



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

September 18, 2020
12 p.m. to 2 p.m.
or until completion of business

Notice of Teleconference Meeting Held Under Executive Order N-29-20 (3/17/20)

FOR PUBLIC COMMENT, PLEASE LOG ON TO THIS WEBSITE

<https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=ef247a60760d56cfc4fa0d18cda617506>

The preferred audio connection is via mobile phone. The phone number and access code will be provided as part of your connection to the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier, such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment. Public comments will be limited to 2 minutes per person unless, in the discretion of the Board, circumstances require a shorter period. Members of the public will not be permitted to "yield" their allotted time to other members of the public to make comments.

Important Notices to the Public: The Board of Chiropractic Examiners will hold this meeting via WebEx – access information is provided above. General instructions for using WebEx are attached to the agenda. 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 chiro.info@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.

AGENDA

- 1. Call to Order & Establishment of a Quorum**
- 2. Approval of October 19th, 2019, Meeting Minutes**
- 3. Discussion on Potential Changes to Mandatory Continuing Education Competency: 5 – Professional Ethics and Jurisprudence**
- 4. Discussion on Definitions to Classroom Courses and Distance Learning Courses**

5. Review, Discussion and Possible Action on Proposed Language to Continuing Education Regulations: Sections 364 – 366

6. Public Comment for 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.

7. 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.]

8. Adjournment

In accordance with Executive Order N-29-20, no physical location is available for observation and public comment, so please plan to attend the meeting telephonically. Meetings of the Board of Chiropractic Examiners 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 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.

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 chiro.info@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.

HOW TO – Join – DCA WebEx Event

The following contains instructions to join a WebEx event hosted by the Department of Consumer Affairs (DCA).

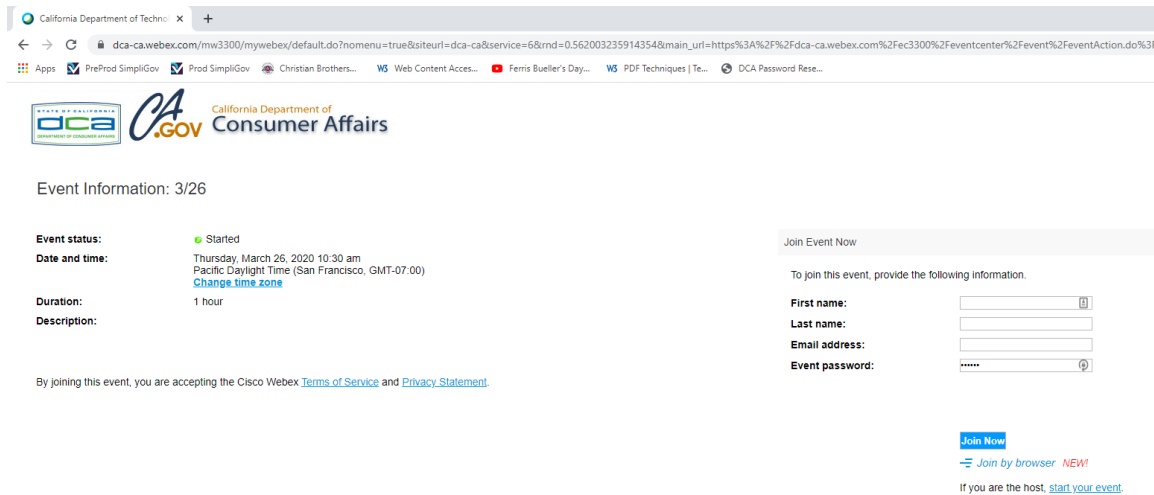
NOTE: The preferred audio connection to our event is via telephone conference and not the microphone and speakers on your computer. Further guidance relevant to the audio connection will be outlined below.

1. Navigate to the WebEx event link provided by the DCA entity (an example link is provided below for reference) via an internet browser.

Meeting link: <https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=ef247a60760d56cfc4fa0d18cda617506>

Event number: 146 801 8977

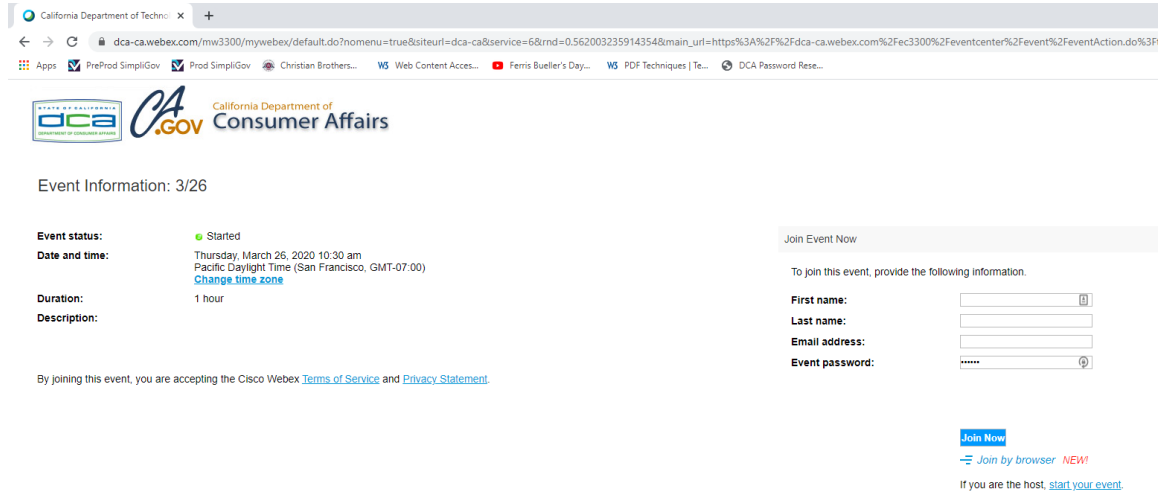
Event password: BCE091820



2. The details of the event are presented on the left of the screen and the required information for you to complete is on the right.

