
Florida Board of Chiropractic Medicine

RULES WORKSHOP AGENDA

January 18, 2022 at 11:00 A.M. ET – 2 P.M. ET

The Florida Board of Chiropractic Medicine held a meeting on Tuesday, January 18, 2022, commencing at 11:00 a.m. This meeting was held remotely via <https://global.gotomeeting.com/join/518233085>, to which all persons were invited to attend.



**Gretchen Saunders, Consumer
Chair**

**Jason Comerford, DC
Vice Chair**

**Joe Baker, Jr.
Acting Executive Director**

BOARD MEMBERS

Gretchen Saunders, Consumer, Chair
Jason Comerford, DC, Vice Chair
Julie Mayer Hunt, DC, FCCJP, DICCP
Walter Calvin Melton Jr., DC
Anthony Oliverio, DC
Michael Roberts, DC
Ellen Ostman, Esquire, Consumer

BOARD STAFF

Joe Baker, Jr., Acting Executive Director
Dontavia Wilson, Program Operations Administrator

BOARD COUNSEL

Lawrence Harris, Senior Assistant Attorney General

COURT REPORTER

Ray Convery, For the Record, (850) 222-5491

Recording

Participants in this public meeting should be aware that these proceedings are being recorded. An audio file of the meeting will be posted on the Florida Board of Chiropractic Medicine's website.

Participants are asked to mute themselves upon entering the meeting to reduce background noise. Participants will be recognized by the Chair when it is their turn to speak.

Attendance and Continuing Education Credit

Discipline is not scheduled to take place at this meeting. Pursuant to section 456.013, Florida Statute, and Rules 64B2-13.004 and 64B2-13.007, Florida Administrative Code, attendance and Continuing Education credit are not available at this meeting.

I) CALL TO ORDER

The meeting was called to order at 11:09am.

- A) Roll Call
- B) Comments by Board Counsel
Mr. Harris gave an overview of initiating the rule making process.

II) PETITION FOR RULE AMENDMENT

(64B2-13.004- Continuing Education)

Dr. Rick Warner introduced Steven Miller, who gave the presentation of the recommended changes. Mr. Miller provided the following changes which standardized in-person and online courses to make them substantially similar. First, continued attendance should be verified at least every five minutes and the attendee must be clearly visible at least 75% of the verification by video/images and the verification videos/images shall be retained and made available for board review for the duration of course approval including keeping the images for an additional 12 months. Second, a video monitoring classroom. Lastly, a physical log would be required for in-person.

(Lines 87-92) Suspension or removal of approved providers.

Any approved continuing education provider found to be offering courses that aren't compliant with the subsections that are in place may have their approval renewal denied and any additional courses that are submitted for approval maybe denied.

Clarification was given for lines 93-94. Anyone who provides an approved course in the state of Florida is an approved provider to be held accountable from the previous subsection on lines 87-92.

Line 95 - A recommended edit that was originally removed would be submitted six days prior to the date of the scheduled presentation to cut out late applications before the event schedule.

Lines 102 and 117 - Several sections were added. Expanding from X-ray to imaging. Currently, there's MRI, 3D MRI, and other types of technology that fall under the Chiropractic scope. This is taught at chiropractic colleges beyond X-ray as well as business practice management which shouldn't be eliminated from this section.

Line 118 - Previously there were promotional materials suggested to be presented from the stage for good delivery. The recommended correction is to have "no promotional marketing materials being presented online."

Lines 138 through 140 - Expanding the qualifications for instructors or experts can present if they are working with a group provider.

Lines 142 through 143 - Stop the practice of selling instruction times to instructor's response servers.

Lastly, line 152 through 154 - Remove PACE pre-approval and replace with approved providers who submit approved courses to make everyone accountable.

- A) **FCA Memorandum of Law in Opposition**
Kim Driggers- Kim Driggers, General Counsel for the Florida Chiropractic Association, testified in opposition of Rick Warner's petition for a rule change. The requested changes are an invalid exercise of this board delegated legislative authority and g beyond the power, functions and duties delegated by the legislature.

