professions. Dr. Paris suggested updating the language to be

inclusive of all the other communication foibles that this topic was inspired by, versus focusing solely on sexual boundaries.

Dr. Dehn inquired if Dr. Paris' concerns were due, in part, to the potential that chiropractors would be in the spotlight in requiring this mandatory CE, compared to other healthcare professions.

Dr. Paris agreed that was partially his concern, also that the Committee had not substantiated the need for a mandatory course such as this. Dr. Paris would feel more comfortable if the subject area included all the other communication needs and behaviors the Committee identified, versus the singular area of sexual boundaries which had yet to be proven, with data, as an area of concern.

Dr. McClain inquired what type of data or statistics Dr. Paris was interested in reviewing.

Dr. Paris recommended combining the subject areas 'ethics and law' and 'sexual boundaries' and making it a four hour requirement.

Ms. Van Allen proposed changing the title to professional boundaries, which would include sexual boundaries and all other patient communication tactics.

Ms. Boyer wished to point out that in the draft language of the CE regulation document both 'ethics and law' and 'sexual boundaries' were combined into meta-competency five. The meta-competency did have a specific objective of 'knowledge of expected professional conduct' which a provider could interpret as a need for a sexual boundaries course.

Mr. McCarther summarized that there were a significant portion of Enforcement cases that did revolve around sexual misconduct and, ultimately, resulted in discipline. Because of this staff believed there to be valid support for including specific courses regarding sexual misconduct to hopefully positively impact the Enforcement Unit's efforts and ensure consumer protection.

Public Comment: Dr. Brian Porteous, licensee and CE Provider, stated that he offered an ethics and law course with a portion dedicated to sexual boundaries, he had found his participants sorely lacking in their understanding of the Board's regulations relating to professional conduct. Dr. Porteous is in favor of including sexual boundaries as a mandatory requirement.

Mr. Puleo agreed with combining 'ethics and law' and 'sexual boundaries' into one section, for a total of four mandatory hours and requiring one hour, per year, dedicated to sexual boundaries. He also felt that ethics and law needed to be more prescriptive to ensure the content was consistent with the Board's message.

Dr. McClain agreed with combining the two subjects but had concerns that the sexual boundaries portion would be diminished if done so.

Mr. Puleo agreed with mandating the time allotment and specific content that providers would need to cover in sexual boundaries courses.



Dr. McClain inquired what the next steps would be for this particular topic.

Dr. Paris was comfortable with combining 'ethics and law' and 'sexual boundaries' as one section and mandating one hour, every year, dedicated to content in sexual boundaries and defining the course expectations in more detail as Mr. Puleo suggested.

Mr. McCarther agreed to have this section reviewed for the next Committee Meeting.

Mr. McCarther moved the meeting to discuss the draft language in the CE regulations document. Mr. McCarther inquired if there were any issues or areas of concern regarding the document.

Dr. Paris wished to point out an inconsistency in the numbering hierarchy used in Section §361.

Dr. Paris also pointed out in Section §361.1, the new Cardiopulmonary Resuscitation (CPR) section, the language should clarify that instructors are able to be certified through equivalent organizations.

Mr. Puleo proposed reducing the total CE hours by two hours every year, to accommodate licensees renewing CPR certification as a condition of license renewal.

Dr. Dehn suggested offering CE credit every year if licensees chose to take a CPR course every year.

Dr. McClain agreed with the option of annual CPR credit and also wished to remind the Committee that eventually the Board would have access to more advanced technology that would assist with CE credit tracking.

Mr. Puleo agreed that the technology was available and eventually the Board would have it's own system in place.

Mr. McCarther requested time to allow staff to revisit the language of the CPR section for the next meeting.

The Committee agreed.

Mr. McCarther pointed out some sections still left to be determine in the draft CE regulations document. Such as the denial and appeal process for CE providers, the definition of a CE course and the fee structure for a CE course. Mr. McCarther felt that a new fee structure and definition to a course could be addressed at a later time, away from this particular regulatory package, as there would be largescale research endeavors to determine these answers.

Dr. Dehn sought clarification behind not pursuing changes to the fee structure and defining a course.

Mr. McCarther felt that with the proposed changes to the meta-competency structure, there were enough new parameters in place that would curb some of the issues to the administrative approval process staff has been experiencing.