NOTE: If there is a potential that you will participate in this event during a Public Comment period, you must identify yourself in a manner that the event Host can then identify your line and unmute it so the event participants can hear your public comment. The 'First name', 'Last name' and 'Email address' fields do not need to reflect your identity. The department will use the name or moniker you provide here to identify your communication line should you participate during public comment.

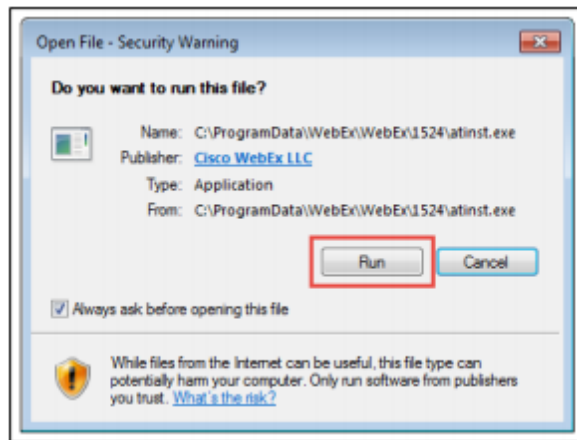
HOW TO – Join – DCA WebEx Event



3. Click the 'Join Now' button.

NOTE: The event password will be entered automatically. If you alter the password by accident, close the browser and click the event link provided again.

4. If you do not have the WebEx applet installed for your browser, a new window may open, so make sure your pop-up blocker is disabled. You may see a window asking you to open or run new software. Click 'Run'.



Depending on your computer's settings, you may be blocked from running the necessary software. If this is the case, click 'Cancel' and return to the browser tab that looks like the window below. You can bypass the above process.

HOW TO – Join – DCA WebEx Event

Starting Webex...



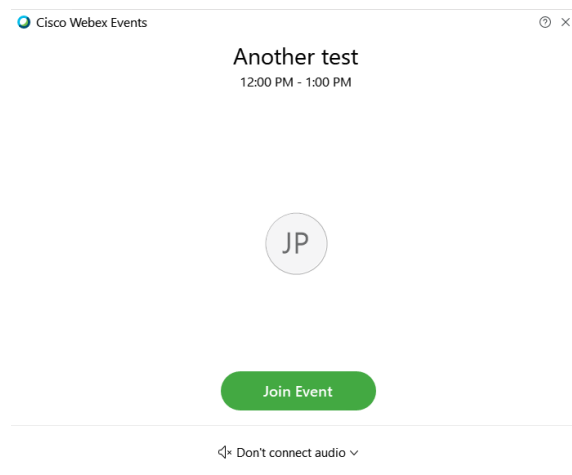
Still having trouble? [Run a temporary application](#) to join this meeting immediately.

- 5. To bypass step 4, click 'Run a temporary application'.
- 6. A dialog box will appear at the bottom of the page, click 'Run'.



The temporary software will run, and the meeting window will open.

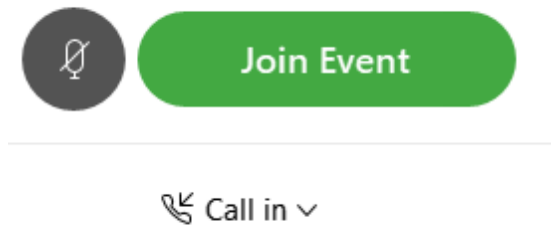
- 7. Click the audio menu below the green 'Join Event' button.



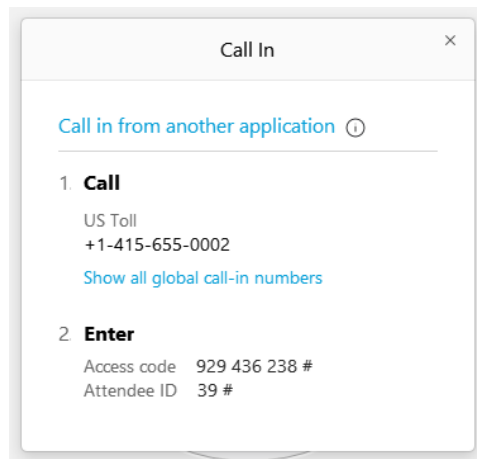
- 8. When the audio menu appears click 'Call in'.