The first six changes being requested are contrary to Florida Statutes and this board doesn't have the authority to make those changes. The 7th and 8th changes dealing with attendance monitoring proposes a dual standard making it cost prohibitive and unduly burdensome to put in person CE events on restricting in person CE's as this rule is in violation of the board's delegated duties. The ninth change allowing online users to repeat a class potentially in practice management how to make money potentially when that online provider may solicit new clients when the class is being taught by an instructor in Germany without any education or chiropractic experience. None of this was contemplated as this board's delegated legislative duty for protecting the public. It's simply trying to get rid of the competition. The petitioner's proposed changes amount to an invalid exercise of this board's delegated legislative authority and for those reasons these rule changes should not be adopted.

III) **PUBLIC COMMENT**

A motion was made by Dr. Melton to have everyone sworn in with a public comment. Dr. Roberts seconded the motion. Motion passed unanimously.

- A) **Todd Cielo, DC-** Dr. Cielo has been practicing for 23 years and has been a CE speaker for 10 years with the FCA, FCS, FCPA, GLN, and for the Florida Bar educating attorneys on benefits of utilizing DCs in their cases. He's defended over 23 chiropractors for medical malpractice over the last eight years. Dr. Ceilo thanked the four board members that voted "yes" for the approval of online CE's (Ellen Ostman, Jason Comerford, Anthony Oliverio, and Gretchen Saunders). Attorneys and medical doctors have completed CE hours online for over a decade. Dr. Ceilo believes that online hours allow chiropractic doctors to choose between being forced to attend CE hours or attend kids'

championship games, celebrate anniversaries, and birthdays not to lose any time or money serving the patients.

- B) **Florida Chiropractic Physician Association (FCPA), Roderic A Lacy, DC** – Dr. Lacy is CEO of the Florida Chiropractic Physician Association. The association represents about 2,000 chiropractors in Florida and another 2,000 nationwide. He agrees that over the years these changes have been needed desperately. Dr Cielo stated that people had to pay to speak at these seminars of which he had no idea of that happening. Finally, we have board members who understand the need for chiropractors and the public. Dr. Lacy supports all these changes with a little bit of tweaking. He suggests adding something about organic and inorganic compounds to teach people about cardiac drugs.
- C) **Nicholas Trastelis, DC- Not present.** Public comment provided in agenda material.
- D) **Jeffrey Bourguignon, DC-Not present.** Public comment provided in agenda material.
- E) **Frank J. Nicchi School of Continuing Education Northeast College of Health Sciences- Present.** The changes that have been laid out and rebutted by Ms. Driggers illustrated the point that there wasn't a congruency between in person and online even as outlined in Dr. Warner's proposal. Mr. Nicchi believes that the in person is overly burdensome and impractical in many times and they have privacy concern issues. He suggests that it could be something that should be looked at whether there are certain providers. Anyone can submit courses but whether that provider has the education and background to provide that education to chiropractors should be subject to the board. The comment about PACE having exclusivity to completing prescreening or whatever they're doing if that's open to other entities and it's not just for PACE to provide that service. He believes it would be okay to become that equivalent as to PACE but doesn't know if that's readily available for someone else to be able to do.
- F) **Salvatore LaRusso, DC-** Dr. LaRusso has been licensed since 1979. He's a former Florida Board of Chiropractic Medicine board member and multiterm chair. Dr. LaRusso served in several regulatory areas under three different governors. He also served as the chair of the Florida Board of Chiropractic Medicine PCP for almost 15 years. He understands the role and the responsibility that this board has and remembers the primary function of protecting the public. Dr. LaRusso sees nothing in this petition that enhances public protection as it only weakens. This proposal in his opinion appears to be designed to enrich a select private for-profit entity. In his opinion it is an attempt to circumvent the accepted professional standards and protocols that are established by the Federation of Chiropractic Licensing Boards and their guidelines for approved chiropractic education. Never has he seen a petition that's been put forth to the Florida Board of Chiropractic Medicine by a for profit entity asking for rule making changes that mandate the use of proprietary technologies to the exclusion of all other CE providers. In conclusion, what Dr. La Russo sees is a proposal lessening of CE instructor, credentials, allowing for instructors to teach courses that they have no comprehensive education in, no chiropractic experience in, and only a minimum of six years' experience in the subject matter the teaching. This petition mandates expensive technological changes that are proprietary in nature to the advantage of and for the sole financial benefit of the petitioner.
- G) **Arcelly Martiniz-** Ms. Martiniz serves as the Executive Director for the Florida Chiropractic Society. FCS has several concerns with the petition. The main concern and opposition to the proposed rule change in Section 4 regarding the in person continuing education. Currently, proof of attendance for in person CE requires a licensee to provide identification and that all licensees sign in and out upon entering or exiting the meeting site. This should be sufficient as we are dealing with adult doctors and professionals. These changes are not only unreasonable they're unnecessary and puts a burden on the