Dr. Dehn inquired if the CE provider application would also be outside of this regulation package.

Mr. McCarther responded that both the CE provider application and the CE course application would be changed and included in this regulatory package.

Ms. Van Allen inquired if the CE course application would be amended to include the meta-competency structure but exclude any fees changes.

Mr. McCarther agreed and went on to assure the Committee that in upcoming meetings there would be plenty of opportunity to review draft regulatory language, the updated CE provider application, the updated CE course application and the updated meta-competency document.

Dr. Paris suggested maintaining the positive momentum for the Committee by scheduling meetings every month.

Dr. Dehn agreed.

**MOTION: DR. PARIS MOVED TO SCHEDULE THE LICENSING AND CE COMMITTEE MEETINGS MONTHLY UNTIL THE CE REGULATION WAS SUBMITTED TO THE OFFICE OF ADMINISTRATIVE LAW.  
SECOND: DR. DEHN SECONDED THE MOTION.**

Discussion: Ms. Boyer wished the Committee to consider the time needed to post agendas for public viewing prior to a meeting, which might require a standing agenda and prompt responses from Committee Members.

Dr. McClain suggested amending the motion to include a four to six weeks scheduling timeframe.

Dr. Paris accepted her amendment to the motion.

**AMENDED MOTION: DR. PARIS MOVED TO SCHEDULE THE LICENSING AND CE COMMITTEE MEETINGS EVERY FOUR TO SIX WEEKS UNTIL THE CE REGULATION WAS SUBMITTED TO THE OFFICE OF ADMINISTRATIVE LAW.  
SECOND: DR. DEHN SECONDED THE MOTION.**

**VOTE: 3-0, (DR. MCCLAIN – AYE, DR. PARIS – AYE, DR. DEHN– AYE)  
MOTION CARRIED.**

Mr. McCarther acknowledged that staff would reach out at the beginning of the week, following a meeting, to start the scheduling process for an upcoming meeting.

**Public Comment on Items Not on the Agenda**

Public Comment: Ms. Isenberg wished to offer a teleconference site in the Bay Area at Life Chiropractic College West, so staff and students could potential participate in the Committee.

Mr. Kanotz agreed that as long as the location was agendized, a Board Member did not need to be present to offer a location as a teleconference site.

Public Comment: Dr. Porteous thanked the Committee for their efforts.

**Future Agenda Items**

None.

**Adjournment**

Dr. McClain adjourned the meeting at 1:27 p.m.

DRAFT



**Agenda Item 3  
August 22, 2019**

**Review, Discussion and Possible Action on proposed language to Continuing Education regulations: Denial & Appeal of Providers and Denial & Appeal of Continuing Education Courses**

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**Purpose of the item**

The Committee will review and discuss the proposed regulatory language changes to the Continuing Education (CE) regulations, California Code of Regulations (CCR) Articles 6 – Continuing Education, Sections 362.1 through 363.1.

**Action(s) requested**

Staff requests an exploratory discussion regarding policy topics and regulatory language changes.

**Background**

The Licensing & CE Committee briefly reviewed draft regulatory language changes to the CE regulations at the June 28<sup>th</sup>, 2019 Committee Meeting. To allocate appropriate amount of time, the Committee will review a curated portion of the regulations at meetings going forward. The Committee will discuss any policy issues or necessary changes to proposed language surrounding the Providers denial criteria and appeal process and CE courses denial criteria and appeal process.

**Recommendation(s)**

N/A

**Next Step**

N/A

**Attachment(s)**

- Draft Language for CCR Sections 362.1-363.1
- Continuing Education Meta-Competencies
- Mock up – CE Provider Application
- Mock up – CE Event Application

**Board of Chiropractic Examiners DRAFT language**  
**Sections 362.1 – 363.1**

**362.1 Continuing Education Provider Duties and Responsibilities.**

~~(d)~~ (a) As part of a Providers duties and responsibilities, they shall:

(1) Identify a primary and secondary individual responsible for overseeing all continuing education activities of the provider.

(2) Provide a course roster to the board, within 30 days, upon written request. Course rosters shall include the names of all licensees, license numbers, and e-mail addresses if available. ~~Failure to submit the roster upon written request within thirty (30) days may result in the withdrawal or denial of previous course approval and withdrawal of provider status.~~ Providers shall maintain the course roster for four (4) years from the date of completion of the course.