HOW TO – Join – DCA WebEx Event

9. Click 'Join Event'. The audio conference call in information will be available after you join the Event.



10. Call into the audio conference with the details provided.

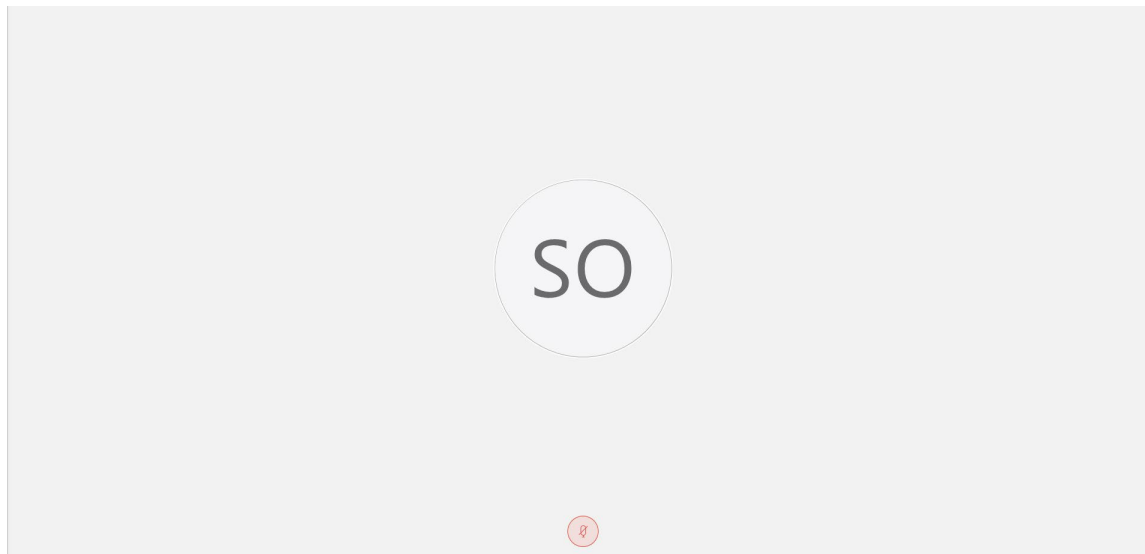


NOTE: The audio conference is the preferred method. Using your computer's microphone and speakers is not recommended.

HOW TO – Join – DCA WebEx Event

Once you successfully call into the audio conference with the information provided, your screen will look like the screen below and you have joined the event.

Congratulations!

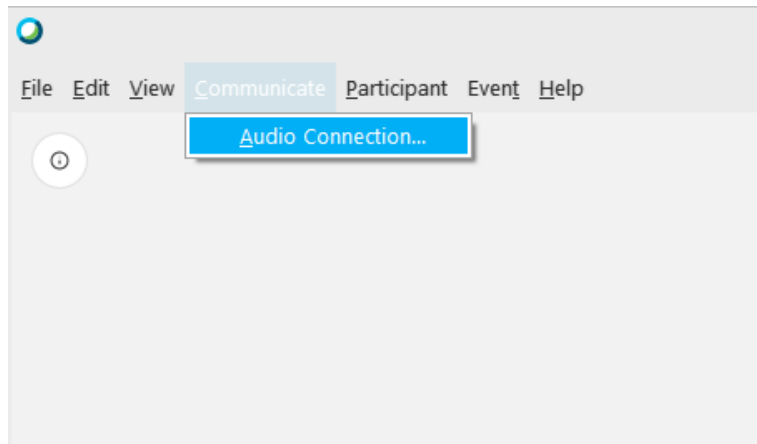


NOTE: Your audio line is muted and can only be unmuted by the event host.

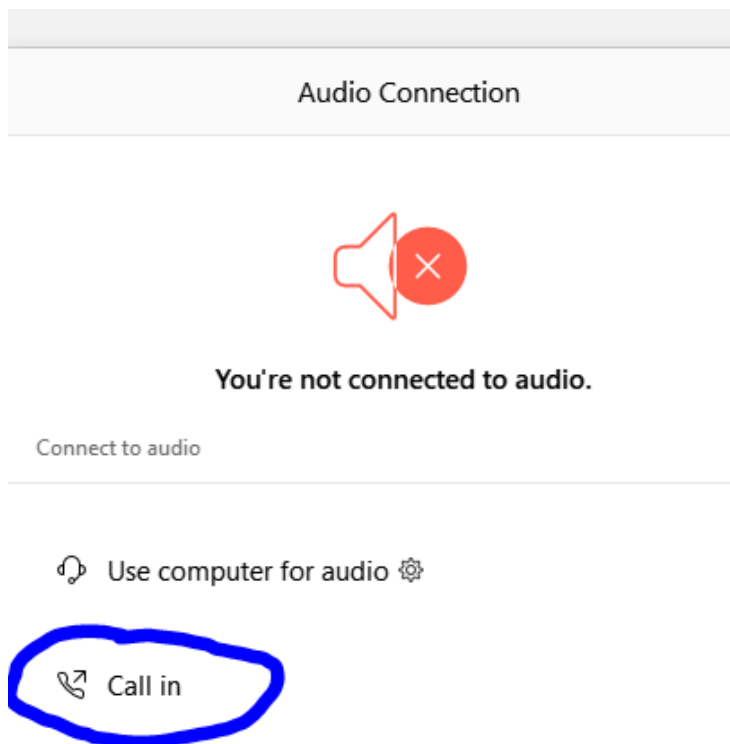
If you join the meeting using your computer's microphone and audio, or you didn't connect audio at all, you can still set that up while you are in the meeting.

Select 'Communicate' and 'Audio Connection' from top left of your screen.

HOW TO – Join – DCA WebEx Event



The 'Call In' information can be displayed by selecting 'Call in' then 'View'



You will then be presented the dial in information for you to call in from any phone.

