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PERMANENT ADMINISTRATIVE ORDER

BCE 12-2025
CHAPTER 811
BOARD OF CHIROPRACTIC EXAMINERS

FILED

08/27/2025 10:48 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Updating process and policy requirements.

EFFECTIVE DATE: 08/27/2025

AGENCY APPROVED DATE: 07/23/2025

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RULES:

811-010-0093, 811-010-0140, 811-030-0011, 811-030-0020, 811-030-0030

AMEND: 811-010-0093

RULE TITLE: Guide to Policy and Practice Questions

NOTICE FILED DATE: 04/28/2025

RULE SUMMARY: This permanent rule adopts the Board's Guide to Policy and Practice Questions, originally dated January 14, 1998, and most recently revised April 24, 2025. The Guide provides direction to licensees and the public on policy interpretations and practice standards under the Board's jurisdiction. The adoption updates the reference date to reflect the most recent revision and formally incorporates the revised Guide by reference into administrative rule.

RULE TEXT:

The Board's Guide to Policy and Practice Questions, originally dated January 14, 1998, and last revised April 24, 2025, is hereby adopted.

[Publications: Publications referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 684

STATUTES/OTHER IMPLEMENTED: ORS 684.150, 684.155

ADOPT: 811-010-0140

RULE TITLE: Criminal Conviction Determination Process

NOTICE FILED DATE: 04/28/2025

RULE SUMMARY: This rule creates a process for individuals with criminal convictions to request a determination from the Board on whether a conviction will prevent licensure. It outlines petition requirements, fees, timelines, conditions for reconsideration, and clarifies that determinations are subject to public records law and are not final Board decisions.

RULE TEXT:

- (1) Prior to beginning required education or training, a person who was convicted of a crime may petition the Board for a determination as to whether a criminal conviction will prevent the person from receiving a license issued by the Board.
- (2) To be complete, a petition must include the following:
 - (a) a complete and signed determination request form;
 - (b) the required fee of \$75 per conviction review with a maximum of \$450.
- (c) The following records related to the final judgment of each criminal conviction:
 - (A) a certified copy of the judgment of criminal conviction;
 - (B) any charging document(s);
 - (C) the arrest report(s); and
 - (D) probation and parole records, if they exist.
- (d) a written statement from the petitioner regarding the facts underlying the criminal conviction, and any intervening circumstances; and
- (e) a written statement or other document listing all criminal convictions, including dates of conviction and a summary of the facts, if the petitioner has more than one.
- (3) A separate completed petition and fee must be filed for each criminal conviction for which the petitioner is requesting a determination.
- (4) If any of the records in (2)(c) no longer exist, have been sealed, expunged, or are otherwise unavailable to the petitioner, petitioner must provide evidence from the agency that held the record that the record no longer exists.
- (5) If any of the documents required under subsections (2) and (4) are not provided, petitioner will have 60 days to provide the required documents or information. Upon failure to comply, the petition will be deemed incomplete and will be closed.
- (6) The petition and the Board's determination are subject to Oregon's public records laws, and unless an exemption applies, the information in the petition and determination are subject to public disclosure.
- (7) The Board will reconsider a determination that a criminal conviction prevents the person from obtaining a license when the person submits a completed application for a license.
- (8) Upon reconsideration, the Board may rescind a previous determination that a criminal conviction does not prevent the person from obtaining a license if the applicant:
 - (a) Has allegations or charges pending in criminal court;
 - (b) Has failed to disclose a previous criminal conviction;
 - (c) Has been convicted of another crime during the period between the determination and the person's submission of a completed application for an occupational or professional license; or
 - (d) Has been convicted of a crime that, during the period between the determination and the person's submission of a completed application for an occupational or professional license, became subject to a change in state or federal law that prohibits licensure for an occupational or professional license because of a conviction of that crime.
- (9) Failure to disclose a previous criminal conviction includes any misrepresentation or a prior criminal conviction, any concealment or failure to disclose a material fact about a prior criminal conviction, or any other misinformation regarding a prior criminal conviction.
- (10) Nothing in this rule prohibits the Board from denying licensure when the person submits a completed application for a reason other than conviction of a crime.

(11) A determination under this rule is not considered a final determination of the Board.

STATUTORY/OTHER AUTHORITY: ORS 670.280

STATUTES/OTHER IMPLEMENTED: ORS 670.280, SB 1552 (2025)

AMEND: 811-030-0011

RULE TITLE: X-Rays and Other Imaging

NOTICE FILED DATE: 04/28/2025

RULE SUMMARY: This rule clarifies that staff employees of a chiropractic physician may be directed to take X-rays or other imaging of patients only if they hold a valid permit or license issued by the Oregon Board of Medical Imaging. The rule further specifies that such permits are limited to the taking of X-rays and do not extend to other imaging modalities. This amendment ensures alignment with statutory requirements for radiologic practice and reinforces patient safety standards.

RULE TEXT:

Staff of a chiropractic physician may be directed to take X-rays or other types of imaging of a patient if they are in possession of a permit or license issued by the Oregon Board of Medical Imaging.