(3) Maintain course instructor curriculum vitae or resumes for four (4) years.

(4) Disclose to prospective participants the names of the individuals or organizations, if any, who have underwritten or subsidized the course. Providers may not advertise, market, or display materials or items for sale inside the room while the actual instruction is taking place. Nothing in this section shall be interpreted to prohibit a provider from mentioning a specific product or service solely for educational purposes.

(5) Inform the board in writing immediately of any change to the date, time, instructor or location of the course.

(6) Provide a certificate of completion to licensees within 30 days following completion of the continuing education course. Providers shall retain records of course completion for four (4) years from the date of completion and provide records of completion to the Board within thirty (30) days, upon written request. The certificate shall include the following information:

(A) Name and address of provider.

(B) Course title.

(C) Course approval number.

(D) Date(s) and location of course.

(E) Licensee name.

(F) License number.

(G) Printed name and signature of the provider's designated representative.

(H) Number of hours the licensee earned in continuing education, ~~including the type of mandatory hours, qualifying meta-competency satisfied,~~ and whether the hours were obtained in classroom instruction or distance learning.

**§362.2. Continuing Education Providers Denial and Appeal Process.**

(a) The board may deny a provider application or withdraw its approval of a provider for causes that include, but are not limited to, the following:

(1). The provider or applicant has been convicted of a crime substantially related to the activities of a provider or licensee;

(2). The provider or applicant has had a license revoked, suspended, placed on probation, voluntarily surrendered or otherwise disciplined by the board or by the jurisdiction the provider or applicant holds their license;

(3). If an administrative action is pending against an applicant's license;

(4). Any material misrepresentation of fact by a provider or applicant of any information required to be submitted to the board;

(5). Failure to submit a course roster upon written request, by the board, within thirty (30) days.

(6). Failure to administer business responsibilities within boards specifications; including substantial changes to the course date, time, instructor or location and/or course completion certificates;

(b) Categories of recommended penalties:

(1). Issue of 'notice of violation' to the provider. This violation will also be made available to licensees through the board's website.

(2). The Executive Officer, after notification, may withdraw approval of any continuing education provider for ~~good cause, including, but not limited to,~~ violations of any provision of the regulation identified in Section 362.1 (a) or falsification of information, and shall provide written notification of such action to the provider. The provider may request an informal hearing with the Executive Officer regarding the reasons for withdrawal of approval stated in the Executive Officer's notification. The appeal must be filed within 30 days of the date of the

notification. The Executive Officer shall schedule the informal hearing within 30 days of receipt of the appeal request. Within 10 days following the informal hearing, the Executive Officer shall provide written notification of his or her decision to the provider. If the Executive Officer upholds his or her decision under this subsection, the provider may, within 30 days of the date of the Executive Officer's notification, request ~~a hearing before the board~~ a meeting before the Board's Review Committee to appeal the Executive Officer's decision. The Executive Officer shall schedule the requested ~~hearing at a future board~~ meeting ~~but not~~ no later than 180 days following receipt of the request. Within 10 days of the ~~hearing before the board~~ Review Committee's meeting, the Executive Officer shall provide written notification of the ~~board's~~ Committee's decision to the provider. The ~~board's~~ Review Committee's decision shall be the final order in the matter.

~~(a) CONTINUING EDUCATION PROVIDER DENIAL AND APPEAL PROCESS:~~

~~(3). If an application is denied under this section, the applicant shall be notified in writing of the reason(s) for the denial. The applicant may request an informal hearing with the Executive Officer regarding the reasons stated in the denial notification. The appeal must be filed within 30 days of the date of the denial notification. The Executive Officer shall schedule the informal hearing within 30 days of receipt of the appeal request. Within 10 days following the informal hearing, the Executive Officer shall provide written notification of his or her decision to the denied applicant. If the Executive Officer upholds a denial under this section, the applicant may, within 30 days of the date of the Executive Officer's denial notification, request a hearing meeting before the board the board's Review Committee to appeal the denial. The Executive Officer shall schedule the requested hearing at a future board meeting meeting with the Review Committee no but not later than 180 days following receipt of the request. Within 10 days of the hearing before the board meeting with the Review Committee, the Executive Officer shall provide written notification of the board's Committee's decision to the applicant. The board's Committee's decision shall be the final order in the matter.~~