HOW TO – Join – DCA WebEx Event Participating During a Public Comment Period

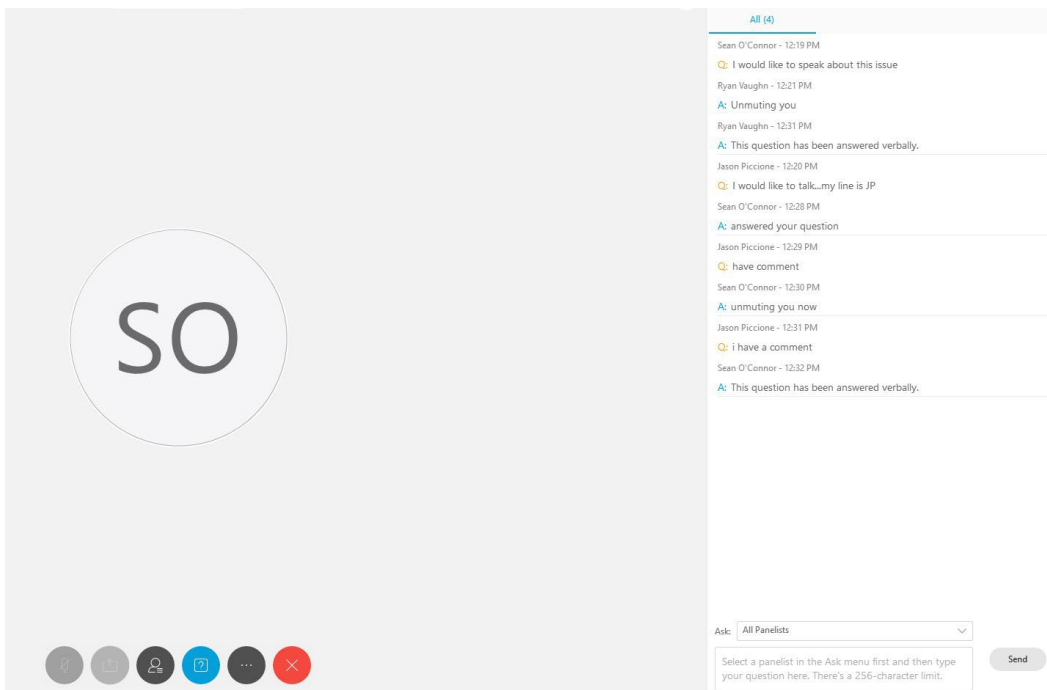
At certain times during the event, the facilitator may call for public comment. If you would like to make a public comment, click on the 'Q and A' button near the bottom, center of your WebEx session.



This will bring up the 'Q and A' chat box.

NOTE: The 'Q and A' button will only be available when the event host opens it during a public comment period.

HOW TO – Join – DCA WebEx Event



To request time to speak during a public comment period, make sure the 'Ask' menu is set to 'All panelists' and type 'I would like to make a public comment'.

Attendee lines will be unmuted in the order the requests were received, and you will be allowed to present public comment.

NOTE: Your line will be muted at the end of the allotted public comment duration. You will be notified when you have 10 seconds remaining.



Agenda Item 2
September 18, 2020

Approval of October 19, 2019 Committee Meeting Minutes

Purpose of the item

The Licensing and Continuing Education Committee will review the October 19th, 2019 Committee Meeting minutes.

Action(s) requested

The Committee will be asked to make a motion to approve the October 19th, 2019 Committee Meeting minutes.

Background

N/A

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Meeting minutes from the October 19th, 2019 Licensing & Continuing Education Committee Meeting.

**Board of Chiropractic Examiners
TELECONFERENCE MEETING MINUTES
Licensing & Continuing Education Committee
October 19, 2019**

Teleconference Meeting Locations:

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

Laurie Isenberg
Life Chiropractic College West
Postgraduate & Continuing
Education, Room 136
25001 Industrial Blvd.
Hayward, CA 94545
(510) 780-4500 ext. 2030

Brian Nook, D.C.
Palmer College of
Chiropractic
90 E. Tasman Dr., Room 121
San Jose, CA 95134
(408) 944-6000

Ana Facchinato, D.C.
Southern California University of
Health Sciences
'Z' Building
16200 Amber Valley Drive,
Whittier CA. 90604
(800) 221-5222 ext. 366

Committee Members Present

Sergio Azzolino, 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
Tammi Pitto, Enforcement Analyst
Andreia McMillan, Policy Analyst

Call to Order

Dr. Azzolino called the meeting to order at 4:05 p.m.

Roll Call

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

Approval of August 22, 2019 Committee Meeting Minutes

MOTION: DR. DEHN MOVED TO APPROVE THE MINUTES OF THE AUGUST 22ND, 2019 LICENSING & CONTINUING EDUCATION COMMITTEE MEETING.

SECOND: DR. PARIS SECONDED THE MOTION.

Discussion: There was none.

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

Review, Discussion and Possible Action on Proposed Language to Continuing Education Regulations: Continuing Education Courses

Dr. Azzolino began the discussion with a question on page one, Section 363 (c) (3), whether Board staff was allowing providers to include vendors or sponsors in continuing education (CE) seminars.

Mr. Puleo responded that the regulations did not prohibit CE providers from having advertising or underwriters for their seminar but that it must be disclosed and not present in the classroom.

Dr. Azzolino agreed that advertising and sponsored products should not be in the classroom.

Dr. Paris asked for clarification on Section 363 (b), a definition of a course, as it related to research conferences. There were often numerous papers and lectures presented during a research conference and providers were worried they would have to identify each lecture as a separate subject area and, therefore, a different course application.

Dr. Paris felt that a research conference as a whole would constitute as one subject area, under research modalities. Versus having each lecture constitute as its own subject area and application.

Dr. Dehn felt that the intention of the regulation was to prevent providers from including multiple subject areas in one application. As an example, a three-day conference would not constitute as one course. Dr. Dehn stated that a research conference would be appropriate under Competency 6 – Information and Technology Literacy.

Dr. Paris agreed with Dr. Dehn's assessment that a research conference would constitute as one subject area, research methods.

Mr. Puleo shared that staff wanted to prevent a weekend long seminar from being submitted as a singular course, especially if it had multiple sessions with completely different subject areas. If the whole seminar truly had the same content theme, it would be appropriate to submit as one course and one application.

