

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING**

A Statement of Need and Fiscal Impact accompanies this form.

Oregon Board of Chiropractic Examiners  
Agency and Division

Chapter 811  
Administrative Rules Chapter Number

Dave McTeague, Executive Director  
Rules Coordinator

3218 Pringle Rd. SE, Suite 150, Salem, OR 97302-6311  
Address

(503) 378-5816  
Telephone

November 16, 2006  
Hearing Date

2:00 p.m.  
Time

OBCE Administrative Office, 3218 Pringle Rd. Large Conf Rm. Salem, OR 97302  
Location

Dave McTeague, Executive Director  
Hearings Officer

Are auxiliary aids for persons with disabilities available upon advance request?

Yes

No

**RULE CAPTION**

Allows a signed affidavit for liberal arts and science college transcripts  
**Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

**RULEMAKING ACTION**

**AMEND:** 811-010-0085 (4){c}

ORS 684  
Stat. Auth.

Other Authority

ORS 684.050; 684.052  
Stats. Implemented

**RULE SUMMARY**

Allows applicants for a Doctor of Chiropractic license to provide a signed affidavit in lieu of college transcripts for liberal arts and science college transcripts.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the *Oregon Bulletin* or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the *Oregon Bulletin* at least 14 days before the hearing.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

\_\_\_\_\_  
Signature

November 16, 2006

**Last Day for Public Comment**  
Last day to submit written comments  
to the Rules Coordinator

Dave McTeague, OBCE Executive Director  
Printed name

10/3/06  
Date

**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Board of Chiropractic Examiners

Chapter 811

Agency and Division

Administrative Rules Chapter Number

**In the Matter of:**

**Amendment of Rule:**

811-010-0085

**Rule Caption:**

Allows a signed affidavit for liberal arts and science college transcripts.

**Statutory Authority:** ORS 684

**Other Authority:**

**Stats. Implemented:** ORS 684.050; 684.052

**Need for the Rule(s):**

This rule reduces the burden on applicants to order college transcripts to be sent to the Board of Chiropractic Examiners and reduces the staff time in processing each application. This is a government streamlining proposal identified by the Governor's Office of Regulatory Streamlining. Currently, chiropractic colleges are requiring three years of pre-chiropractic liberal arts and sciences while the Oregon statute requires two. Graduation from a chiropractic college in virtually every case ensures the applicant has the Oregon required hours.

**Documents Relied Upon, and where they are available:**

OBCE staff memo to Board of Chiropractic Examiners. Emails from Pat Allen, of the Governor's Office of Regulatory Streamlining.

**Fiscal and Economic Impact, including Statement of Cost of Compliance:**

There are minor but hard to estimate cost savings to both applicants and the agency.

**How were small businesses involved in the development of this rule?**

Chiropractic physicians who are chiropractic clinic owners assisted in reviewing and writing this rule as members of the OBCE Administrative Rules Advisory Committee. Trade association representatives are invited to comment on these proposed rules.

**Administrative Rule Advisory Committee consulted?:** No

**If not, why?:** This issue is too minor to warrant a Rules Committee meeting by itself.

\_\_\_\_\_  
Authorized Signer

Dave McTeague, OBCE Executive Director  
Printed name

10/3/06  
Date

## **Application and Examination of Applicants**

**811-010-0085** (1) Applicants shall be examined according to ORS 684.050 or 684.052.

(2) The Board shall issue a Candidate's Guide, which contains all necessary examination information. The Guide shall be mailed to each applicant, along with other examination information for a fee of \$10.

(3) Fee and application deadlines are as follows:

(a) Application and \$150 fee for chiropractic exams must be postmarked no later than 30 days prior to the first exam day.

(b) Request for retake of any section of the exam must be submitted in writing with a \$100 reexamination fee postmarked no later than 30 days prior to the first exam day.

(c) Supporting documentation must be postmarked no later than 30 days prior to the first exam day.

(d) Deadlines may be waived by the Board for good cause.

(e) A complete set of fingerprints obtained from any state or local law enforcement agency, or from any other agency approved by the Board. Applicants shall use forms prescribed by the Board.

(f) Criminal background check fee of \$52 must be postmarked no later than 30 days prior to the first exam day.

(4) Documents to be submitted prior to approval to take the Oregon Specifics Examinations:

(a) A completed, official application including a recent photograph and fingerprints;

(b) Evidence of the applicant's good moral character on the letterhead stationery of a Chiropractic physician;

(c) **A signed affidavit attesting to** ~~Original transcripts of grades from all colleges attended showing successful completion of at least two years of liberal arts and sciences study in an accredited college;~~ **Original transcripts must be provided if requested by the Board;** and

(d) A transcript certified by the registrar, from an approved chiropractic college, including transcripts of coursework as required by OAR 811-020-0006 (minimum Educational Requirements for physiotherapy and minor surgery/ proctology). A transcript of grades is necessary from each chiropractic college attended.

(e) An official transcript of passing grades from the National Board of Chiropractic Examiners on Part I, II and III and physiotherapy.

(5) Documents and fee to be submitted prior to licensure include:

(a) \$100 initial license fee.

(b) A diploma or other evidence of graduation certified by the registrar from an approved Chiropractic college.

(c) An official transcript of passing grades from the National Board of Chiropractic Examiners Part IV.

(6) All applicants must take and pass the Oregon Specifics Examination consisting of written examination in ethics and jurisprudence, obstetrics and gynecology, minor surgery and proctology. Applicants who have previously taken and passed obstetrics and gynecology, and/or minor surgery and proctology within the last five years from the date of application as received by the Board are not required to retake these tests, however all applicants must take and pass ethics and jurisprudence.

(7) Oregon Specifics Examination Grades:

(a) The Board shall determine the passing scores. Each section of the examination shall be graded separately using the Angoff Method, a criterion referenced model. Passing scores may fluctuate between sections and between examinations. All examinations are designed to test minimal competency to protect the public health and safety.

(b) Examination grades will be released within seven working days following approval.

(8) Regrades: any request for regrade must be submitted in writing to the Board no later than 45 days after the date of the examination. A regrade involves a manual tally of points earned for the specific examination requested.

(9) An applicant failing to achieve a passing grade, as determined by the Board for each examination section, may make application to the Board for a re-examination in the failed sections .

(10) An applicant must take at least one of the failed section(s) within 13 months following the date

when the applicant took the entire examination. If the applicant fails to re-test on at least one failed section within 13 months of the last examination, the file shall become inactive and the applicant must re-apply and take the entire examination.

(11) An applicant attempting to give aid or accepting aid from another while examinations are in progress shall fail the examination and will not be allowed to take the examination for a period of five (5) years.

(12) Refunds:

(a) The application fee is non-refundable; and

(b) The retake fee can be refunded until 10 days prior to the test date.

(c) The background check fee is non-refundable.

(13) The Board may reject applications for good cause, including evidence of unprofessional behavior.

(14) Effective June 1, 2001 applicants who have completed all requirements for licensure, including passage of all required examinations, must submit the initial license fee to obtain license within one year from the date they completed all the requirements. An applicant's initial license will be valid for a minimum of 180 days. However, if the applicant's next birth date is within the 180 days, the initial license will be valid for an additional 12 months beyond the applicant's birth date.

*Statutory Auth.: ORS 684*

*Stats. Implemented: ORS 684.050; 684.052*

*Adopted Eff.*