

State of Arizona Board of Chiropractic Examiners Five-Year-Review
August 31, 2015

The following information is identical for each group of rules listed; therefore, it is not included in the analysis of each individual rule.

1. Effectiveness

The established objective of the following rules is effectively met. The data supporting this conclusion is that the Board is able to actively and equally enforce the following rules as written. In the last five years the Board has issued 331 Licenses, 343 Specialty Certificates, adjudicated 737 complaints, and registered over 1,000 chiropractic assistants and 16 Business Entities.

R4-7-101	Definitions
R4-7-104	Meetings
R4-7-201	Formation
R4-7-202	Powers and Duties
R4-7-301	Hearings
R4-7-302	Service
R4-7-303	Conduct of Hearing
R4-7-305	Rehearing or Review
R4-7-404	Investigations
R4-7-405	Refusal to Issue Licenses
R4-7-501	Display of Licenses
R4-7-504	License Denial
R4-7-601	Definition of Acupuncture as Applied to Chiropractic
R4-7-702	Education Requirements for Licensure
R4-7-802	Documenting Compliance with Continuing Education Requirements
R4-7-803	Effect of Suspension on Continuing Education Requirements
R4-7-901	Advertising of a Deceptive and Misleading Nature
R4-7-902	Unprofessional or Dishonorable Conduct
R4-7-1001	Eligibility; Application
R4-7-1002	Practice Limitations
R4-7-1003	Regulation and Termination of the Preceptorship Program
R4-7-1101	Use of the Term "Chiropractic Assistant"
R4-7-1102	Chiropractic Assistant Training
R4-7-1103	Scope of Practice
R4-7-1301	Additional Charges
R4-7-1402	Display of Registration
R4-7-1404	Business Entity Registration Renewal; Issuance, Reinstatement
R4-7-1405	Business Entity Registration; Denial
R4-7-1406	Reporting: Civil Penalty
R4-7-1407	Licensed Doctors of Chiropractic and Business Entity, unprofessional conduct
R4-7-1408	Exemptions

The established objective of the following rules is not effectively met and will be addressed in the individual rule analysis.

- R4-7-502 Procedures for Processing Initial License Applications
- R4-7-503 Renewal License: Issuance, Reinstatement
- R4-7-801 Continuing Education Requirements
- R4-7-1401 Application for Business Entity Registration; Qualification of applicants; fee; background investigations
- R4-7-1403 Procedures for Processing Initial Registration applications

2. Criticisms Received within the Last 5 Years.

The Board of Chiropractic Examiners has not received any written criticism during the past five years on any of the following rules.

R4-7-101	Definitions
R4-7-104	Meetings
R4-7-201	Formation
R4-7-202	Powers and Duties
R4-7-301	Hearings
R4-7-302	Service
R4-7-303	Conduct of Hearing
R4-7-305	Rehearing or Review
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R4-7-405	Refusal to Issue Licenses
R4-7-501	Display of Licenses
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R4-7-802	Documenting Compliance with Continuing Education Requirements
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R4-7-1102	Chiropractic Assistant Training
R4-7-1103	Scope of Practice
R4-7-1301	Additional charges
R4-7-1402	Display of Registration
R4-7-1404	Business Entity Registration Renewal; Issuance, Reinstatement
R4-7-1405	Business Entity Registration; Denial
R4-7-1406	Reporting: Civil Penalty
R4-7-1407	Licensed Doctors of Chiropractic and Business Entity, unprofessional conduct
R4-7-1408	Exemptions

Written criticisms have been received for the following rules and will be addressed in the individual rule analysis: (See Attachment A)

R4-7-801	Continuing Education Requirements
R4-7-1401	Application for Business Entity Registration; Qualification of applicants; fee; background investigations
R4-7-1403	Procedures for Processing Initial Registration applications

4. Consistency

The following rules do not have inconsistencies with statute or other rules.