Dr. Azzolino agreed with the interpretation of a course as it applied to the example of the research conference.

Dr. Dehn requested that future research conference application submissions be reviewed with the new standards and shared with the Committee as an example of how proposed changes would work in the staff review process.

Dr. Paris agreed with this suggestion to ensure the intent of the regulations create the desired effect.

Mr. Puleo agreed.

Public Comment: Ms. Laurie Isenberg, Director of Postgraduate & Continuing Education at Life Chiropractic College West, questioned why a course description had been removed from Section 363.

Dr. Azzolino pointed out that Section 363 (c) (1) requested a detailed course description, along with objectives and outcomes.

Ms. Isenberg thanked him. She also inquired whether Section 363 (c) (3) would require providers to include a reading lists in course applications.

Mr. Puleo stated that reading lists were optional.

Dr. Azzolino moved through the material, page by page, and solicited questions from Board Members and the public.

Dr. Dehn raised a question on page five, about whether the regulations cover the process of withdrawing approval of a CE course. She was curious where the withdrawal process was located for a CE provider status.

Mr. McCarther replied that the CE provider discipline process was in another section of the regulations, discussed at a previous Committee meeting.

Ms. Isenberg had a question on page three, Section 363.1 (d) regarding timekeeping mechanisms for online courses. She was curious what could be done in that area for providers who did not have accesses to such technology.

Mr. Puleo responded that the section required further research and potential input from providers and technology experts to determine what is viable.

Ms. Isenberg shared her concern as to the expense of such technology, as many of the providers she worked with did not have timekeeping mechanisms built into their online classroom systems.

Mr. Puleo shared that economic concerns would be reviewed and weighed against the overall need to ensure quality online CE courses. The Board needed to determine how they would

like to proceed, but there had been an impetus for adding this provision as some online courses did not match the hours the provider had originally requested in the application.

Dr. Azzolino directed the discussion to the Continuing Education Competencies document in the materials packet.

Dr. Azzolino began with a suggestion on page one, Competency 1, under Curricular Objectives - item C, to replace “body regions” with “nervous system, organ system and musculoskeletal system.

Mr. McCarther agreed.

Dr. Azzolino went on to make further suggestions to page four, Competency 6, under the Curricular Objectives - item A. The statement should read, “Locate and critically appraise and the use of relevant scientific literature and other evidence.”

The Committee agreed.

Dr. Paris suggested adding an objective to better define “scientific research”.

Mr. McCarther agreed with Dr. Paris but was curious how further defining the term would assist chiropractors in maintaining minimum competency for their licensure.

Dr. Dehn felt that students in chiropractic colleges were exposed to the latest trends in scientific research and that area of study was difficult to maintain once entering into practice. She felt the exposure would assist chiropractors in maintaining minimum competency of their college curriculum.

Dr. Paris stated that he felt CE had two potential objectives: (1) providing the minimum competency for the chiropractic profession and (2) providing elevated curriculum expectations for both licensees and CE providers.

Dr. Azzolino suggested “peer reviewed scientific literature”.

Mr. McCarther asked for the chiropractic colleges to share their suggestions.

Ms. Isenberg agreed that it was a positive addition.

Public Comment: Dr. Brian Nook, representative from Palmer College of Chiropractic, agreed with the suggestions to the competency.

Dr. Azzolino felt that Competency 7, Curricular Objective – item A, needed editing for clarity.

The Committee agreed to the following change to item A: “Assess normal and abnormal structural and functional articular relationships, including neurological aspects.”

Public Comment: Dr. Ana Facchinato, Dean of Southern California University of Health Sciences, agreed with the proposed language changes.

Dr. Dehn proposed changing the word 'comportment' to 'behavior' or 'interaction' on page four, Competency 5, under Curricular Objective – item D.

Mr. Kanotz preferred the term 'interaction'.

The Committee agreed.

Mr. McCarther directed the Committee's discussion to the Continuing Education Event Application.

Dr. Dehn requested adding a question to the Instructor Attestation about whether the instructor has been eliminated from participating with insurance networks or Medicaid.

Dr. Azzolino was also interested in seeing a similar question added.

Mr. McCarther stated that staff would need to work on the language for such a question and ensure it was approved by the Board's legal counsel.

Dr. Azzolino inquired if the attestation could include a statement of "under penalty of perjury".

Mr. Puleo advised that a statement "under penalty of perjury" is not enforceable.

Ms. Isenberg inquired what criteria was being used for denying an instructor.

Mr. McCarther responded that staff had not covered that portion of the regulations yet.

Mr. Puleo added that would be an area for future review.

Dr. Azzolino went on to the final document in the materials packet, the Post Course Evaluation Form. He suggested the form needed an area where course participants could include statements if the course did not meet their expectations.

Dr. Dehn and Dr. Paris agreed that a comment section needed to be added to the form.

Dr. Azzolino went on to state that it should include instructions for participants to include feedback for improvement.

Dr. Dehn also asked for the following statement to be added, "Do you believe this course should continue to be offered as CE?" In addition to the Board's general email address for raising any concerns.

Dr. Dehn also encouraged including a statement that would assure participants that their CE credits would not be negatively impacted if they reported an unsatisfactory course.

Public Comment on Items Not on the Agenda

There was none.

Future Agenda Items

Dr. Paris wished to agendize how the Board could offer CE credit to PACE accredited courses.

Adjournment

Dr. Azzolino adjourned the meeting at 4:59 p.m.

