

## Occupational Authorizations

for the meeting of the  
 ALC-OCCUPATIONAL LICENSING REVIEW SUBCOMMITTEE  
 Thursday, June 20, 2024 at 2:00 PM

### Arkansas State Board of Chiropractic Examiners

#### CHIROPRACTOR

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Arkansas Department of Health

Scope of Practice: Pursuant to Arkansas Code Annotated §17-81-102, 'Practice of chiropractic' means the engagement in the diagnosis and analysis of any interference with normal nerve transmission and expression, and the procedure preparatory to and complementary to the correction thereof by an adjustment of the articulations of the vertebral column, its immediate articulations, including spinal adjustments, spinal manipulations and spinal mobilizations, such as any type of pressure, force, thrust or passive movement, singular or plural, applied to the spinal vertebrae or their adjacent articulations by hand or mechanical device or by other incidental adjustments, for the restoration and maintenance of health. The practice of chiropractic includes therapy, the normal regimen, and rehabilitation of the patient for the purpose of removing any injury, deformity or abnormality of human beings without the use of drugs or surgery. The practice of chiropractic, as authorized under the provisions of this chapter, shall not include the performance of the duties of a midwife or obstetrician, therapy by the use of ionizing radiation, incisive surgery, prescribing for or administering to any person any drug to be taken internally, or puncturing the skin for the purpose of introducing any substance into the body. Nothing herein shall prevent puncturing the skin for routine blood analysis, including red blood count, white blood count, differential and serology, in the practice of chiropractic for diagnostic purposes

Statutory Requirement(s): Pursuant to Arkansas Code Annotated §17-81-301, the Arkansas State Board of Chiropractic Examiners was created by Act 126 of 1915 to create a safeguard for the public health and welfare of the citizens of Arkansas by providing for the licensure and examination of any person practicing or offering to practice Chiropractic in the state.

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

#### Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License Application	\$150.00	Once
Fee	Temporary Application	\$30.00	Once
Fee	In-State Active Renewal	\$250.00	Annually
Fee	Out-of-State Renewal	\$125.00	Annually
Fee	In-State Inactive Renewal	\$100.00	Annually
Fee	Continuing Education processing (\$5 per credit hour)	\$5.00	Hourly
Fee	Mailing list	\$25.00	Once
Fee	Official Verification of License	\$10.00	Once
Penalty	Late Renewal	\$200.00	Once
Fee	License Reinstatement	\$50.00	Once
Fee	Preceptor (supervisor) application	\$100.00	Once
Fee	Extern application	\$50.00	Once
Fee	License Reactivation	\$25.00	Once

**Arkansas State Board of Chiropractic Examiners (Continued)**

**CHIROPRACTOR (Continued)**

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Extern participation	\$25.00	Monthly

**Administrative Rules Documents**

Document Type	Document
Rules	<a href="#">PART (1) ONE PRELIMINARY DEFINITIONS.pdf</a>
Rules	<a href="#">PART (2) TWO REGULATIONS.pdf</a>
Rules	<a href="#">PART (3) THREE RULES OF PROCEDURE.pdf</a>

**Supporting Evidence Documents**

*No Supporting Evidence Documents Provided*

ALC – Occupational Licensing Review Subcommittee  
Occupational Entity Questionnaire  
ADH – Arkansas State Board of Chiropractic Examiners

Responses to the following questions are due via email to Subcommittee staff no later than the 15<sup>th</sup> of the month immediately preceding the month the occupational authorization is scheduled for review by the Subcommittee.

1. Would consumers be at risk of substantial harm if Arkansas did not have this occupational authorization? What instances of specific and substantial harm have been documented in the past year?

**The ADH - Arkansas State Board of Chiropractic Examiners was established in 1915 by Act 126, as a regulatory board to provide for the licensing and examination of Chiropractors, ensure that any person practicing or offering to practice chiropractic in the state is qualified and licensed, and to safeguard the public health and welfare of this citizens of Arkansas. No instances of specific and substantial harm have been reported in the last year.**

2. How many complaints were made to the occupational entity by consumers being harmed by unauthorized practitioners? What specific action was taken by the occupational entity?

**The ADH - Arkansas State Board of Chiropractic Examiners has received one complaint in the past year concerning an unauthorized practitioner. After an investigation, a cease and desist letter was sent to the unauthorized practitioner and the information was forwarded to the Arkansas Attorney General.**

3. How many complaints were made to the occupational entity by consumers being harmed by authorized practitioners? What specific action was taken by the occupational entity?

**The Arkansas State Board of Chiropractic Examiners has received eight complaints from consumers in the past year varying in nature (i.e. billing practices, patient records, lack of professional conduct, etc.). Of those complaints none resulted in disciplinary action.**

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4. Were any applicants who otherwise met authorization requirements denied an authorization in the past year? If so, why?

**No applications who otherwise met authorization requirements were denied in the past year.**

5. How much does the occupational entity collect annually in fees, and what are annual expenses? How much money does the occupational entity have in reserves?

**To date, our agency's fund balance is \$867,110. The total revenue for the past fiscal year was \$233, 012, and the expenses were \$155,720. Effective July 1, 2023, application fees were reduced by 95% and this will continue into next fiscal year.**

6. If the occupational entity has a positive amount in reserves, when was the last time reserve funds were used? For what purpose?

**The last several years, the Board's reserves have been used for technology upgrades related to the online licensure process.**

7. Does the occupational entity have any other sources of revenue? Could occupational authorization fees be reduced without causing the occupational entity to be underfunded?

**No other sources of revenue exist or this agency. All funding comes from application fees, renewal fees, and fines.**

8. How many applicants for the occupational authorization fail each year? Does the occupational entity track how many applicants that do not progress are veterans, women, or minorities?

**All applications must pass a four-part written and clinical examination administered by the National Board of Chiropractic Examiners. According to the NBCE website the exam has a 92% pass rate. The 8% who do not pass are permitted to retest and usually pass on the second attempt.**

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9. Can applicants complete the training requirements for this occupational authorization with vocational or non-traditional education (e.g., apprenticeships)? What percentage of applicants complete apprenticeships?

**Applicants cannot complete training requirements for this occupational authorization with vocational or non-traditional education alone.**

10. In what ways would removal of the occupational authorization or reduction of occupational authorization requirements be harmful to current authorization holders?

**Removal of the occupational authorization or reduction of the occupational authorization requirements could result in failure to ensure proper and adequate treatment.**