R4-7-101	Definitions
R4-7-104	Meetings
R4-7-201	Formation
R4-7-202	Powers and Duties
R4-7-301	Hearings
R4-7-302	Service
R4-7-303	Conduct of Hearing
R4-7-305	Rehearing or Review
R4-7-404	Investigations
R4-7-405	Refusal to Issue Licenses
R4-7-501	Display of Licenses
R4-7-502	Procedures for Processing Initial License Applications
R4-7-503	Renewal License: Issuance, Reinstatement
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R4-7-902	Unprofessional or Dishonorable Conduct
R4-7-1001	Eligibility; Application
R4-7-1002	Practice Limitations
R4-7-1003	Regulation and Termination of the Preceptorship Program
R4-7-1101	Use of the Term "Chiropractic Assistant"
R4-7-1102	Chiropractic Assistant Training
R4-7-1103	Scope of Practice
R4-7-1402	Display of Registration
R4-7-1404	Business Entity Registration Renewal; Issuance, Reinstatement
R4-7-1405	Business Entity Registration; Denial
R4-7-1406	Reporting: Civil Penalty
R4-7-1407	Licensed Doctors of Chiropractic and Business Entity, unprofessional conduct
R4-7-1408	Exemptions

The following rules do have inconsistencies with statute or other rules and will be addressed in the individual rule analysis:

R4-7-1301	Additional charges
R4-7-1401	Application for Business Entity Registration; Qualification of applicants; fee; background investigations
R4-7-1403	Procedures for Processing Initial Registration applications

5. Clarity, Conciseness, & Understandability

The following rules are clear, concise and understandable.

R4-7-101	Definitions
R4-7-104	Meetings
R4-7-201	Formation
R4-7-202	Powers and Duties
R4-7-301	Hearings
R4-7-302	Service
R4-7-303	Conduct of Hearing
R4-7-404	Investigations
R4-7-405	Refusal to Issue Licenses
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R4-7-702	Education Requirements for Licensure
R4-7-802	Documenting Compliance with Continuing Education Requirements
R4-7-803	Effect of Suspension on Continuing Education Requirements
R4-7-901	Advertising of a Deceptive and Misleading Nature
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R4-7-1405	Business Entity Registration; Denial
R4-7-1406	Reporting: Civil Penalty
R4-7-1407	Licensed Doctors of Chiropractic and Business Entity, unprofessional conduct
R4-7-1408	Exemptions

The following rules may require review to clarity, and understandability:

R4-7-305	Rehearing, Review of Decision
R4-7-801	Continuing Education Requirements
R4-7-902	Unprofessional or Dishonorable Conduct Activities

6. Economic Impact:

No Change in Economic Impact. No change in the economic impact of the following group of rules has occurred because:

- 1) Amendments have not been made since the rule was last revised or implemented, with an economic impact statement, in 1997. The impact identified at that time remains applicable.
R4-7-803 Effect of Suspension on Continuing Education Requirements

- 2) Amendments have not been made since the rule was last revised or implemented, with an economic impact statement, in 2012. The impact identified at that time remains applicable.
R4-7-504 License Denial

- 3) Amendments have not been made since the rule was last revised or implemented, with an economic impact statement, in 1999. The impact identified at that time remains applicable.
R4-7-1002 Practice Limitations
R4-7-1101 Use of the Term "Chiropractic Assistant"

- 4) Amendments have not been made since the rule was last revised or implemented, with an economic impact statement, in 2012. The impact identified at that time remains applicable.
R4-7-404 Investigation

- 5) Amendments have not been made since the rule was last revised or implemented, with an economic impact statement, in 2003. The impact identified at that time remains applicable.
R4-7-702 Standards of Education as Determined by the Board
R4-7-1001 Eligibility; Application
R4-7-1003 Regulation and termination of the Preceptorship Program

- 6) Amendments have not been made since the rule was last revised or implemented, with an economic impact statement, in 2003. The impact identified at that time remains applicable.
R4-7-901 Advertising of a Deceptive and Fraudulent Nature

- 7) Amendments have not been made since the economic impact statement cited in the Boards Five-year-rule review in 2005. The impact identified at that time remains applicable.
R4-7-104 Meetings
R4-7-201 Formation
R4-7-202 Powers and Duties
R4-7-405 Refusal to Issue Licenses

- 8) Amendments have not been made since the rule was last revised or implemented, with an economic impact statement, in 2007. The impact identified at that time remains applicable.

R4-7-1301 Additional Charges

- 9) Amendments have not been made since the rule was last revised or implemented, with an economic impact statement, in 2012. The impact identified at that time remains applicable.

