Notice of Agency Rule-making Proposal

AGENCY: 02-297  Board of Chiropractic Licensure

CHAPTER NUMBER AND TITLE:
Chapter 3, Licensure Requirements for Chiropractic Doctors (repeal)
Chapter 3-A, Licensure Requirement for Chiropractic Doctors and Temporary Chiropractic Intern (new)
Chapter 9, Fees (repeal)

PROPOSED RULE NUMBER (leave blank; to be assigned by Secretary of State):

BRIEF SUMMARY: The Board of Chiropractic Licensure proposes to repeal chapters 3 and proposes a new chapter for licensing chiropractic doctors and chiropractic interns. The sections 1 and 2 proposes a new streamlined method for licensing chiropractic doctors and accepts fully the NBCE examination that an applicant by endorsement took at time of original licensure in the State of jurisdiction. Section 3 proposes requirements to implement the licensing of chiropractic interns pursuant to 2019 Public Law Chapter 37 that took effect on September 19, 2019. Chapter 9 Fees is an obsolete rule and is proposed for repeal as fees are set by the Director of the Office of Professional and Occupational Regulation.

Date, time and location of PUBLIC HEARING (if any): November 19, 2019, 9:00 a.m.
ME Department of Professional and Financial Regulation, Gardiner Annex, 76 Northern Ave., Gardiner ME

COMMENT DEADLINE: November 29, 2019, 5:00 p.m.

CONTACT PERSON FOR THIS FILING (include name, mailing address, telephone, fax, TTY, e-mail):

Maine Board of Chiropractic Licensure – Geraldine Betts, Administrator, 35 State House Station, Augusta, ME 04333, Geraldine.L.Betts@maine.gov (207) 624-8625, TTY users call Maine Relay 711

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT (if different): Same as above.

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES (if any): None

STATUTORY AUTHORITY FOR THIS RULE: 32 MRS §§ 502, 551, 552, and 564

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different): None.

AGENCY WEBSITE: http://www.maine.gov/professionallicensing

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: same as above
Chapter 3-A: LICENSURE REQUIREMENT FOR CHIROPRACTIC DOCTORS AND TEMPORARY CHIROPRACTIC INTERNS

Summary: This chapter states the requirements for a chiropractor license and the professional liability insurance coverage for a temporary chiropractic intern.

1. General Eligibility For a Chiropractic Doctor License and Temporary Chiropractic Intern License

A person applying for a chiropractic doctor license or temporary chiropractic intern license shall, in addition to the requirements set forth under Title 32, Chapter 9, establish basic eligibility for licensure by submitting the information and documentation described below, together with the fee required by chapter 10, section 5(11) of the rules of the Office of Professional and Occupational Regulation, “Establishment of License Fees,” and such other information as the Board may require:

1. The applicant’s full name, date of birth, contact address, phone number and email address; and

2. Attest to all jurisdictions in which the applicant holds or has ever held a license to practice chiropractic or practice chiropractic as a chiropractic intern as of the date of application, together with the license number and license expiration date, and disclosure of any discipline ever imposed by the jurisdiction.

2. Applicant for Chiropractic License

1. Evidence of having completed the NBCE parts 1, 2, 3, and 4 with a passing score as set by the NBCE.

2. If the applicant is foreign educated, the applicant shall submit evidence from a board-approved United States credentialing agency that the foreign education is substantially equivalent to the United States trained applicant.

3. Licensure by Endorsement

A. An applicant applying by endorsement providing evidence of a valid license having no practice discipline within 3 years prior to the date of the application shall be issued a license without further requirements, including any parts of the NBCE examination that were not required at the time of licensure in the other jurisdiction.
B. If the applicant was subject to practice discipline within 3 years prior to the date of the application, the applicant must provide information as requested on the discipline imposed to be used in the determination of granting a license.

3. Applicant for a Temporary Chiropractic Internship License

A. Professional Liability Insurance Coverage

Provide sufficient evidence from the sponsoring college or institution that it carries valid professional liability insurance in the amount of one million dollars covering the chiropractic internship relationship. Evidence shall be in the form of a copy of the insurance policy or a written statement from the school on the school’s official letter head and signed by the dean or the dean’s designated representative attesting to the name of the insurance company, policy holder, policy number, amount of the policy, details on the coverage that clearly includes coverage of the chiropractic internship relationship in effect, and the effective date and expiration date of the policy. The insurance policy must be valid for the duration of the internship relationship. If the policy expires prior to the end of the six-month internship, the chiropractic intern may not continue to practice until evidence that a valid policy is in place has been provided to the Board, in a manner as described in this section.

A chiropractic intern shall report to the board, in writing, within 10 calendar days of a change of status with enrollment with the college or institution, including suspension or termination together with an explanation for the change. The chiropractic intern shall immediately inform his or her supervising chiropractor of the change.

STATUTORY AUTHORITY: 32 MRSA §§502, 551, and 552, and 564

EFFECTIVE DATE: