# ARIZONA BOARD OF CHIROPRACTIC EXAMINERS

# 2025 FISCAL YEAR









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# BOARD'S MISSION & RESPONSIBILITIES

# MISSION



The State of Arizona Board of Chiropractic Examiners is the regulatory body of the State of Arizona charged with protecting the health, welfare, and safety of the public by enforcing the laws governing the chiropractic practice.

The Board licenses over 2,500 chiropractors to practice in the State of Arizona. The Board also accepts and investigates complaints against licensed and unlicensed individuals.

# RESPONSIBILITIES

- To oversee the general application of the laws governing the practice of chiropractic, and update and develop regulations, address scope of practice, and to better define both appropriate conduct by professionals and consumer expectations.
- To investigate complaints, apply appropriate disciplinary action to doctors of chiropractic who may have broken the public trust through a violation of the law.
- To function in the global regulatory community to assist other professions or jurisdictions affected by chiropractic, continually review required credentials for doctors to practice safely, effectively, and ethically.

# THE BOARD

The Governor appoints the five State of Arizona Board of Chiropractic Examiners members. The Board is comprised of three doctors of chiropractic and two public members.

The Board employs staff to carry out administrative, licensing, and investigative functions of the agency.

An assistant attorney genera provides legal counsel to the Board and staff members.

The Board generally meets eight times per year. Board meetings can be attended in person at 1740 W. Adams Street or online via Zoom. All Board meetings are open to the public.



DR. RICHARD GUARINO, D.C. CHAIRMAN TERM DATES: JULY 1, 2023



DR. WAYNE BENNETT, D.C. VICE CHAIRMAN TERM DATES: JULY 1, 2024



DR. STEVEN KNAUFF, D.C. PROFESSIONAL MEMBER TERM DATES:



MS. ANGELA
POWELL CPC, CCO
PUBLIC MEMBER
TERM DATES:
JULY 1, 2025



MR. MITCHELL TURBENSON, ESQ PUBLIC MEMBER TERM DATES:

# **BOARD STAFF**



MS. ALISSA VANDER VEEN EXECUTIVE DIRECTOR



MR. RYAN DOMINICK BOARD INVESTIGATOR



MS. CONNY
GILLUM
LICENSING &
OPERATIONS
COORDINATOR



MR. LAWERNCE
ACOSTA

MONITORING &
COMPLIANCE
COORDINATOR

# **LICENSURE**

## Licenses by Status

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
ACTIVE	2245	2189	2176	2174		2264	2348	2383	2346	2199	2250
INACTIVE	68	87	85	113		42	44	42	44	41	42
PROBATION	16	7	11	15		14	15	14	15	14	13
SUSPENDED	0	0	0	1		2	2	2	2	2	3
RETIRED	47	55	55	71		72	74	72	74	70	71*
ADMINSTRATIVE SUSPENSION	199	206	187	144		188	195	226	195	183	186
Total Licensees	2575	2544	2514	2518	0	2580	2676	2715	2673	2506	2565

<sup>\*</sup> Of the Retired Licensees, 36 failed to renew for 2023. Their license will move to Lapsed status in 2024 if they do not renew or reinstate their license.

### Licensure Renewals



On average, 92.3% of all licensees renew and maintain their licenses. The Board has continued to maintain an average of 2,200 active licensees. Of the total licenses, 2% are Inactive, and 3% are Retired. The Board continues to recover from the drop in licensure that occurred during the CoVid-19 pandemic.

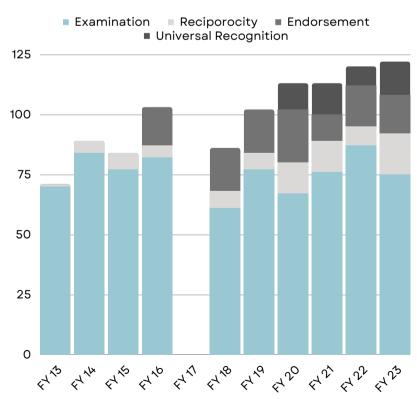
The significant reduction in active licenses in FY 2022 was from closing all the Administratively Suspended licenses that failed to reinstate their license for 2020-2021.