organizations. Ms. Martiniz is unsure how the proposed changes will protect the public which is the primary objective of the board. FCS also oppose the proposed addition of practice management approved courses for CE credits which does not serve in any way the wellbeing or health care of the public. For the record, FCS has never charged speakers to speak at conferences. All speakers are volunteers and they've had speakers who are always returning. It appears this process is leading towards the idea of getting rid of in person teaching and in person conferences. Ms. Martiniz asked, "How is that going to help the public when there are doctors who are trying?" The Florida Chiropractic Society provides all levels of continuing education, in person, virtual, and online on demand. Some of the virtual people have a hard time so getting rid of in person in its entirety which is where it's going towards at least that's how she sees it with all this rule changing and all these proposed changes that are just going to bring the cost of in person conferences to an astronomical amount of money is going to hurt the public in the end.

- H) **Liliana Fogarty, Florida Chiropractic Conferences Executive Director** – Ms. Fogarty is the Executive Director of Florida Chiropractic Conferences. She works for a national organization called HJ Ross Company. They do continuing education seminars throughout the United States. This ruling is catastrophic not only to the vendors here in the state of Florida but on a national level. The software that is requested and that the petitioner is proposing is proprietary to Mr. Warner. This proposed rule will create a great financial stress for all the vendors where the cost eventually will have to be passed on to the attendees and the licensees. As the board is lowering the cost of the license renewal by granting this petitioner the petition, you're going to guarantee the costs will increase in the realm of continuing education affecting every licensee in the state of Florida. Ms. Fogarty stated, she's never seen a vendor approach the board with such aggression this petition she feels in no way protects the public nor does it give the licensee a better understanding of the advancement and development within the chiropractic profession which is a reason for them to attend the continuing education seminars in Florida. She felt the board should understand their position is to protect the public and she is not in support of this petition.
- I) **Mary Frost, Senior Director of Continuing Education at Palmer College**- The competency-based learning moving away from competency-based learning to more of an attendance-based way to figure out if someone has met their education requirements is a substantial departure from what has been seen in all the other states which is one of the biggest concerns along with the qualifications for a presenter. There are a lot of people who apply to be presenters and she's sure that every association and company represented at this board meeting today has the same thing which is why the associations must make sure things are done within the best interest of the public and the profession but primarily serving the patients. Ms. Frost's thoughts on this proposal are that it's opening the market. In one way, this proposal allows more people to enter this market but then for people who have been doing CE have a reputation on what should be and shouldn't be taught according to the Florida Statutes. This would be creating barriers of entry for them to do more CE based on the surveillance requirements of people online and in the classroom. The speaker qualifications as mentioned are concerning as well; If the speakers aren't chiropractors and they don't understand the basic tenets of a chiropractic education it would be very difficult to think they could give an educational seminar that would be meaningful to a chiropractor who has had extensive education. Ms. Frost thanked the board for the opportunity to speak during the meeting and asked the board to ponder the question of "Would the experience be the sole indicator of the best features of a presenter, or wouldn't you want to have experience and education?"
- J) **Jon Schwartzbauer, The Federation of Chiropractic Licensing Boards**- Executive Director of FCLB. The Federation of Chiropractic Licensing Boards is a nonprofit association of government agencies that are empowered to regulate the chiropractic