### **§363. Approval of Continuing Education Courses.**

(a) Providers must complete and submit a "Continuing Education ~~Course~~ Event Application" form (Revision date ~~02/10~~ "DATE") which is hereby incorporated by reference, and pay the non-refundable application fee as ~~provided~~ referenced by Section 360(e) Division 2, Chapter 2, Article 1, Section 1006.5 of the Business and Professions Code, at least 45 days prior to the date of the ~~course~~ event. ~~Providers shall submit and complete one application for each continuing education course being offered.~~

(b) A "course" is defined as an approved program of coordinated instruction in any one of the ~~subject areas~~ meta-competencies as defined in Section 361(g) (1) and given by an approved Provider. Once approved, a course may be given any number of times for one year following

approval, with the single continuing education course fee paid one time annually by the provider. A course may not consist of more than one ~~subject area~~ meta-competency as defined in Section 361(g)(1).

(c) The following documentation shall be submitted with each “Continuing Education Course Event Application”:

(1) A course description, including the explicit meta-competencies, course objectives and participant outcomes, based on the “Continuing Education Meta-Competencies” document;

(2) A ~~an~~ detailed hourly breakdown of the continuing education course content, identifying the meta-competencies and instructor for each hour of instruction;

(3) A final copy of the syllabus/course schedule including seminar name, date and location of seminar, instructor(s) name, ~~course description, educational objectives,~~ teaching methods, ~~course schedule/outline,~~ recommended reading, disclosure of expenses underwritten or subsidized by vendors of any goods, and supplies or services;

(4) Name and contact details of the provider’s certifying attendance official;

(5) A copy of the course brochure and all other promotional material to be used;

(6) A curriculum vitae for each instructor demonstrating an appropriately credentialed individual based on the content of the course, the CV is to including the instructor's name and address; the type of educational degree including the name of the college and year the degree was received; license information including status and name of licensing agency; certification including status and name of certifying agency; the type, location and years of practical experience; the type, location and years of teaching experience; the type, location and years of research experience; the type, location and years of other relevant experience; and the title, journal, and date of publications;

(7) Attestation form for each instructor, completed by the instructor, listed in the application;

(8) Examples of the course completion certificate;

(9) The “Post Course Evaluation Form”, which is hereby incorporated by reference.

~~(d) DENIAL AND APPEAL PROCESS: If a course application is denied under this section, the applicant shall be notified in writing of the reason(s) for the denial. The applicant may request an informal hearing regarding the reasons stated in their denial notification, with the Executive Officer. The appeal must be filed within 30 days of the date of the denial notification.~~

~~The Executive Officer shall schedule the informal hearing within 30 days of receipt of the appeal request. Within 10 days following the informal hearing, the Executive Officer shall provide written notification of his or her decision to the denied applicant. If the Executive~~



~~Officer upholds a denial under this section, the applicant may, within 30 days of the date of the Executive Officer's denial notification, request a hearing before the board meeting with the Board's Review Committee to appeal the denial. The Executive Officer shall schedule the requested hearing at a future board meeting meeting but not no later than 180 days following receipt of the request. Within 10 days of the hearing before the board meeting before the Review Committee, the Executive Officer shall provide written notification of the board's Committee's decision to the applicant. The board's Committee's decision shall be the final order in the matter.~~

~~(e)~~ (d) Only those courses that meet the following shall be approved:

(1) “Continuing Education Event Application” form completed in full.

(2) No more than twelve (12) hours of continuing education credit shall be awarded to an individual licensee for coursework completed on a specific date.

(3) Each hour of continuing education credit shall be based on at least fifty (50) minutes of participation in an organized learning experience. Class breaks shall be at the discretion of the instructor and shall not count towards a course hour. Providers shall ~~furnish~~ administer an sign-in-sheet attendance tracking method that contains the course date(s), each licensee's name, license number, and ~~designated space for each licensee to sign in~~ an opportunity for licensee's attendance to be tracked at the beginning and conclusion of the course each day. Furthermore, the form shall state that a licensee by ~~signing their name on that sheet, is declaring under penalty of perjury tracking their attendance,~~ that they attest to having personally attended the stated course, on the listed date(s) and they personally attended the listed hours of course work. Each licensee shall be responsible for ~~signing the "sign-in-sheet" tracking their attendance with the provider~~ at the start and conclusion of each day's coursework, and failure to do so may invalidate credit for that day's coursework. Providers shall retain ~~sign-in-sheets attendance records~~ for four (4) years from the date of course completion and shall provide copies to the Board within thirty (30) days upon written request.