# **APPLICATIONS FOR LICENSURE**



	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23
Examination	70	84	77	82		61	77	67	76	87	77
Reciprocity	1	5	7	5		7	7	13	13	8	15
Endorsement	0	0	0	16		18	18	22	11	17	15
Universal Recognition	0	0	0	Ο		Ο	O	11	13	8	20
Total Applications	71	89	84	103		86	102	113	113	120	127

# Applications Received by Type





# **LICENSES ISSUED**



### Licenses Issued

	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23
Licenses Issued	67	80	81	80		76	62	112	112	114	111
Denied	2	0	0	0		1	0	0	0	0	0
Withdrawn	0	0	0	0		1	0	0	0	0	0
Closed/ Incomplete	3	6	6	6		8	26	1	1	6	16

In FY 2023, in addition to issuing Licenses for Chiropractic Physicians, the Board issued a total of twenty (20) Specialty Certificates in the areas of Physical Medicine and Modalities and Therapeutic Procedures (PMMTP) (4), Acupuncture (2) and Percutaneous Therapy (14).

On average, the Board issues applicants their license within seven (7) days of receiving a complete application. (Complete application is considered: application, background check, all supporting documentation received, and jurisprudence exam completed).

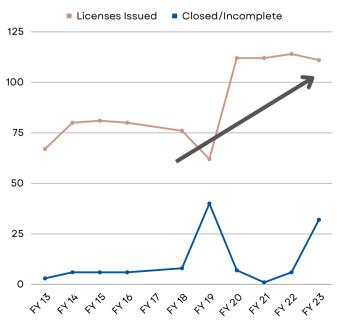
## Other Licenses & Applications

License Verifications	44
Fingerprints sent to DPS	137
Extern/Preceptor Applications	8
Reinstatement Applications	9
Business Entity Renewal Applications	11
Chiropractic Assistants Registrations	180
Chiropractic Assistant Transfers	402

85% of all licensure applications approved in FY 2023 were approved by the Executive Director, with only 15% having to be approved by the Board. The Board approved fourteen (14) applications: three (3) with a consent agreement for continuing education. The Board has not denied a license since FY 2018.

39.37% of all licensure applications received are through Reciprocity, Universal Recognition, or Endorsement. FY 2023, the Board received twenty (20) applications for licensure through Universal Recognition (UR). This is the most significant number of applications by UR the Board has received to date.

## Licenses Issued



# BOARD COMPLAINTS AND INVESTIGATIONS

he mission of this agency is to protect the health, welfare, and safety of Arizona citizens who seek and use chiropractic care.

The Board of Chiropractic Examiners and its staff are responsible for carrying out the stated mission. The authority of the Board and the laws governing the practice of chiropractic are defined in statute and rule. The Board must comply with all state laws; therefore, Board operations and decisions are based on those laws.

Anyone, including the Board, may file a complaint against a licensed doctor of chiropractic. All complaints filed with the Board against a licensed doctor of chiropractic must be investigated and brought before the Board for action. It can take anywhere from thirty (30) days to years to resolve a complaint, depending on when the complaint is filed, the complexity of the investigation, and whether or not a related criminal matter is being investigated. The complaint process can take a long time only because the Board is committed to ensuring that all decisions are made based on the complete set of facts.

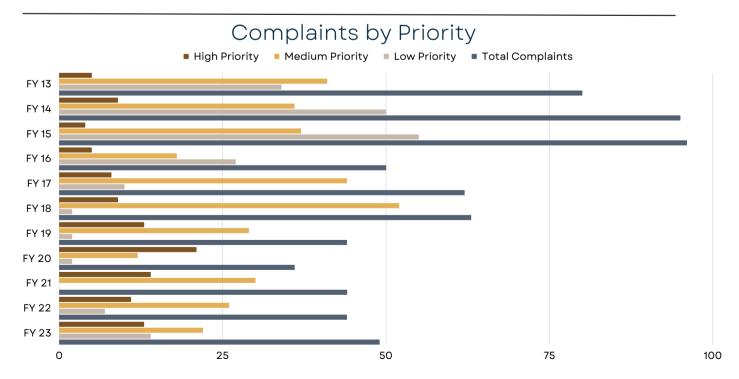
The Board does not have jurisdiction over the following issues: Billing or fee disputes, personality conflicts, bedside manner, business or contract disputes, and employment matters or disputes