profession. Our mission is to protect the public by promoting excellence in chiropractic regulation through service to all our member boards. The FCLB is opposed to a few of the proposed petition offerings as many of the other speakers have demonstrated during this meeting. First, (Attendance Monitoring) the petition offers attendance monitoring solutions in the form of video monitoring rather than competence-based learning. Competence based learning periodic quizzes essentially is a better measure of engagement than simply verifying an individual is present. Additionally, video monitoring would either add to licensees' financial burden as mentioned earlier when they purchase CE courses and possibly drive even smaller quality CE providers completely out of Florida. Another item that FCLB is opposed to is the addition of practice management as has also been mentioned today and the repeating of same courses for credit. The inclusion of practice management and allowing a doctor to retake a course for additional credit are clearly not in the best interest of public protection. The FCLB is not aware of any regulated jurisdiction allowing CE credit for practice management, content, and in fact may specifically prohibited. Practice management courses focus on increasing revenue which has no bearing on public protection and may even be at odds with responsible patient care. Lastly, FCLB is opposed to striking FCLB PACE alternative Mr. Harris will work with Dr. Comerford to fine tune the drafted language. This will be presented at the next board meeting scheduled on February 24, 2022. submission pathway. In conclusion, today the Florida Board has always focused on ensuring public protection and that doctors are legitimately earning CE that directly benefits patient care. FCLB appreciates that commitment and is always here to support that effort in any way possible.

- K) **Ron Watson, Florida Chiropractic Physician Association (FCPA)** – Mr. Watson addressed Mr. Harris to look closer at Florida Statute 456.025; Specifically, paren 7. Mr. Watson was concerned that there may not be any statutory authority to regulate the actual providers of CE. He requested Mr. Harris to look at paren seven which reads “the fees collected from continuing education providers shall be used for the purposes of reviewing course provider applications monitoring the integrity of the course is provided covering legal expenses, etc.” Mr. Watson argued that potentially monitoring the integrity of the courses provided might allow the Board to regulate. Lastly, Mr. Watson thanked the board for supporting all courses going online. He stated, in the beginning there were some issues, but this process has made it more restrictive to be able to do the online courses than the live in-person courses. He suggests for the process to be made fair.

IV) **BOARD DISCUSSION**

Each Board member provided their input on the petition and comments that were given.

Recess 1:04pm-1:10pm

Discussion ensued amongst the Board members. Mr. Harris and Mr. Baker advised the board members not to vote on any rulemaking during this meeting, as it was only a noticed rule development workshop.

A motion was made by Dr. Comerford to grant the petition to initiate rule making with the amended corrections to keep PACE; Delete “60 days” and add “prior to” on line 95, continue including competency-based learning for the live and online and require the video monitoring for both live and online courses. Dr. Oliverio seconded the motion. Motion passed with Dr. Hunt, Dr. Melton, Dr. Roberts in opposition.

Mr. Harris asked, *“Will the proposed rule amendment have an adverse impact on the small business or be likely to directly or indirectly increase regulatory cost to any industry including government in excess of \$200,000 in the aggregate in Florida within one year of the implementation of the rule?”*

Dr. Roberts made a motion that the proposed rule amendment will have an adverse impact. Dr. Hunt seconded the motion. Motion passed with Dr. Comerford and Dr. Oliverio in opposition.

Per delegation from the Board, Mr. Harris worked with Dr. Comerford after the Workshop to fine tune the drafted language (which is below). This will be presented at the next board meeting.

**BOARD APPROVED PRELIMINARY LANGUAGE
FOR EVALUATION FOR STATEMENT OF ESTIMATED REGULATORY
COSTS
APPROVED JANUARY 18, 2022**

64B2-13.004 Continuing Education.

(1) Required Hours. For the purpose of renewing a license, an applicant must demonstrate to the Board that he or she participated in at least forty (40) contact classroom hours (twenty-four (24) for Certified Chiropractic Physicians Assistants) of continuing chiropractic education during the past two (2) years. Only those contact classroom hours earned at Board approved provider's continuing education courses ~~or which comply with the provisions of this rule~~ are acceptable. For purpose of this rule, the term "contact classroom hour" shall mean fifty (50) minutes of instruction offered through in-person courses or through online attendance continuing education courses ~~complying with subsection (3). Live, synchronous online ("virtual live") courses shall be considered to be in person courses, and shall be approved pursuant to the approval criteria for in person courses.~~

(2) Required Areas.

(a) Risk Management. At least three (3) hours shall be in the area of risk management. Two (2) of these three risk management hours shall specifically relate to the laws and rules of the board and the Department of Health. For the purpose of this rule, risk management means the identification, investigation, analysis, and evaluation of risks and the selection of the most advantageous method of correcting, reducing or eliminating identifiable risks. The laws and rules of the Board and the regulatory agency under which the Board operates include Chapters 456 and 460, F.S., and rule Division 64B2, F.A.C.

(b) Record Keeping/Documentation, Coding, and Ethics and Boundaries. Six (6) hours of the forty (40) shall be in the area of record keeping/documentation and coding; and two (2) hours of the forty (40) must be in the area of ethics and boundaries.

(3) Online Attendance Continuing Education.

(a) **Definitions. For purposes of this rule, the following definitions shall apply.**
1. "Online attendance continuing education course" means a competency based learning course presented through live, synchronous technology or through prerecorded video coupled with a means for course attendees to ask questions of the instructor(s) and receive responses in a timely manner. Such courses may be presented through video conferencing technologies or interactive computer based applications.

2. ~~“Competency Based Learning” shall mean a course in which periodic challenge questions and a post test is administered to assess the licensee’s mastery of the materials.~~

~~(b)~~(e) ~~Online Hours Allowed.~~ A licensee may elect to obtain all required continuing education hours through online attendance continuing education courses.

~~(c) Attendance for online continuing education courses shall be monitored and verified via video monitoring technology that is able to substantially verify that the attendee attended the course for the duration of the course.~~

~~(4) In-person Continuing Education.~~

~~(a) Definitions. For purposes of this rule, the following definitions shall apply.~~

~~1. “In-person Continuing Education courses” means a course presented through live in-person attendance where students and instructors are within the same physical room.~~

~~(a) Video Monitoring. Every entry/exit point of the meeting/classroom shall be monitored by video recording that clearly shows everyone that enters and/or exits the room.~~

~~(b) In-person Continuing Education courses shall have an attendance monitor that records everyone that enters or exits the meeting/classroom during a continuing education course. The attendance log shall include at least the attendee's name, license number, and time of entry and exit.~~

~~Challenge questions. Challenge questions are offered during each credit hour of a course to verify the licensee’s attendance. A minimum of seventy-five percent (75%) of the challenge questions asked during each credit hour must be answered by the attendee to receive credit for that hour of content. If an attendee fails to answer at least 75% of the challenge questions, the attendee must retake the entire credit hour, and each credit hour must be completed before the next credit hour of content may be attempted. Challenge questions must be related to that credit hour’s content.~~

~~(d) No online attendance continuing education course may be repeated for credit within the same biennium; this limitation does not apply to live, synchronous online courses.~~

~~(5)~~(4) Licensees Certified in Acupuncture. Each licensee certified in acupuncture by the Board shall obtain four (4) hours of Board approved provider acupuncture continuing education. Two (2) hours shall be in the area of safety and risk management and two (2) hours shall be in the area of technique. These four (4) hours shall be obtained as part of the forty (40) hours required in each licensure biennium and may be obtained via in-person or online continuing education courses. Licensees certified in acupuncture must complete the hours required in subsection 64B2-13.004(2), F.A.C.

~~(6)~~(5) Approval of Continuing Education Providers and Courses.

(a) Provider approval fees. Continuing education providers, including providers of continuing education in AIDS and risk management, seeking initial approval of continuing education courses by the Board shall pay a fee of \$250.00. Continuing education providers seeking renewal for the providership of approved

courses shall also pay a \$250.00 fee each biennium. The initial fee and renewal fee shall be assessed per provider and not per course.

(b) Duration of approval. All continuing education providers and courses are approved for credit for a period of two (2) years from the date first approved.

(c) Suspension and removal of approved providers. Any approved continuing education provider found to be offering courses, not compliant with the provisions of paragraphs (3)(a) through (6)(e) of this rule may have their approval suspended or removed. Any additional incidence of noncompliance found within any 24 month period shall result in suspension or removal of approval. A third incident of noncompliance found within any 24 month period shall result in removal of the provider's approval and shall bar the provider from being an approved provider for no less than 60 months. Credit rewarded for non-complaint courses shall be determined by the board.

(d) ~~Requirements for approval of all courses. To receive Board approval, a~~All continuing education courses offered by a board approved provider shall be considered board approved if the following requirements are met:

1. ~~Shall be submitted for the Board's approval at least sixty (60) days prior to the date of the scheduled presentation;~~

2. Must be offered for the purpose of keeping the licensee apprised of advancements and new developments in at least one of the following areas, provided that the continuing education is within the scope of chiropractic practice as defined in Chapter 460, F.S.:

- a. General or spinal anatomy,
- b. Physiology,
- c. General or neuro-muscular diagnosis,
- d. ~~X-ray~~ Imaging technique or interpretation,
- e. Chemistry,
- f. Pathology,
- g. Microbiology,
- h. Public health,
- i. Principles or practice of chiropractic,
- j. Risk management,
- k. Laboratory diagnosis,
- l. Nutrition,
- m. Physiotherapy,
- n. Phlebotomy,
- o. Acupuncture,
- p. AIDS,
- q. Law relating to the practice of chiropractic, the Board of Chiropractic Medicine and the regulatory agency under which the Board operates,
- r. Practice management.

3. No marketing or promotional material shall be presented from the stage during the delivery of continuing education.

~~43. Shall have its sponsor~~ submit to CE Broker or current state designated electronic record keeping provider ~~the Board~~ at least the following:

a. A detailed course outline or syllabus, including such items as method of instruction, testing materials, if any; and,

b. A current curriculum vitae of each speaker or lecturer appearing in the program; and,

c. The procedure to be used for recording attendance of those attendees seeking to apply for continuing education credit and the procedure for certification by the program's registrar of attendance to be submitted to the Board as verification. The provider must require a licensee provide a photo identification and sign in and out each time they enter or exit the meeting room site and licensee's attendance must be certified by the course's registrar and submitted to the Board as verification. Providers of online attendance courses must explain how this requirement will be substantially met through the course's technology.

54. Shall be taught by one or more speakers or lecturers with at least one of the following qualifications:

a. A current faculty member of a chiropractic college or school maintaining a standard and reputability approved by the Board, or a current faculty member at a medical or osteopathic college or a university which college or university is accredited by, or has status with, an agency or its successor which is recognized and approved by the United States Office of Education or the Council on Post-Secondary Accreditation; or

b. A post-graduate level instructor of a chiropractic college or school maintaining a standard and reputability approved by the Board, or a post-graduate level instructor at a medical or osteopathic college or a university which college or university is accredited by, or has status with, an agency or its successor which is recognized and approved by the United States Office of Education or the Council on Post-Secondary Accreditation; or

c. A bachelor's degree and 2 years' experience in the subject matter being taught; or

d. An associate's degree and 4 years' experience in the subject matter being taught: or

e. Six years' experience in the subject matter being taught; and

65. Shall ensure the security of payment of registration fees.

7. Continuing education course instructors or related entities shall not compensate board approved continuing education providers or related entities by any means in exchange for their performance.

8. All continuing education courses must be competency based learning, and include challenge questions.

a. For purposes of this rule, "Competency Based Learning" shall mean a course in which periodic challenge questions and a post-test is administered to assess the licensee's mastery of the materials.

b. Challenge questions. Challenge questions are offered during each credit hour of a course to verify the licensee's attendance. A minimum of seventy-five percent (75%) of the challenge questions asked during each credit hour must be answered by the attendee to receive credit for that hour of content. If an attendee

fails to answer at least 75% of the challenge questions, the attendee must retake the entire credit hour, and each credit hour must be completed before the next credit hour of content may be attempted. Challenge questions must be related to that credit hour's content.

~~(e)(d)~~ Additional requirements for approval of online attendance courses. In addition to the requirements of paragraph (5)(~~d~~e), to receive Board approval, all online attendance continuing education courses must meet the following additional requirements.

~~1. All online attendance continuing education courses shall be competency based learning.~~

~~2.~~ The continuing education provider must explain the appropriate level of technology required for the licensee to participate in the course.