~~(f)~~ (e) The board shall not approve the following subjects for continuing education courses: financial management, income generation, practice building, collections, self-motivation, business techniques or principles that teach concepts to increase patient visits or patient billings per visit, and patient recruitment.

~~(g)~~ (f) If a provider makes a substantive change in content, the amount of hours, course marketing material, instructor or location of an approved course, he or she shall notify the board as soon as possible of the changes prior to giving the course. A new application may be required as determined by the Executive Officer.

### **363.1. Continuing Education Course Denial and Appeal Process.**

(a) The board may deny a Continuing Education Event Application or withdraw its approval from a course for causes that include, but are not limited to, the following:

(1). The instructor has been convicted of a crime substantially related to the activities of a provider or licensee;

(2). The instructor has had a license revoked, suspended, placed on probation, voluntarily surrendered or otherwise disciplined by the board or by the jurisdiction the provider or applicant holds their license;

(3). If an administrative action is pending against an instructor's license;

(4). Any material misrepresentation of fact by an instructor during the course of a CE event or of any information required to be submitted to the board by the instructor or provider;

(b) Categories of recommended penalties:

~~(h)~~ (1). The Executive Officer, after notification, may withdraw approval of any continuing education course for good cause, including, but not limited to, violations of any provision of this regulation or falsification of information and shall provide written notification of such action to the provider. The provider may request an informal hearing with the Executive Officer regarding the reasons for withdrawal of approval stated in the Executive Officer's notification. The appeal must be filed within 30 days of the date of the notification. The Executive Officer shall schedule the informal hearing within 30 days of receipt of the appeal request. Within 10 days following the informal hearing, the Executive Officer shall provide written notification of his or her decision to the provider. If the Executive Officer upholds his or her decision under this subsection, the provider may, within 30 days of the date of the Executive Officer's notification, request a ~~hearing before the board~~ meeting before the Board's Review Committee to appeal the Executive Officer's decision. The Executive Officer shall schedule the requested ~~hearing at a future board meeting~~ meeting but not no later than 180 days following receipt of the request. Within 10 days of the ~~hearing before the board~~ meeting before the Review Committee, the Executive Officer shall provide written notification of the ~~board's~~ Committee's decision to the provider. The ~~board's~~ Committee's decision shall be the final order in the matter.

(2). If a course application is denied under this section, the applicant shall be notified in writing of the reason(s) for the denial. The applicant may request an informal hearing regarding the reasons stated in their denial notification, with the Executive Officer. The appeal must be filed within 30 days of the date of the denial notification. The Executive Officer shall schedule the informal hearing within 30 days of receipt of the appeal request. Within 10 days following the informal hearing, the Executive Officer shall provide written notification of his or her decision to the denied applicant. If the Executive Officer upholds a denial under this section, the applicant may, within 30 days of the date of the Executive Officer's denial notification, request a ~~hearing before the board~~ meeting with the Board's Review Committee

to appeal the denial. The Executive Officer shall schedule the requested hearing at a future board meeting meeting but not no later than 180 days following receipt of the request. Within 10 days of the hearing before the board meeting before the Review Committee, the Executive Officer shall provide written notification of the board's Committee's decision to the applicant. The board's Committee's decision shall be the final order in the matter.

# **Continuing Education Meta-Competencies**

## **Meta-Competency 1: Assessment and Diagnosis**

**Assessment and diagnosis require developed clinical reasoning skills. Clinical reasoning consists of data gathering and interpretation, hypothesis generation and testing, and critical evaluation of diagnostic strategies. This dynamic process includes the collection and assessment of data through history, physical examination, imaging, laboratory tests and case-related clinical services.**

### **CURRICULAR OBJECTIVES:**

- A. Compile a case-appropriate history that evaluates the patient's health status, including a history of any present illness, systems review, and review of past, family and psychosocial histories for the purpose of constructing a differential diagnosis and directing clinical decision-making.
- B. Determine the need for and availability of external health records.
- C. Perform case-appropriate examinations that include evaluations of body regions and organ systems, including the spine and any subluxation/segmental dysfunction that assist the clinician in developing the diagnosis/es.
- D. Perform and utilize diagnostic studies and consultations when appropriate, inclusive of imaging, clinical laboratory, and specialized testing procedures, to obtain objective clinical data.
- E. Formulate a diagnosis/es supported by information gathered from the history, examination, and diagnostic studies.