#### Efficiently Addressing Complaints: The Board's Priority Classifications

To ensure the effectiveness of their complaint-handling process, the Board has categorized complaints into three levels of priority:

- High Priority complaints (16.89%): These concern patient safety, substance abuse, improper treatment, or sexual misconduct.
- Medium Priority complaints (52.34%) include documentation errors, record-keeping mistakes, and billing issues.
- Low Priority complaints (30.62%): These are about misleading advertising, using specialized terms like "Physiotherapy," or failure to release records.

Although the number of Low Priority and overall complaints has decreased, the Board has observed an increase in High Priority complaints over the last five (5) years. While the ten-year average for High Priority complaints is 16.89%, it accounted for 26.53% of the total complaints received for the fiscal year in FY 2023. The Board has also noted a decrease in the complaints received. From FY 2020 to FY 2023, the average number of complaints received was 43.25 per year, compared to 70 per year from FY 2013 to FY 2019.



# **BOARD INVESTIGATIONS**

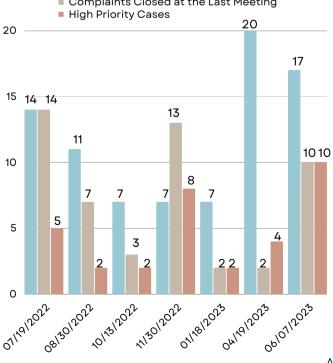
# **Investigation Process**

#### The stages of the Board's Investigation process:

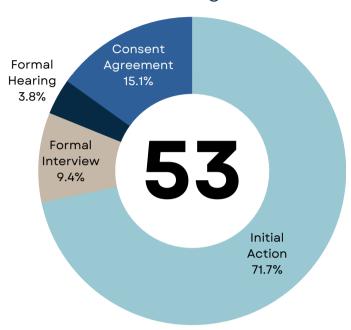
- Initial Investigation-The Board's investigator reviews the received complaint information, interviews the complainant and the doctor, and compiles a report to present to the Board.
- Initial Action-The Board's Investigator presents the complaint to the Board for the case review. The Board can not take disciplinary action at this stage. If the Board determines the complaint does not rise to the level of disciplinary action, they can issue a Non-Disciplinary Advisory Letter or Non-Disciplinary Order for Continuing Education according to A.R.S. 32-924 (3).
- Formal Interview- If the Board determines that the matter rises to the level of disciplinary action after the initial action, then the complaint will be forwarded to a Formal Interview. During this investigative phase, the Board may receive and consider pertinent documents and sworn statements of persons who may be called as witnesses in a Formal Hearing. Legal counsel may be present and participate in the formal interview. At this phase, the Board may issue disciplinary action. Disciplinary Action can be cease and desist, Order for Censure, Order for Probation, Civil Penalty, Refuse to Renew license or a Disciplinary Order.
- Formal Hearing- If, after the Formal Interview, the Board finds the violations rise to suspension or revocation, then the matter will be moved to Formal Hearing. The Board must hold a Formal Hearing within 180 days of the date the Complaint and Notice of Hearing is mailed to the licensee

## FY 2023 Complaint Resolution

- # of Complaint on Agenda
- Complaints Closed at the Last Meeting



# FY 2023 **Board Investigations**



#### The Board Adjudication Progress for FY 2023

The Board successfully resolved 96.2% (51 complaints) of the cases it heard during FY 2023. On average, 12 complaints were heard at each Board Meeting, resulting in hearing a total of 38 Initial Actions, 5 Formal Interviews. and 2 Formal Hearings. When the Board finds evidence of criminal misconduct or violations of other statutes and rules, the Board has the authority to refer the matter to other jurisdictions for additional investigation. In FY 2023, the Board referred five (5) cases to other jurisdictions for further investigation.