STATUTORY/OTHER AUTHORITY: ORS 684

STATUTES/OTHER IMPLEMENTED: ORS 684.155

AMEND: 811-030-0020

RULE TITLE: Scope of Radiographic and Other Imaging in the Chiropractic Practice

NOTICE FILED DATE: 04/28/2025

RULE SUMMARY: This rule defines the scope of radiographic and other imaging procedures within chiropractic practice. It clarifies that chiropractic physicians may perform standard radiographic diagnostics consistent with ORS 684.025, provided all images are of diagnostic quality and subject to Board review. The rule prohibits the use of X-rays for therapeutic purposes, restricts the use of fluoroscopy to cases with documented clinical justification, and establishes parameters for ordering or referring diagnostic imaging studies, including those involving radio-opaque substances. It also sets patient safety standards, including special protections for pregnant patients and shielding of critical areas such as the fetus, eyes, and thyroid gland.

RULE TEXT:

- (1) The radiographic diagnostic aspect of chiropractic practice shall include all standard radiographic procedures that do not conflict with ORS 684.025.
- (2) All images shall be of diagnostic quality and are subject to review by the Board. Poor quality images may result in disciplinary action.
- (3) X-ray is not to be used for therapeutic purposes.
- (4) Fluoroscopy shall not be used as a substitute for an initial radiographic study and shall be used only with documented clinical justification.
- (5) Chiropractic physicians may order or refer patients for any diagnostic imaging study, including contrast studies using radio-opaque substances. Use of radio-opaque substances for diagnostic X-ray, other than by mouth or rectum, is not permitted.
- (6) Pregnant patients shall not be radiographed unless their symptoms are of such significance that the proper treatment might be jeopardized without the use of such radiographs.
- (7) All critical parts, i.e. fetus, eyes, and thyroid gland, beyond the area of primary examination, may be shielded.

STATUTORY/OTHER AUTHORITY: ORS 684

STATUTES/OTHER IMPLEMENTED: ORS 684

AMEND: 811-030-0030

RULE TITLE: X-Ray Departments, Equipment, and Procedures

NOTICE FILED DATE: 04/28/2025

RULE SUMMARY: This rule requires chiropractic X-ray departments and procedures to comply with Oregon Board of Medical Imaging and Radiation Protection Services regulations. It sets standards for patient safety, image quality, and clinical justification for all exposures. The rule outlines documentation and recordkeeping requirements, proper patient positioning and shielding, and prohibits practices that compromise diagnostic quality. Radiographs must be retained for seven years or until a minor patient turns 18.

RULE TEXT:

- (1) All X-ray departments, equipment, and procedures, including fluoroscopy, shall be in compliance with the current rules and regulations of the Oregon Board of Medical Imaging and Oregon Radiation Protection Services, including, but not limited to: the physical design of the department, occupational exposure, collimation, shielding, and exposure charts.
- (2) In addition:
 - (a) The patient shall be an adequate candidate for the radiographic or fluoroscopic procedure employed;
 - (b) The radiographic field shall be restricted to the area of clinical interest;
 - (c) Specialized views shall be used any time the area of clinical interest is not clearly visualized on a standard film or image;
 - (d) Every exposure, including post-treatment exposures, and scanograms, shall have clinical justification with adequate documentation consistent with the patient's case history;
 - (e) The operator shall maintain a record on each exposure of each patient containing the patient's name, the date, the operator's name or initials, the type of exposure, and the radiation factors of time, mA, kVp and target film distance, including those exposures resulting in the necessity of repeat exposure for better diagnostic information, such as patient motion or poor technical factors. For computerized and automated systems, the recording of technique factors is not necessary as long as the equipment is calibrated and maintained. OAR 333-106-0045 requires the facility to determine the typical patient exposure for their most common radiographic examinations, i.e. technique chart.
 - (f) Each film or image shall be properly identified by date of exposure, location of X-ray department, patient's name or number, patient's age, right or left marker, postural position marker, and indication of the position of the patient;
 - (g) A patient with tremors must be immobilized;
 - (h) The radiographs of a patient with an antalgic posture may be taken in an upright position only if the patient is adequately supported and immobilized to insure diagnostic quality. Otherwise, the recumbent position shall be used;
 - (i) Upright or postural views shall not be used for any patient whose size exceeds the capacity of the X-ray equipment. Penetration must be adequate on all films;
 - (j) Sectional views shall be taken in preference to a single 14 x 36 inch film or image if the patient's size or height prevents diagnostic quality on a single 14 x 36 inch film;
 - (k) If two exposures are made on a single film, the area of exposure shall be critically collimated to avoid double exposure of the overlapping area;
 - (l) All views shall employ graduated filtration or adequate devices to attenuate the primary beam for the purpose of reducing unnecessary radiation and to improve film quality. Split screens, gradient or graded screens, paper light barriers inside the cassette, or any other attenuating device in the beam between the patient and the film shall not be permitted, other than the grid controlling scattered radiation;
 - (m) A record of radiographic findings on every set of radiographs reviewed shall be included in the patient's medical record; and
 - (n) Radiographs shall be kept and available for review for a minimum of seven years or until a minor becomes 18 years of age, whichever is longer.

STATUTORY/OTHER AUTHORITY: ORS 441, 684

STATUTES/OTHER IMPLEMENTED: ORS 684.025, 684.150, 684.155, 441.059