## **META-COMPETENCY 2 - MANAGEMENT PLAN**

**Management involves the development, implementation and monitoring of a patient care plan for positively impacting a patient's health and well-being, including specific healthcare goals and prognoses. It may include case follow-up, referral, and/or collaborative care.**

### **CURRICULAR OBJECTIVE:**

- A. Develop a management plan appropriate to the diagnosis/es, the patient's health status, obstacles to improvement, specific goals, and prognoses, while incorporating patient values and expectations of care.
- B. Determine the need for chiropractic adjustment/manipulation or other forms of passive care.
- C. Determine the need for active care.
- D. Determine the need for changes in patient behavior and activities of daily living.
- E. Determine the need for emergency care, referral and/or collaborative care.
- F. Provide information to patients of risks, benefits, natural history and alternatives to care regarding the proposed management plan.
- G. Obtain informed consent.
- H. Monitor patient progress and alter management plans accordingly.
- I. Recognize the point of a patient's maximum improvement and release the patient from care, or determine rationales for any ongoing care.

## **META-COMPETENCY 3 - HEALTH PROMOTION AND DISEASE PREVENTION**

**Health promotion and disease prevention requires an understanding and application of epidemiological principles regarding the nature and identification of health issues in diverse populations and recognition of the impact of biological, chemical, behavioral, structural, psychosocial and environmental factors on general health.**

### **CURRICULAR OBJECTIVE:**

- A. Identify appropriate hygiene in a clinical environment.
- B. Explain health risk factors, leading health indicators and public health issues to patients.
- C. Identify public health issues in diverse populations.

- D. Understand their reporting responsibility regarding public health risks and issues.

## **META-COMPETENCY 4 - COMMUNICATION AND RECORD KEEPING**

**Effective communication includes oral, written and nonverbal skills with appropriate sensitivity, clarity and control for a wide range of healthcare related activities, to include patient care, professional communication, health education, record keeping and reporting.**

### **CURRICULAR OBJECTIVE:**

- A. Communicate effectively, accurately and appropriately, in writing and interpersonally with diverse audiences.
- B. Acknowledge the need for, and apply cultural sensitivity in, communications with patients and others.
- C. Create intraoffice policies and procedures and provide adequate resources for training, prevention and investigation of reports of inappropriate behavior by staff or chiropractors.
- D. Create and maintain accurate, appropriate and legible records.
- E. Comply with regulatory standards and responsibilities for patient and business records.
- F. Comply with state and federal laws for billing and coding, including appropriate documentation.
- G. Maintain ethical standards for billing and coding, of necessary and appropriate care.

## **META-COMPETENCY 5 - PROFESSIONAL ETHICS AND JURISPRUDENCE**

**Professionals are expected to comply with state and federal law and exhibit ethical behavior.**

### **CURRICULAR OBJECTIVE:**

- A. Apply knowledge of ethical principles and boundaries.
- B. Apply knowledge of applicable health care laws and regulations.
- C. Apply knowledge of ~~expected~~ appropriate professional conduct with staff and patients.
- D. Apply sensitivity in comportment with staff and patients in regards to bullying, sexual impropriety and relationship boundary transgressions.

## **META-COMPETENCY 6 - INFORMATION AND TECHNOLOGY LITERACY**

**Information literacy is a set of abilities, including the use of technology, to locate, evaluate and integrate research and other types of evidence to manage patient care.**

### **CURRICULAR OBJECTIVE:**

- A. Locate, critically appraise and use relevant scientific literature and other evidence.