# **Pending Complaints**

Awaiting Initial Action	62
Awaiting Formal Interview	2
Awaiting Formal Hearing	7

# **DISCIPLINARY ACTION**

## Complaint Backlog

	03/04/2022	06/07/2023
Complaints Remaining from 2018	11	0
Complaints Remaining from 2019	2	0
Complaints Remaining from 2020	10	3
Complaints Remaining from 2021	33	10
Complaints Remaining from 2022	28	25
Complaints Remaining from 2023	0	46

## **Disciplinary Actions**

The Board strives to balance protecting the public and rehabilitating the licensee. Most Board complaints are dismissed with no basis to proceed or result in non-disciplinary action. When a complaint is dismissed, it often means that the Board does not have jurisdiction or the investigation did not find evidence that a violation of the law occurred. The Board can also take non-disciplinary action against a licensee to address the concerns it finds during an investigation but does not rise to the level of requiring formal discipline.

Non-disciplinary action can include the following:

- Issue a Non-disciplinary Advisory (NDAL) letter to the licensee. The letter becomes part of the licensee's permanent file with the Board. The Board often issues an NDAL for first-time infractions depending on the type of violation, technical violations, or when there is insufficient evidence to proceed.
- Issue a Non-Disciplinary Order for Continuing Education for violations that warrant more action than an Advisory Letter but do not rise to the level of formal discipline.
   The Board can require a licensee to take additional hours in continuing education to address the allegations found during the investigation.

When the Board finds a substantive basis on which to proceed, the Board will take disciplinary action.

Disciplinary Action can include:

- An Order to Cease and Desist
- An Order for Censure
- An Order for Probation
- · A Civil Penalty
- A Refuse to Renew the license
- A Disciplinary Order

#### **Complaint Backlog**

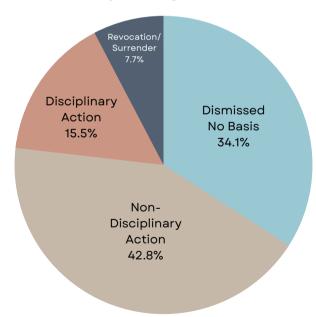
The Board is currently addressing a backlog of 84 complaints, 21 classified as a high priority, dating back to Fiscal Year 2018. In addition, 49 new complaints have been received for FY 2023. The Board has taken a two-pronged approach to address the backlog, first addressing high-priority complaints, then in the order the Board received the complaints starting with FY 2018. The Board has successfully resolved all FY 2018 and 2019 complaints. As for FY 2020, only three (3) complaints are left to address. The complaints are awaiting Formal Hearings at this time.

There are 25 complaints left to investigate and hear for FY 2022, and the Board anticipates majority of those complaints being closed in early 2024.

#### **Complaint Timeframes**

The time it takes to process a complaint entirely can vary based on the type of complaint, the complexity of the investigation, and whether or not a related criminal matter is being investigated. On average, it takes the Board 355 days to fully adjudicate a complaint. About 9.80% of the Board's complaints are closed within 180 days.

## **Disciplinary Actions**



About 6.78% of all complaints result in either a voluntary surrender or revocation of licensure. In the last ten (10) years, the Board has issued formal discipline for 142 of 663 complaints it has received. Of the 142 complaints that resulted in disciplinary action, 51 resulted in either a voluntary surrender of licensure or a license revocation of licensure by the Board.

# STAFF PRODUCTIVITY

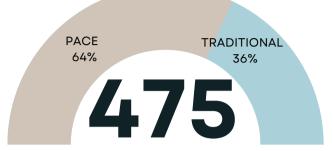
# Staff Productivity

In addition to processing license application, conducting investigations, processing Renewal Application Board Staff administers several other functions to assist both the public and licensees as part of the Board's mission.

	FY 2023
Email Correspondence	3,705
Name and Address Changes	576
Inactive or Retired Status Change Requests	76
Notice of Records Transfer	84
Request for Board Meeting Attendance for CE	60
Request for Copy of License	38
Public Records Requests	14



# **Continuing Education**



The Board statute and rules require the Board to preapprove the courses licensees can take for their annual continuing education for their renewal application. The course must have a significant relationship to accessing, diagnosing, or treating patients within the scope of chiropractic.