R4-7-101 Definitions

R4-7-301 Investigation of Complaints

R4-7-302 Service

R4-7-303 Conduct of Hearings

R4-7-305 Rehearing, Review of Decision

R4-7-501 Display of Licenses

R4-7-502 Procedures for Processing Initial License Applications

R4-7-503 Renewal License, Issuance, Reinstatement

R4-7-801 Continuing Education Requirements

R4-7-802 Documenting Compliance with Continuing Education Requirements

R4-7-902 Unprofessional or Dishonorable conduct

R4-7-1102 Chiropractic Assistant Training

R4-7-1103 Scope of Practice

- 10) Amendments have not been made since the rule was last revised or implemented, with an economic impact statement, in 2012. The impact identified at that time remains applicable.

R4-7-601 Definition of Acupuncture as Applied to Chiropractic

- 11) Amendments have not been made since the rule was last revised or implemented, with an economic impact statement, in 2014. The impact identified at that time remains applicable.

R4-7-1401 Application for Business Entity Registration; Qualification of Applicants; Fee; Background Investigations

R4-7-1402 Display of Registration

R4-7-1403 Procedures for Processing Initial Registration Applications

R4-7-1404 Business Entity Registration Renewal; Issuance, Reinstatement

R4-7-1405 Business Entity Registration; Denial

R4-7-1406 Reporting: Civil Penalty

R4-7-1407 Licensed Doctors of Chiropractic and Business Entity, Unprofessional Conduct

R4-7-1408 Exemptions

7. Analysis

There has been no analysis submitted to the agency by another person that compares the rule's impact on this state's business competitiveness to the impact on businesses in other states for the following rules.

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R4-7-302	Service
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R4-7-902	Unprofessional or Dishonorable Conduct
R4-7-1001	Eligibility; Application
R4-7-1002	Practice Limitations
R4-7-1003	Regulation and Termination of the Preceptorship Program
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R4-7-1102	Chiropractic Assistant Training
R4-7-1103	Scope of Practice
R4-7-1301	Additional Charges
R4-7-1401	Application for Business Entity Registration; Qualification of applicants; fee; background investigations
R4-7-1402	Display of Registration
R4-7-1403	Procedures for Processing Initial Registration applications
R4-7-1404	Business Entity Registration Renewal; Issuance, Reinstatement
R4-7-1405	Business Entity Registration; Denial
R4-7-1406	Reporting: Civil Penalty
R4-7-1407	Licensed Doctors of Chiropractic and Business Entity, Unprofessional Conduct
R4-7-1408	Exemptions

8. The agency included the following rules in the agency's previous five-year review. No action was requested in the previous five year rule review.

R4-7-101	Definitions
R4-7-104	Meetings
R4-7-201	Formation
R4-7-202	Powers and Duties
R4-7-301	Hearings
R4-7-302	Service
R4-7-303	Conduct of Hearing
R4-7-305	Rehearing or Review
R4-7-404	Investigations
R4-7-405	Refusal to Issue Licenses
R4-7-501	Display of Licenses
R4-7-502	Procedures for Processing Initial License Applications
R4-7-503	Renewal License: Issuance, Reinstatement
R4-7-702	Education Requirements for Licensure
R4-7-801	Continuing Education Requirements
R4-7-802	Documenting Compliance with Continuing Education Requirements
R4-7-803	Effect of Suspension on Continuing Education Requirements
R4-7-901	Advertising of a Deceptive and Misleading Nature
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R4-7-1001	Eligibility; Application
R4-7-1002	Practice Limitations
R4-7-1003	Regulation and Termination of the Preceptorship Program
R4-7-1101	Use of the Term "Chiropractic Assistant"
R4-7-1102	Chiropractic Assistant Training
R4-7-1103	Scope of Practice
R4-7-1301	Additional charges

The agency included the following rules in the agency's previous five-year review. Action was requested in the previous five year rule review. The following rules were amended in November 2012, within the timeframe prescribed in the 2010 five year review report.

R4-7-504	License Denial
R4-7-601	Definition of Acupuncture as Applied to Chiropractic

The agency did not include the following rules in the agency's previous five-year review as the rules became effective in 2014.

R4-7-1401	Application for Business Entity Registration; Qualification of applicants; fee; background investigations
R4-7-1402	Display of Registration
R4-7-1403	Procedures for Processing Initial Registration applications
R4-7-1404	Business Entity Registration Renewal; Issuance, Reinstatement
R4-7-1405	Business Entity Registration; Denial
R4-7-1406	Reporting: Civil Penalty
R4-7-1407	Licensed Doctors of Chiropractic and Business Entity, unprofessional conduct
R4-7-1408	Exemptions

9. The following rules impose the least burden and costs to persons regulated by the rule, including paperwork and other compliance costs necessary to achieve the underlying regulatory Objective.