## **META-COMPETENCY 7 – CHIROPRACTIC ADJUSTMENT/MANIPULATION**

**Doctors of chiropractic employ the adjustment/manipulation to address joint and neurophysiologic dysfunction. The adjustment/manipulation is a precise procedure requiring the discrimination and identification of dysfunction, interpretation and application of clinical knowledge; and the use of cognitive and psychomotor skills.**

### **CURRICULAR OBJECTIVE:**

- A. Assess normal and abnormal structural, neurological and functional articular relationships.

- B. Evaluate the clinical indications and rationale for selecting a particular chiropractic adjustment/manipulation.
- C. Determine, based on clinical indications and risk factors, the appropriateness of delivering chiropractic adjustment/manipulation.
- D. Demonstrate the knowledge, mechanical principles, and psychomotor skills necessary to safely perform chiropractic adjustment/manipulation.
- E. Assess the patient outcome(s) of the chiropractic adjustment/manipulation.

## **META-COMPETENCY 8 – INTER-PROFESSIONAL EDUCATION**

**Students have the knowledge, skills and values necessary to function as part of an inter-professional team to provide patient-centered collaborative care. Inter-professional teamwork may be demonstrated in didactic, clinical or simulated learning environments.**

### **CURRICULAR OBJECTIVE:**

- A. Work with other health professionals to maintain a climate of mutual respect and shared values, placing the interests of patients at the center of inter-professional health care delivery.
- B. Use the knowledge of one's own role and other professions' roles to effectively interact with team members.
- C. Understand different models of inter-professional care, organizational and administrative structures, and the decision-making processes that accompany them.
- D. Understand the principles of team dynamics to perform effectively on an inter-professional team influencing patient-centered care that is safe, timely, efficient, effective and equitable.
- E. Organize and communicate with patients, families, and healthcare team members to ensure common understanding of information, treatment and care decisions.





## Continuing Education (CE) Provider Application

- New CE Provider Application - \$84
- CE Provider Biennial Renewal Application - \$56

### Provider Status

- Individual\*  \_\_\_\_\_ University/College
- Corporation\*  \_\_\_\_\_ Government Agency
- Partnership\*  \_\_\_\_\_ Professional Association
- Health Facility

\*Please provide names of all responsible parties.

<b>Provider Business Name:</b>	
<b>*Business Owner (Financial Responsible Party):</b>	
<b>Address:</b>	
<b>Telephone Number:</b>	<b>Email address:</b>
<b>Name of responsible party for all CE communication (include license number if applicable):</b>	
<b>Second responsible party:</b>	
<b>Type of courses to be offered:</b>	
In person seminars <input type="checkbox"/> Online <input type="checkbox"/> Both <input type="checkbox"/>	

Conflict of Interest statements:

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Examples of digital record keeping procedures (compliance with provider four-year record retention requirements, i.e. templates for CE certificates, course registration information) and transfer of record procedures. Examples should be secure, retrievable and replicable:

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Provide an example of your course completion certificate:

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Methods/Procedure of attendance tracking and examples:

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Grievance procedures:

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Procedure for vetting and approving appropriately credentialed instructors:

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1. Have any of the above-referenced individuals been previously denied approval to offer CE courses by the Board of Chiropractic Examiner or by any other Department of Consumer Affairs Boards? If yes, attach an explanation.

YES  NO

2. Are the above-referenced individuals currently in good standing with each jurisdiction in which they offer CE courses? If no, attach an explanation identifying the licensing entity and reason the individual is not in good standing.

YES  NO

3. Are any of the above-referenced individuals under investigation by a regulatory agency? If yes, attach an explanation identifying the licensing entity and the nature and status of the investigation.

YES  NO

4. Have any of the above-referenced individuals had a license disciplined within the past five years in this or any other jurisdiction? If yes, attach an explanation.

YES  NO

I hereby certify that the information provided is true, correct and complete to the best of my knowledge. I also certify that I personally read and completed this application and have read the instructions.