Since FY 2022, the Board has seen an increase of 29% in Continuing Education applications. The majority of applications received by the Board have been reviewed and approved as to meeting the requirements put forth by the Federation of Chiropractic Licensing Boards (FCLB).

	FY 2022	FY 2023
Pace Pre-Check Applications	284	308
Traditional Applications	84	167
Total CE Applications	368	475

# **Continuing Education Audits**

Starting in January 2023, the Board began conducting random audits for Continuing Education listed on their license renewal. The Board has conducted 32 audits, with 93.7% of all licensees providing their Continuing Education Certificates within the timeframe.

Successful Audits	30
Failed Audits	2

# BOARD ACCOMPLISHMENTS



- Migrated from a 1995 Microsoft Access Database to Thentia Cloud License and Application Online Portal
- 2 New and Improved Board Website
- New Continuing Education Website and CE Course Applications
- Scanned and digitized all Current and Archived Licesure Files
- Transitioned all Investigative Reports and Materials from paper files to fully electronic files.
- Worked with Arizona State Legislature to change Renewal date from December 31st annually to annually by birth month
- Developed and implemented a confidential monitoring program
- Reinstituted Continuing Education Audits for 2023 Renewals
- Published all FY 2022 and FY 2023 Board Meeting Minutes on the Board's Website, transitioned to audio recording as the official record.
- Secured funding for a fifth staff member to help improve the Board's efficiency and effectiveness.







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August 31, 2023

The Honorable Katie Hobbs Office of the Governor 1700 W. Washington Street-9th Floor Phoenix, AZ 85007

**RE: FY 2025 Budget Proposal** 

Dear Governor Hobbs:

On behalf of the Board of Chiropractic Examiners, thank you for the opportunity to submit the enclosed budget proposal for Fiscal Year 2025.

The Board presents a proposal that demonstrates our unwavering commitment to serving the citizens of Arizona. Our top priority is safeguarding the health and safety of all patients under the care of our licensees. We strive to enhance service delivery and maximize efficiency, all while maintaining responsible management of the fees we collect through licensing.

Last year the Board had several notable accomplishments in FY 2023:

- During FY 2023, the Board effectively resolved 96.2% of the cases it received, totaling to 51 complaints.
- The Board issues applicants their license within seven (7) days of receiving a complete application.
- On average, 92.3% of licensees renew and maintain their licenses, and the Board maintains 2,200 active licenses since the pandemic.
- In FY 2023, the Board received 20 licensure applications through Universal Recognition, the highest number to date.
- Processed and approved 475 Continuing Education applications for our licensees to have a variety of continuing education opportunities for their annual renewal.
- Migrated from Microsoft Access database to Thentia Cloud Licensee and Applicant Portal.
- Implemented a confidential monitoring program to aid in the rehabilitation of licensees struggling with substance abuse and mental health issues.

These are some of the work and accomplishments achieved in the past year. The Board continues to drive improvements and make necessary changes to protect the public.

Please, never hesitate to contact me.

Sincerely,

Alissa M. Vander Veer Executive Director



### **State of Arizona Budget Request**

State Agency

#### **Board of Chiropractic Examiners**

A.R.S. Citation: A.R.S. §§ 32-900 et seq.

#### **Governor Hobbs:**

This and the accompanying budget schedules, statements and explanatory information constitute the operating budget request for this agency for Fiscal Year 2025.

To the best of my knowledge all statements and explanations contained in the estimates submitted are true and correct.

Appropriated Funds	FY 2024 Expenditure	FY 2025 Funding	FY 2025 Total
	Plan	Issue	Request
Total Amount Requested:	542.4	173.5	715.9
General Fund	-	-	-
Chiropractic Examiners Board Fund	542.4	173.5	715.9
Non-Appropriated Funds	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
	-	-	-
Board of Chiropractic Examiners Total:	542.4	173.5	715.9

Agency Head: Alissa M. Vander Veen

Title: Executive Director

8/31/2023

(signature)

Phone: 6028645088

Prepared by: Alissa M. Vander Veen Email Address: generalinfo@chiroboar

d.az.gov

Date Prepared: August 31, 2023

Date Printed: 8/31/2023 11:33:52 AM

Transmittal Statement

### **Revenue Schedule**

Agency:	<b>Board of Chiropractic Examiners</b>	
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Fund: CE2010 Chiropractic Examiners Board Fund