R4-7-101	Definitions
R4-7-104	Meetings
R4-7-201	Formation
R4-7-202	Powers and Duties
R4-7-301	Hearings
R4-7-302	Service
R4-7-303	Conduct of Hearing
R4-7-305	Rehearing or Review
R4-7-404	Investigations
R4-7-405	Refusal to Issue Licenses
R4-7-501	Display of Licenses
R4-7-504	License Denial
R4-7-601	Definition of Acupuncture as Applied to Chiropractic
R4-7-702	Education Requirements for Licensure
R4-7-801	Continuing Education Requirements
R4-7-802	Documenting Compliance with Continuing Education Requirements
R4-7-803	Effect of Suspension on Continuing Education Requirements
R4-7-901	Advertising of a Deceptive and Misleading Nature
R4-7-902	Unprofessional or Dishonorable Conduct
R4-7-1001	Eligibility; Application
R4-7-1002	Practice Limitations
R4-7-1003	Regulation and Termination of the Preceptorship Program
R4-7-1101	Use of the Term "Chiropractic Assistant"
R4-7-1102	Chiropractic Assistant Training
R4-7-1103	Scope of Practice
R4-7-1402	Display of Registration
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R4-7-1405	Business Entity Registration; Denial
R4-7-1406	Reporting: Civil Penalty
R4-7-1407	Licensed Doctors of Chiropractic and Business Entity, unprofessional conduct
R4-7-1408	Exemptions

The Agency believes that once the changes indicated in this report are made, that following rules will impose the least burden and costs to the persons regulated by the rule:

R4-7-502	Procedures for Processing Initial License Applications
R4-7-503	Renewal License: Issuance, Reinstatement
R4-7-1301	Additional charges
R4-7-1401	Application for Business Entity Registration; Qualification of applicants; fee; background investigations
R4-7-1403	Procedures for Processing Initial Registration applications

10. Determination that the rule is not more stringent than a corresponding federal law.

The following rules are not deemed more stringent than any corresponding federal law as no corresponding federal law exists.

R4-7-101	Definitions
R4-7-104	Meetings
R4-7-201	Formation
R4-7-202	Powers and Duties
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R4-7-302	Service
R4-7-303	Conduct of Hearing
R4-7-305	Rehearing or Review
R4-7-404	Investigations
R4-7-405	Refusal to Issue Licenses
R4-7-501	Display of Licenses
R4-7-502	Procedures for Processing Initial License Applications
R4-7-503	Renewal License: Issuance, Reinstatement
R4-7-504	License Denial
R4-7-601	Definition of Acupuncture as Applied to Chiropractic
R4-7-702	Education Requirements for Licensure
R4-7-801	Continuing Education Requirements
R4-7-802	Documenting Compliance with Continuing Education Requirements
R4-7-803	Effect of Suspension on Continuing Education Requirements
R4-7-901	Advertising of a Deceptive and Misleading Nature
R4-7-902	Unprofessional or Dishonorable Conduct
R4-7-1001	Eligibility; Application
R4-7-1002	Practice Limitations
R4-7-1003	Regulation and Termination of the Preceptorship Program
R4-7-1101	Use of the Term "Chiropractic Assistant"
R4-7-1102	Chiropractic Assistant Training
R4-7-1103	Scope of Practice
R4-7-1301	Additional charges
R4-7-1401	Application for Business Entity Registration; Qualification of applicants; fee; background investigations
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R4-7-1403	Procedures for Processing Initial Registration applications
R4-7-1404	Business Entity Registration Renewal; Issuance, Reinstatement
R4-7-1405	Business Entity Registration; Denial
R4-7-1406	Reporting: Civil Penalty
R4-7-1407	Licensed Doctors of Chiropractic and Business Entity, unprofessional conduct
R4-7-1408	Exemptions

11. Regulatory permit, license or agency authorization compliance with §41-1037

The following rules were in effect prior to July 29, 2010 and are exempt from §41-1037 as the issuance of an alternative type of permit, license or authorization is specifically authorized by state statute.