~~3.~~ The continuing education provider must have technical assistance available as appropriate to the course format.

~~4.~~ The provider must allow access to the online program to a Board member for auditing purposes; and

~~5.~~ Copies of all post-test and challenge questions must be submitted for Board review.

(~~e~~) As an alternative to submission of online courses to the Board for review, providers may submit online courses through the Federation of Chiropractic Licensing Boards, Providers of Continuing Education (PACE) Pre-Check Expedited Course Submission process. If this process is used, the course must be submitted to the Board for final approval.

(6) Acupuncture Certification. Hours completed to satisfy the requirements of Rule 64B2-11.012, F.A.C., shall satisfy the requirements of this rule.

(7) Alternative Means of Earning Continuing Education Credits.

(a) Attendance at Board Meetings. Five (5) hours of continuing chiropractic education in the subject area of risk management may be obtained by attending one full day or eight (8) hours of a Board meeting (whichever is shorter) at which disciplinary hearings are conducted by the Board of Chiropractic Medicine in compliance with the following:

1. The licensee must sign in with the Executive Director of the Board or designee before the meeting day begins.

2. The licensee must remain in continuous attendance.

3. The licensee must sign out with the Executive Director of the Board or designee at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. A licensee may receive CE credit in risk management for attending the Board meeting only if he or she is attending on that date solely for that purpose; he or she may not receive such credit if appearing at the Board meeting for another purpose.

(b) Expert Witnesses. In addition to the continuing chiropractic education credits authorized above, any volunteer expert witness who is providing expert witness opinions for cases being reviewed pursuant to Chapter 460, F.S., shall receive five (5) hours of credit in the area of risk management for each case reviewed up to a maximum of ten (10) hours per biennium. In this regard,

volunteer expert witnesses are encouraged to perform a literature survey in conjunction with a review of cases for the Board.

(c) Course Instructors; Speakers; Panelists. In addition to the continuing chiropractic education credits authorized above, a course instructor or speaker, for one presentation only per biennium, will receive ten (10) hours of credit for a continuing education program sponsored by a Board approved provider. A panelist at a conference of healthcare professionals at a Board approved conference, shall receive five (5) hours of risk management continuing education credit per biennium.

(d) Department Test Examiners and Consultants. In addition to the continuing chiropractic education credits authorized above, test examiners who have passed their trainee period and were used by the Department of Health during the biennium and test consultants who assist the Department in writing and reviewing the questions for the laws and rules examination will receive two (2) hours of laws and rules continuing education credit for the biennium.

(e) Service on Probable Cause Panels. In addition to the continuing chiropractic education credits authorized above, former Board members will receive thirteen (13) hours of continuing education credit for the required hours in laws and rules, risk management, prevention of medical errors, boundaries and ethics, and record-keeping and documentation per biennium for service on a Probable Cause Panel.

(f) NBCE Test Examiners or Graders. In addition to the continuing chiropractic education credits authorized above, any Florida licensee who participates as an examiner/grader for the National Board of Chiropractic Examiners (NBCE) shall receive up to nineteen (19) hours of general continuing chiropractic education for each examination administration in which he/she participates.

(g) Board Members. Board members shall receive thirteen (13) hours of continuing education for the required hours in laws and rules, risk management, prevention of medical errors, boundaries and ethics, and record-keeping and documentation credit for each full or partial biennium served on the Board.

Rulemaking Authority 456.013, 456.025(7), 460.408(3) FS. Law Implemented 456.013(6), (8), (9), 456.025(7), 456.036(10), 460.408 FS. History—New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98, 8-4-99, 7-11-02, 11-30-03, 4-17-05, 11-14-06, 11-13-07, 7-1-09, 5-17-10, 8-22-11, 10-21-12, 7-10-13, 7-8-15, 11-15-16, 5-30-17, 1-22-18, 8-5-18, 9-5-19, 7-22-21, 11-17-21, _____.

V) NEXT MEETING DATE
A) February 24, 2022

VI) ADJOURNMENT

A motion was made by Madam Chair to adjourn the meeting at 2:01p.m. The motion was seconded and passed unanimously.