DRAFT



**Agenda Item 3
September 18, 2020**

**Discussion on Potential Changes to Mandatory Continuing Education
Competency: 5 – Professional Ethics and Jurisprudence**

Purpose of the item

The Committee will review and discuss the proposed language in Competency 5 – Professional Ethics and Jurisprudence and the corresponding regulatory changes in California Code of Regulations (CCR) Article 6 – Continuing Education, Section 361 (e) for mandatory continuing education (CE) hours.

Action(s) requested

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

Background

At the June 28th, 2019 Licensing & CE Committee Meeting, the Committee discussed the merits of mandating sexual misconduct training for chiropractic licensees. The Committee felt that there were numerous topics that could be included in a 'professional boundaries' course, in addition to sexual misconduct training. Competency 5 – Professional Ethics and Jurisprudence was updated to include language specific to sexual harassment and bullying training for licensees.

Additionally, Board staff would like to use CE as an opportunity to educate licensees on the top violations seen by the Enforcement Unit, as a means to reduce disciplinary actions within the profession.

These changes have been reflected in both the language of the regulation, requiring a specific amount of CE hours completed in Competency 5 and in the language of Competency 5 to include all content areas required by the Board for mandatory CE.

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Draft Language for CCR Section 361 (e) and Competency 5 – Professional Ethics and Jurisprudence
- Example of NEW Continuing Education Event Application
- Top Enforcement Violations
To maintain compliance with AB 434 (Baker) State Web accessibility: standard and reports, we are no longer able to provide scanned documents on our website. Copies of the 'Top Enforcement Violations' document can be provided via a Public Records Request, please email chiro.info@dca.ca.gov, or found on the Board of Chiropractic Examiners website at https://www.chiro.ca.gov/publications/chiro_top_violations.pdf.

**Board of Chiropractic Examiners
Potential Changes to Competency 5 &
Corresponding Regulatory Language**

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 interaction with staff and patients in regards to bullying, sexual impropriety and relationship boundary transgressions.

Proposed language from continuing education regulations:

§361. Continuing Education Requirements

- (e) On or after the implementation date, licensees shall complete ~~a minimum of two (2) hours in subdivision (g)(11) – Ethics and Law, a minimum of four (4) hours in any one of, or a combination of, the subject areas specified in subdivision (g)(3) – History Taking and Physical Examination Procedures, subdivision (g)(5) – Chiropractic Adjustive Techniques or Chiropractic Manipulation Techniques, or subdivision (g)(10) – Proper and Ethical Billing and Coding.~~ fourteen (14) mandatory hours in the following areas:
 - (1) A minimum of four (4) hours in competency one (1) “Assessment and Diagnosis”.
 - (2) A minimum of two (2) hours in competency four (4) “Communication and Record Keeping”.
 - (3) A minimum of four (4) hours in competency five (5) “Professional Ethics and Jurisprudence”, which shall include one (1) hour completed annually in professional boundaries content and one (1) hour completed annually in “Top Enforcement Violations” provided by the Board.
 - (4) A minimum of four (4) hours in competency seven (7) “Chiropractic Adjustment/Manipulation”.



Continuing Education (CE) Event Application

All questions on this application must be answered. Please submit the completed application, supporting documentation and a check or money order in the amount of \$56.00 for the application fee at least 45 days prior to the first scheduled course date. When space provided is insufficient, attach additional sheets of paper. All attachments are considered part of the application. Incomplete applications or applications with incorrect fees will be returned to the provider during the initial review process.

Only Providers who have been previously approved by the Board of Chiropractic Examiners may submit continuing education courses for review.

Provider Name: Continuing Education by the Board	
Name of responsible party for all continuing education communication: Natalie Boyer	
Address: 901 P Street, Sacramento CA	
Telephone Number: 916-894-6968	Email address: Natalie.boyer@dca.ca.gov

Title of Course: Ethical Practice in Chiropractic
Type of program:
Classroom Course: <input checked="" type="checkbox"/> Distance Learning Course: <input type="checkbox"/>
Has this course received Board approval previously?
Yes <input type="checkbox"/> Approval Number: No <input checked="" type="checkbox"/>
Has any content been changed within the course?
Yes <input type="checkbox"/> No <input type="checkbox"/>

Office Use Only	
Receipt Number _____	Date Cashiered _____

REQUIRED DOCUMENTATION

- A course description, including the explicit competencies, course objectives and participant outcomes, based on the “Continuing Education Competencies” document;
- A detailed hourly breakdown of the continuing education course content, identifying the 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 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.

For Distance Learning Courses:

All above documentation is needed in addition to documentation or a statement providing the following:

- Explanation of the appropriate level of technology required for a student licensee to successfully participate in the course;
- Available technical assistance as appropriate to the format;
- A statement containing the security measures to protect the learner's identity, course and related content from unauthorized access;
- Timekeeping mechanism to confirm licensee’s participation and completion of the course.

Please complete form for as many instructors lecturing.