R4-7-101	Definitions
R4-7-104	Meetings
R4-7-201	Formation
R4-7-202	Powers and Duties
R4-7-301	Hearings
R4-7-302	Service
R4-7-303	Conduct of Hearing
R4-7-305	Rehearing or Review
R4-7-405	Refusal to Issue Licenses
R4-7-501	Display of Licenses
R4-7-502	Procedures for Processing Initial License Applications
R4-7-503	Renewal License: Issuance, Reinstatement
R4-7-702	Education Requirements for Licensure
R4-7-901	Advertising of a Deceptive and Misleading Nature
R4-7-902	Unprofessional or Dishonorable Conduct
R4-7-1001	Eligibility; Application
R4-7-1002	Practice Limitations
R4-7-1003	Regulation and Termination of the Preceptorship Program
R4-7-1101	Use of the Term "Chiropractic Assistant"
R4-7-1102	Chiropractic Assistant Training
R4-7-1103	Scope of Practice
R4-7-1301	Additional charges

The following rules came into effect after July 29, 2010 and are exempt from §41-1037 as the issuance of an alternative type of permit, license or authorization is specifically authorized by state statute.

R4-7-404	Investigations
R4-7-504	License Denial
R4-7-601	Definition of Acupuncture as Applied to Chiropractic
R4-7-801	Continuing Education Requirements
R4-7-802	Documenting Compliance with Continuing Education Requirements
R4-7-803	Effect of Suspension on Continuing Education Requirements
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R4-7-1405	Business Entity Registration; Denial
R4-7-1406	Reporting: Civil Penalty
R4-7-1407	Licensed Doctors of Chiropractic and Business Entity, unprofessional conduct
R4-7-1408	Exemptions

12. Enforcement

The following rules are enforced as written:

R4-7-101	Definitions
R4-7-104	Meetings
R4-7-201	Formation
R4-7-202	Powers and Duties
R4-7-301	Hearings
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R4-7-1406	Reporting: Civil Penalty
R4-7-1407	Licensed Doctors of Chiropractic and Business Entity, unprofessional conduct
R4-7-1408	Exemptions

The following rules are not enforced as written:

R4-7-1401	Application for Business Entity Registration; Qualification of applicants; fee; background investigations
R4-7-1403	Procedures for Processing Initial Registration applications

Analysis of Individual Rules

R4-7-101 Definitions

3. Authorization: The Board of Chiropractic Examiners' general authority to adopt rules derives from A.R.S. § 32-904(B).
13. Proposed Action: The Board does not propose any changes to this rule.

R4-7-104 Meetings

3. This rule is authorized by A.R.S. § 32-902(A), which states that the Board will annually elect from its membership a chairman and vice-chairman.
6. Economic Impact: The Board is unable to locate an economic impact statement for this rule. However, the rule has no economic impact as the rule is restricted to the election of officers.
13. The Board does not propose any changes to this rule.

R4-7-201 Formation

3. The Board of Chiropractic Examiners' general authority to adopt rules derives from A.R.S. § 32-904(B).
13. The Board does not propose any changes to this rule.

R4-7-202 Powers and Duties

3. The Board of Chiropractic Examiners general authority to adopt rules derives from A.R.S. § 32-904(B).
13. The Board does not propose any changes to this rule.

R4-7-301 Investigation of Complaints

3. This rule is authorized by A.R.S. § 32-924(B), and (C) which permits the Board to investigate complaints and hold formal interviews or formal hearings. A.R.S. § 32-929(A) and (B) empower the Board to carry out investigations and issue subpoenas.
13. The Board does not propose any changes to this rule.

R4-7-302 Service

3. This rule is authorized by A.R.S. § 32-924(G) which permits the Board to investigate complaints and hold formal interviews or formal hearings. A.R.S. § 32-929(A) and (B) empower the Board to carry out investigations and issue subpoenas.
13. The Board does not propose any changes to this rule.

R4-7-303 Conduct of Hearing

3. This rule is authorized by A.R.S. § 32-924(F) which permit the Board to investigate complaints and hold formal interviews or formal hearings.
13. The Board does propose any changes to this rule.