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Date

## Continuing Education (CE) Event Application

<b>Provider Name:</b>	
<b>Name of responsible party for all CE communication:</b>	
<b>Address:</b>	
<b>Telephone Number:</b>	<b>Email address:</b>
<b>Title of Course:</b>	
<b>Type of program:</b>	
<b>In Person Course:</b> <input type="checkbox"/>	<b>Distance Learning Course:</b> <input type="checkbox"/>

### DOCUMENTATION

- A course description, including the explicit meta-competencies, course objectives and participant outcomes, based on the “Continuing Education Meta-Competencies” form;
- A detailed hourly breakdown of the continuing education course content, identifying the meta-competencies and instructor for each hour of instruction;
- A final copy of the syllabus/course schedule including seminar name, date and location of seminar, instructor(s) name, teaching methods, recommended reading, disclosure of expenses underwritten or subsidized by vendors of any goods, supplies or services;
- Name and contact details of certifying attendance official;
- Promotional materials for courses;
- Instructor’s CV, exemplifying appropriate certifications and qualifications for the subject matter the application is listed under. When applicable, professional license number;
- Attestation form completed for by the instructor. If the course is a hands-on chiropractic adjustive technique workshop taking place in California, the instructor must be a California licensed chiropractor;
- Example of a course completion certificate;
- The Post Course Evaluation Form.

Please reference the Continuing Education Meta-Competencies documents for detailed definitions and course objectives.

A "course" is defined as an approved program of coordinated instruction in any one of the meta-competencies as defined in Section 361(g) (1) and given by an approved Provider. Once approved, a course may be given any number of times for one year following approval, with the single continuing education course fee paid one time annually by the provider. **A course may not consist of more than one meta-competency as defined in Section 361(g) (1).** California Code of Regulation (CCR) section code §363 (b).

**The board shall not approve the following subjects for continuing education courses: financial management, income generation, practice building, collections, self-motivation, business techniques or principles that teach concepts to increase patient visits or patient billings per visit, and patient recruitment. California Code of Regulation (CCR) section code §363 (e).**

<b>Board Approved Meta-Competencies</b>	<b>Hours Requested</b>
Meta-Competency 1: Assessment and Diagnosis	
Meta- Competency 2: Management Plan	
Meta-Competency 3: Health Promotion and Disease Prevention	
Meta-Competency 4: Communication and Record Keeping	
Meta-Competency 5: Professional Ethics and Jurisprudence	
Meta-Competency 6: Information and Technology Literacy	
Meta-Competency 7: Chiropractic Adjustment/Manipulation	
Meta Competency 8: Inter-professional Education	

Please complete bottom form for as many instructors lecturing.

Lecture Title:		
Instructor Name and License Number (if applicable):		
Course Date:	Location:	Hours of course:
Certifying Attendance Official:	Contact Details:	

Lecture Title:		
Instructor Name and License Number (if applicable):		
Course Date:	Location:	Hours of course:
Certifying Attendance Official:	Contact Details:	

Lecture Title:		
Instructor Name and License Number (if applicable):		
Course Date:	Location:	Hours of course:
Certifying Attendance Official:	Contact Details:	

### Instructor Attestation Form

An attestation form must be completed by each course instructor.

<b>Provider Name:</b>	
<b>Instructor Name:</b>	<b>Course Title:</b>
<b>License Number:</b>	

Are you currently in good standing with each licensing jurisdiction in which you hold or have held a license? If no, attach an explanation identifying the licensing entity and reason the license is not in good standing.

YES  NO

Are you currently under investigation by a regulatory agency? If yes, attach an explanation identifying the licensing entity and the nature and status of the investigation.

YES  NO

Have you had a license placed on probation or restricted within the past five years in this or any other jurisdiction? If yes, attach an explanation.

YES  NO

Have you had a license suspended, surrendered or revoked in this or any other jurisdiction. If yes, attach an explanation identifying the licensing entity and the date and nature of the sanction.

YES  NO

Have you had an initial or renewal license application denied for unprofessional conduct? If yes, attach an explanation identifying the licensing entity and the date of and reason for the denial.

YES  NO

Are you under investigation for or have been charged with a criminal offense? If yes, attach an explanation identifying the nature and status of the investigation and all relevant police records.

YES  NO

Have you been convicted of a misdemeanor involving moral turpitude or a felony in this or any other jurisdiction? If yes, attach an explanation of the nature of the crime, the dates of arrest and conviction, the law enforcement agency and court having jurisdiction and all relevant police and court documents.

YES  NO

I hereby certify that the information provided is true, correct and complete to the best of my knowledge. I also certify that I personally read and completed this application and have read the instructions.

\_\_\_\_\_  
Signature of Course Instructor

\_\_\_\_\_  
Date