Lecture Title:	California Code of Regulations, Articles 1-9
Instructor Name and License Number (if applicable):	Robert Puleo
Course Date:	12/1/2020
Location:	DCA headquarters
Hours of course:	1 hour
Competency:	Competency 5: Professional Ethics and Jurisprudence
Curricular Objective:	Objective B: Apply knowledge of applicable health care laws and regulations.
Certifying Attendance Official:	Natalie Boyer
Contact Details:	Natalie.boyer@dca.ca.gov

Lecture Title:	Ethical Consideration in Today's Medicine
Instructor Name and License Number (if applicable):	Marcus McCarther
Course Date:	12/1/2020
Location:	DCA headquarters
Hours of course:	1 hour
Competency:	Competency 5: Professional Ethics and Jurisprudence
Curricular Objective:	Objective A: Apply knowledge of ethical principles and boundaries
Certifying Attendance Official:	Natalie Boyer
Contact Details:	Natalie.boyer@dca.ca.gov

Lecture Title:	BCE Top Enforcement Violations
Instructor Name and License Number (if applicable):	Robert Puleo
Course Date:	12/1/2020
Location:	DCA headquarters
Hours of course:	1 hour
Competency:	Competency 5: Professional Ethics and Jurisprudence
Curricular Objective:	Section 361 (e) (3): one (1) hour completed annual in "Top Enforcement Violations" provided by the Board
Certifying Attendance Official:	Natalie Boyer
Contact Details:	Natalie.boyer@dca.ca.gov

Lecture Title:	Professional Boundaries
Instructor Name and License Number (if applicable):	Marcus McCarther
Course Date:	12/1/2020
Location:	DCA headquarters
Hours of course:	1 hour
Competency:	Competency 5: Professional Ethics and Jurisprudence
Curricular Objective:	Curricular Objective D: Apply sensitivity in interaction with staff and patients in regards to bullying, sexual impropriety and relationship boundary transgressions.
Certifying Attendance Official:	Natalie Boyer
Contact Details:	Natalie.boyer@dca.ca.gov

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

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

Instructor Attestation Form

An attestation form must be completed by each course instructor.

Provider Name:	
Instructor Name:	Course Title:
License Number:	

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

Classroom Course Title: Ethical Practice in Chiropractic

Location: Department of Consumer Affairs Headquarters
1625 North Market Blvd., Suite N 112
Sacramento, CA 95834

Date: December 1st, 2020

Time: 12pm – 4pm, 4 hours of continuing education credit requested

Course Objective: Participants will be exposed to content directly related to Competency 5 – Professional Ethics and Jurisprudence. Participants will walk away with knowledge of the Board of Chiropractic Examiners regulations, top enforcement violations, professional conduct and ethical practices in a medical setting.

Course Outline

Hour One: California Code of Regulations, Articles 1-9

Curricular Objective B: Apply knowledge of applicable health care laws and regulations. Participants will gain an understanding of the CCR that regulates the chiropractic profession. Participants will gain an in-depth review of specific sections of regulations that are frequently overlooked by licensees. Participants will leave with handouts from the presentation as reference material.

- Review of important procedural sections: CE requirements, statuses of a license, corporation procedures.
- Review of sections that are frequently cited in disciplinary actions against chiropractors by the Board.
- Review of appropriate advertisements and social media use.
- Review Disciplinary Guidelines provided by the Board of Chiropractic Examiners.

Reference material:

https://chiro.ca.gov/laws_regs/regulations.pdf

<https://www.chiro.ca.gov/enforcement/guidelines.pdf>

Hour Two: Ethical Consideration in Today's Medicine

Curricular Objective A: Apply knowledge of ethical principles and boundaries. Participants will review standards for codes of ethics and how they may be applied in their own businesses. Participants will leave with a framework with how to apply these principles directly into their personal office setting.

- Review the American Chiropractic Associations code of ethics.
- Creating ethical standards for office staff, medical partnerships and your business.

Reference material:

<http://ccodc.org/ethics.html>

<https://workplacepsychology.net/2011/02/14/creating-an-ethical-organizational-culture/>

Hour Three: BCE Top Enforcement Violations

Required hour directly from the Board of Chiropractic Examiners. Section 361 (e) (3): one (1) hour completed annual in “Top Enforcement Violations” provided by the Board

- Review “Top Enforcement Violations” provided by the Board of Chiropractic Examiners.
- Review the most recent Board Meeting materials packet, discuss the enforcement trends statistics.
- Examples of each violation will be provided.
- Participants will review sample scenarios and discuss problematic areas, enforcement violation codes and potential ways to mitigate questions behavior.

Reference Material:

https://www.chiro.ca.gov/publications/chiro_top_violations.pdf

https://www.chiro.ca.gov/about_us/meetings/20200716_materials.pdf

Hour Four: Professional Boundaries

Curricular Objective D: Apply sensitivity in interaction with staff and patients in regards to bullying, sexual impropriety and relationship boundary transgressions. Participants will review several case studies related to sexual harassment, bullying and inappropriate staff relationships. Participants will leave presentation with examples of how to create a safe workplace environment for staff and patients and develop a procedure model for any reported inappropriate behaviors.

- Brief history of sexual harassment law. Glossary of terms will be reviewed.
- Workplace bullying and harassment. Creating a safe environment for medical professionals and staff.
- Setting up guidelines for reporting inappropriate behavior.
- Appropriate relationships with staff, clients and the public.

Reference Material:

<https://www.dfeh.ca.gov/shpt/>



Agenda Item 4 September 18, 2020

Discussion on Definitions to Classroom Courses and Distance Learning Courses

Purpose of the item

The Committee will review and discuss the proposed definitions for continuing education topics such as; classroom courses, distance learning courses and classroom location standards.

Action(s) requested

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

Background

Due to the COVID-19 health crisis, licensees have faced challenges in completing all 24 hours of continuing education credit for license renewal. Currently, distance learning credit is defined as any learning format offered through “computer, Internet, manuals, compact disks, digital video, versatile disc and audio and video tapes”. Technology has advanced and shifted since 2013 when the continuing education (CE) regulations were last updated.

At the October 2019 Licensing & CE Committee, meeting the Committee Members reviewed and approved the cursory language changes to Section 363.1 and the definition of a distance learning course had not been altered. In light of COVID-19, the Committee needs to review additional changes to Section 363.1, including potential changes in the definition of classroom courses and distance learning courses.