R4-7-305 Rehearing, Review of Decision

3. This rule is authorized by A.R.S. § 32-924(B), (C), (F), (G) and (H) which permits the Board to investigate complaints and hold formal interviews or formal hearings. A. R.S. § 32-929(A) and (B) empower the Board to carry out investigations and issue subpoenas.
13. The Board does propose a change to this rule. (Only changes are include in the text below) The estimated submission of the final rulemaking package is December 2017, contingent upon the moratorium on rulemaking being lifted, or a waiver of the moratorium being approved.

F. When a motion for rehearing or review is based upon an affidavit, the affidavit shall be served with the motion. An opposing party may, within 10 days after service, serve an opposing affidavit. The Board may extend the period for serving an opposing affidavit for not more than 20 days for good cause shown or by written stipulation of the parties. The Board ~~may~~ may permit a reply affidavit.

R4-7-404 Investigation

3. This rule is authorized by A.R.S. § 32- 921 which sets the requirements for application and empowers the Board to conduct background checks and A.R.S § 32-929 which empowers the Board to conduct investigations.
13. The Board does not propose any changes to this rule.

R4-7-405 Refusal to Issue Licenses

3. This rule is authorized by A.R.S. § 32-921 which sets the requirements for application and empowers the Board to conduct background checks and A.R.S § 32-929 which empowers the Board to conduct investigations.
13. The Board does not propose any change to this rule.

R4-7-501 Display of Licenses

3. The Board of Chiropractic Examiners' general authority to adopt rules derives from A.R.S. § 32-904(B).
13. The Board does not propose any changes to this rule.

R4-7-502 Procedures for Processing Initial License Applications

1. Effectiveness This rule is no longer sufficiently effective. As time and technology has changed and updated some of the requirements have become outdated, ineffective and an extra burden on licensees. The Board proposes the removal of the size description of the photographs required.
3. A.R.S. § 41-1072 requires that all licensing agencies establish licensing timeframe rules.
13. The Board does propose a change to this rule. (Only changes are include in the text below) The estimated submission of the final rulemaking package is December 2017, contingent upon the moratorium on rulemaking being lifted, or a waiver of the moratorium being approved.
 - C. To complete a license application package, an applicant shall provide the following information and documentation:
 1. Two identical passport quality photographs, ~~measuring three inches by four inches, not larger than 2 inches by 2 inches~~, showing the applicant's full front face as the applicant will appear at the time of the examination and a description of identifying characteristics, if any;

R4-7-503 Renewal License, Issuance, Reinstatement

3. A.R.S. § 41-1073 requires that all licensing agencies establish licensing timeframes in rule.
4. Consistency The rule is no longer consistent with statute and rule regarding application submissions because some fees are established by the Board as required by A.R.S. § 32-904(B)(4).
13. The Board does propose a change to this rule. (Only changes are include in the text below) The estimated submission of the final rulemaking package is December 2017, contingent upon the moratorium on rulemaking being lifted, or a waiver of the moratorium being approved.
 - C. To complete a license renewal application, a licensee shall provide the following information and documentation:
 7. The renewal fee ~~of \$170.00~~ as required by A.R.S. § 32-923;
 - E. The Board shall reinstate a suspended license if the licensee pays the annual license renewal fee, pays an additional fee ~~of \$100~~ as required by A.R.S. § 32-923(D), and submits a completed license renewal application between January 1 and March 31 of the calendar year for which the license renewal is made.

R4-7-504 License; Denial

3. A.R.S. § 41-1073 requires all licensing agencies to establish licensing timeframe rules.
13. The Board does not propose any changes to this rule.

R4-7-601 Definition of Acupuncture as Applied to Chiropractic

3. A.R.S. § 32-922.02 establishes the practice of acupuncture as a certified specialty under a license to practice chiropractic.
13. The Board does not propose any change to this rule.

R4-7-702 Standards of Education as Determined by the Board.

3. A.R.S. § 32-921 establishes that applicants for a chiropractic license must be a graduate of a chiropractic college which meets the standards determined by the Board.
13. The Board does not propose any change to this rule.

R4-7-801 Continuing Education Requirements

1. This rule is no longer sufficiently effective. As a subsection of this rule that limits the pre-approval for PACE Continuing Education programs as well as restricts online courses. The Board will continue to review the matter, but did find a basis to amend the rule at this time.
2. Criticisms Received within the Last 5 Years: The Board received an objection to the subsection of this rule that limits the pre-approval for PACE CE programs as well as online courses provided by an accredited college or university. The Board will continue to review the matter, but did find a basis to amend the rule at this time. See Attachment A.
3. A.R.S. § 32-931 establishes that licensees must meet continuing education requirements and that compliance with the law be documented at the times and in the manner as prescribed by the Board.
13. The Board does propose a change to this rule. (Only changes are include in the text below) The estimated submission of the final rulemaking package is December 2017, contingent upon the moratorium on rulemaking being lifted, or a waiver of the moratorium being approved.