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Draft Definitions for Classroom Courses, Distance Learning Courses and Classroom Location Standards

**Board of Chiropractic Examiners
Definitions for Classroom Courses, Distance Learning Courses
and Classroom Location Standards**

§363.1. Distance Learning Courses.

Distance learning education shall be considered as: education that delivers interaction and instruction to students who are physically separated from the instructor, through technologies such as:

- (a) One-way and two-way transmissions utilizing internet technologies,
- (b) audio conferencing, or
- (c) physical multi-media platforms.

§363. Approval of Continuing Education Courses.

Classroom education is the instruction method where course content and learning material are taught when the student is physically present with fellow participants and the instructor.

(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~~ competencies as defined in Section 361(g)(1) and given by an approved Provider.

(c) Physical activities conducted during classroom education must support the curricular objectives of the course. Unrelated physical activities will not be approved for continuing education credit.



**Agenda Item 5
September 18, 2020**

**Review, Discussion and Possible Action on Proposed Language to Continuing
Education Regulations: Sections 364-366**

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) Article 6 – Continuing Education, Sections 364-366.

Action(s) requested

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

Background

The Licensing & CE Committee has reviewed proposed language changes to the CE regulations section by section over the past several Committee Meetings. To date, the Committee has reviewed proposed changes to Sections 360 – 363.4.

The Committee will discuss any policy issues or necessary changes to the proposed language surrounding CE exemptions and waivers, revoked licenses and CE audits.

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Draft Language for CCR Sections 364-366

Board of Chiropractic Examiners
DRAFT Language: Sections 364- 366

§364. Exemptions and Reduction of Requirement.

A licensee may qualify for a full or partial exemption, from the continuing education requirements of Section 361 if a licensee meets any of the criterion listed below:

(a) A licensee who holds a license on inactive status is not required to complete continuing education on an annual basis; however, they must provide proof of completion of the required continuing education hours prior to activating their license as specified in Section 371(f);

(b) A new licensee is exempt from continuing education requirements in the year of initial licensure;

(c) An instructor who has taught for one (1) year and currently teaches core curriculum courses for more than eight (8) credit hours per week at any Council on Chiropractic Education accredited college for at least six (6) months during any license renewal period year shall be exempt from continuing education.

(d) A licensee who teaches a board-approved continuing education course may earn one (1) hour of continuing education credit for each hour of lecture up to 24 hours per year.

(e) Notwithstanding Section 361(c), a licensee who is unable to attend continuing education courses due to a physical disability and provides written certification from a primary health care provider may earn all 24 hours of continuing education credits for the period of the license renewal through Board-approved distance learning courses as defined in Section 363.1.

~~(f) A licensee who participates as an examiner for the entire part four portion of the National Board of Chiropractic Examiners (NBCE) examinations shall receive a maximum of six (6) hours of continuing education credit for each examination period conducted by the NBCE during the license renewal period. The licensee must provide written certification from the NBCE confirming the licensee has met the requirements of this subsection.~~

(f) Instances of natural disaster or a Governor declared state of emergency, the Board has the authority to authorize completion of 24 hours of continuing education through distance learning courses or waive the continuing education requirements for the period of the license renewal. License shall request a waiver from the Board in writing and provide documentation of the mitigating circumstances affecting their renewal requirements.

(g) An active Board Member. A professional board member who has served one full year on the Board of Chiropractic Examiners shall be exempt from the continuing education requirement in each year of board member service.

~~(h) Notwithstanding Section 361(e), a~~ A licensee on active duty with a branch of the armed forces of the United States shall be permitted to take all twenty four (24) hours of required continuing education through board approved distance learning courses as defined in Section 363.1, or the California National Guard who meets the exemption requirements specified in Business and Professions Code section 114.3 shall be exempt from continuing education requirements.

§365. Revoked Licenses.

Any person ~~making application for~~ seeking reinstatement or restoration of a license which has been revoked shall be required to fulfill the continuing education requirements for each year the license was revoked and may be required to complete an approved course of continuing education, or to complete such study or training as the board deems appropriate.

§366. Continuing Education Audits.

The Board shall conduct random audits to verify compliance with Continuing Education requirements of active licensees. Licensees shall secure and retain certificates of completion issued to them at the time of attendance of approved Continuing Education courses for a period of four (4) years from their last renewal and shall forward these documents to the Board upon request.

Licensees who fail to retain certificates of completion shall obtain duplicate certificates, from approved Continuing Education providers, who shall issue duplicates only to licensees whose names appear on the providers' rosters of course attendees. The certificates of completion shall be clearly marked "duplicate" and shall contain the information specified in Section ~~362(d)(6)~~ 362.1(a)(6).

Licensees who furnish false or misleading information to the Board regarding their Continuing Education hours shall be subject to disciplinary action. Providers who provide false or inaccurate verification of a licensee's participation may lose their provider status for up to ten (10) years, at the discretion of the Executive Officer. The full board's ruling, as described in Section ~~362(e)~~ 362.4 (a), shall be the final order on the matter.

The board or its designee shall not be restricted from inspecting, observing, or auditing any approved chiropractic course in progress, at no charge.

~~The board, at its discretion, may contact attendees after a continuing education course as part of the board's auditing process to obtain information regarding the quality and content of the course.~~ requires Continuing Education providers to administer the "Post Course Evaluation Form" to all course participants. These forms will be sent directly to the board.

NOTE: Authority cited: Section 1000-4(b), Business and Professions Code (Chiropractic Initiative Act of California, Stats. 1923, p. 1xxxviii).