D. The following are predetermined to meet Board approval as providers for continuing education. Additional approval is not required, nor should it be expected. An application submitted for a course that falls under this subsection shall be returned to the applicant without a review and subsection (E) does not apply. Coursework provided by these entities is approved as meeting continuing education requirements only for those subjects listed in subsections (J) and (K) of this Section. ~~Preapproval does not include mediated instruction or programmed learning courses.~~

4. Continuing education programs that are certified by the Providers of Approved Continuing Education through the Federation of Chiropractic Licensing Boards.

~~E. —Prior approval is required for all course providers not mentioned in subsection (D) and for all mediated instruction or programed learning courses regardless of subsection (D).~~

R4-7-802 Documenting Compliance with Continuing Education Requirements

3. A.R.S. § 32-931 establishes that licensees must meet continuing education requirements and that compliance with the law shall be documented at the times and in the manner prescribed by the Board.
13. The Board does not propose any change to this rule.

R4-7-803 Effect of Suspension on Continuing Education Requirements.

3. A.R.S. § 32-931 establishes that licensees must meet continuing education requirements.
13. The Board does not propose any change to this rule.

R4-7-901 Advertising of a Deceptive and Fraudulent Nature

3. A.R.S. § 32-924 identifies those actions for which a licensee can be sanctioned, including advertising in a false, deceptive or misleading manner.
13. The Board does not propose any change to this rule.

R4-7-902 Unprofessional or Dishonorable Conduct Activities

3. A.R.S. § 32-924 identifies those actions for which a licensee can be sanctioned, including unprofessional conduct.
13. The Board does propose a change to this rule. (Only changes are include in the text below) The estimated submission of the final rulemaking package is December 2017, contingent upon the moratorium on rulemaking being lifted, or a waiver of the moratorium being approved.
 - d. Misrepresenting the service provided for the purpose of obtaining payment; ~~and~~

R4-7-1001 Eligibility; Application

3. A.R.S. § 32-926 establishes the authority of the Board to approve a preceptorship program under and A.R.S. § 32-907 grants authority to the Board to charge a fee for the preceptor filing and application.
13. The Board does not propose any change to this rule.

R4-7-1002 Practice Limitations

3. A.R.S. § 32-926 establishes the authority of the Board to approve a preceptorship program under and A.R.S. § 32-907 grants authority to the Board to charge a fee for the preceptor filing and application.
13. The Board does not propose any change to this rule.

R4-7-1003 Regulation and Termination of the Preceptorship Program

3. A.R.S. § 32-926 establishes the authority of the Board to approve a preceptorship program under and A.R.S. § 32-907 grants authority to the Board to charge a fee for the preceptor filing and application.
13. The Board does not propose any change to this rule.

R4-7-1101 Use of the Term "Chiropractic Assistant".

3. A.R.S. § 32-900 defines a chiropractic assistant and A.R.S § 32-930 authorizes the employment of a chiropractic assistant.
13. The Board does not propose any change to this rule.

R4-7-1102 Chiropractic Assistant Training

3. A.R.S. § 32-900 defines a chiropractic assistant and A.R.S § 32-930 authorizes the employment of a chiropractic assistant.
13. The Board does not propose any change to this rule.

R4-7-1103 Scope of Practice

- A. A.R.S. § 32-900 defines a chiropractic assistant and A.R.S. § 32-930 authorizes the employment of a chiropractic assistant.
13. The Board does propose a change to this rule. (Only changes are include in the text below) The estimated submission of the final rulemaking package is December 2017, contingent upon the moratorium on rulemaking being lifted, or a waiver of the moratorium being approved.
 - G. As per A.R.S. § 32-900~~(3)~~(4), a chiropractic assistant shall not be licensed to practice chiropractic in this or any other jurisdiction.

R4-7-1301 Additional Charges

3. A.R.S. § 32-907 empowers the Board to charge for services or resources at the cost of rendering such services.
4. The rule is no longer consistent with statute and rule regarding application submissions because some fees are established by the Board as required by A.R.S. § 32-904(B)(4).
13. The Board does propose a change to this rule. (Only changes are include in the text below) The estimated submission of the final rulemaking package is December 2017, contingent upon the moratorium on rulemaking being lifted, or a waiver of the moratorium being approved.
 - A. The Board shall collect charges for services as follows:
 1. Annual license renewal fee: ~~\$170.00~~; as required by A.R.S. § 32-923.

R4-7-1401 Application for Business Entity Registration; Qualification of applicants; fee; background investigations

1. This rule is no longer sufficiently effective. AzDPS informed staff that the Board did not have the Statutory Authority to receive fingerprint background check information for Business Entity owners.
2. The Board received an objection to the subsection of this rule that requires submission of fingerprint information for a background check prior to registration from AzDPS. AzDPS informed staff that the Board did not have the Statutory Authority to receive fingerprint background check information for Business Entity owners.
3. A.R.S. § 32-934 guidelines and requirements of a chiropractic business entity, registration, fees, and exempt entities.
4. The rule is no longer consistent with statute regarding application submissions because fingerprint information cannot be collected without Statuary Authorization.
13. The Board does propose a change to this rule. (Only changes are include in the text below) The estimated submission of the final rulemaking package is December 2017, contingent upon the moratorium on rulemaking being lifted, or a waiver of the moratorium being approved.

~~F. In order to determine an applicant business entity's (applicant) eligibility for approval, the Board may require the business entity's owners, officers or directors to submit a full set of fingerprints to the Board. The Board shall submit the fingerprints to the department of public safety for the purpose of obtaining a state and federal criminal records check pursuant to section A.R.S. 41-1750 and Public Law 92-544. The department of public safety may exchange this fingerprint data with the federal bureau of investigation. The Board shall charge each applicant a fee that is necessary to cover the cost of the investigation. The Board shall forward this fee to the department of public safety.~~

R4-7-1402 Display of Registration

3. A.R.S. § 32-934 defines a chiropractic business entity, registration, and fees.
13. The Board does not propose any change to this rule.

R4-7-1403 Procedures for Processing Initial Registration applications

1. This rule is no longer sufficiently effective. AzDPS informed staff that the Board did not have the Statutory Authority to receive fingerprint background check information for Business Entity owners.
2. The Board received an objection to the subsection of this rule that requires submission of fingerprint information for a background check prior to registration from AzDPS. AzDPS informed staff that the Board did not have the Statutory Authority to receive fingerprint background check information for Business Entity owners.
3. A.R.S. § 32-934 defines a chiropractic business entity, registration, fees, and exempt entities.
4. The rule is no longer consistent with statute regarding application submissions because fingerprint information cannot be collected without Statuary Authorization.
13. The Board does propose a change to this rule. (Only changes are include in the text below) The estimated submission of the final rulemaking package is December 2017, contingent upon the moratorium on rulemaking being lifted, or a waiver of the moratorium being approved.
 - C. To complete a business entity application package, an applicant shall provide the following information and documentation:
 - ~~6. A completed fingerprint card for each owner, officer or director.~~
 11. A government issued photo identification confirming **U.S. United States** citizenship or legal presence in the United States for each owner, officer or director, or if those individuals reside outside of the United States, confirmation of legal authority to operate a business in the United States.

R4-7-1404 Business Entity Registration Renewal; Issuance, Reinstatement

3. A.R.S. § 32-934 defines a chiropractic business entity, registration, fees, and exempt entities.
13. The Board does not propose any change to this rule.

R4-7-1405 Business Entity Registration; Denial

3. A.R.S. § 32-934 defines a chiropractic business entity, registration, fees, and exempt entities.
13. The Board does not propose any change to this rule.

R4-7-1406 Reporting: Civil Penalty

3. A.R.S. § 32-934 defines a chiropractic business entity, registration, fees, and exempt entities.
13. The Board does not propose any change to this rule.

R4-7-1407 Licensed Doctors of Chiropractic and Business Entity, unprofessional conduct

3. A.R.S. § 32-934 defines a chiropractic business entity, registration, fees, and exempt entities.
13. The Board does not propose any change to this rule.

R4-7-1408 Exemptions

3. A.R.S. § 32-934 defines a chiropractic business entity, registration, fees, and exempt entities.
13. The Board does not propose any change to this rule.