AFIS Code	Category of Receipt and Description	FY 2023 Actuals	FY 2024 Estimate	FY 2025 Request
4312	Examination Fees	1.6	1.3	1.4
4339	Other Fees & Charges for Services	27.4	29.0	30.8
4372	Publications & Reproductions	3.9	3.1	2.5
4415	Occupational & Professional Licenses	544.0	904.0	616.5
4419	Other Licenses	39.4	68.6	73.4
4519	Other Fines, Forfeitures, Penalties and Liquidated Damages	20.0	5.0	5.0
4647	Credit Card Fees Paid	(10.3)	(13.4)	(17.4)
4649	Credit Card Fee Revenue	9.9	12.9	16.7
	Chiropractic Examiners Board Fund Total:	635.9	1,010.5	728.9

#### **Forecast Methodology**

See attachment for forecasting methodology and comments.

#### **Sources and Uses**

#### Agency: Board of Chiropractic Examiners

#### Fund: CE2010 Chiropractic Examiners Board Fund

Revenues are from fees, fines, and other revenues received by the Board and are used to license, investigate, and conduct examinations of chiropractors.

Cash Flow Summary	FY 2023 Actuals	FY 2024 Estimate	FY 2025 Request
Beginning Balance	613.7	765.8	1,233.9
Revenue (from Revenue Schedule)	635.9	1,010.5	728.9
Total Available	1,249.6	1,776.3	1,962.8
Total Appropriated Disbursements	483.8	542.4	715.9
Total Non-Appropriated Disbursements	-	-	-
Balance Forward to Next Year	765.8	1,233.9	1,246.9

Explanation for Negative Ending Balance(s):

Board of Chiropractic Examiners

#### **Appropriated Expenditure**

Expenditure Categories	FY 2023 Actuals	FY 2024 Estimate	FY 2025 Request
Personal Services	238.4	285.2	392.5
Employee Related Expenditures	106.9	116.0	167.2
Professional & Outside Services	33.9	35.0	50.0
Travel In-State	0.1	2.5	2.5
Travel Out-Of-State	7.6	15.0	15.0
Food	-	-	-
Aid To Organizations & Individuals	-	-	-
Other Operating Expenditures	88.0	67.7	67.7
Equipment	-	-	-
Capital Outlay	-	-	-
Capital Equipment	0.1	-	-
Non-Capital Equipment	8.8	21.0	21.0
Debt Service	-	-	-
Cost Allocation & Indirect Costs	-	-	-
Transfers-Out	-	-	-
Appropriated Expenditure Sub-Total:	483.8	542.4	715.9
Non-Lapsing Authority from Prior Years (no entry for BY)	-	-	-
Administrative Adjustments (no entry for BY)	-	-	-
Capital Projects (Land, Bldgs, Improv)	-	-	-
Appropriated 27th Pay Roll	-	-	-
Legislative Fund Transfers	-	-	-
IT Project Transfers	-	-	-

Date Printed:

## **Sources and Uses**

Agency:		Board of Chiropractic Examiners			
Fund:	CE2010	Chiropractic Examiners Board Fund			
Resi	idual Equity Ti	ransfer	-	-	-
Tran	sfer Due to F	und Balance Cap	-	-	-
Prior	r Committed o	r Obligated Expenditures (no entry for AY)	-	-	-
Non-	-Appropriated	27th Pay Roll	-	-	-
Appropri	ated Expendi	ture Total:	483.8	542.4	715.9
Appropri	ated FTE		4.0	5.0	7.0
Non	-Appropriat	ed Expenditure			
Expe	enditure Cate	gories	FY 2023 Actuals	FY 2024 Estimate	FY 2025 Request
Pers	onal Services		-	-	-
Emp	loyee Related	l Expenditures	-	-	-
Prof	essional & Ou	tside Services	-	-	-
Trav	el In-State		-	-	-
Trav	el Out-Of-Sta	te	-	-	-
Food	d		-	-	-
Aid <sup>-</sup>	To Organizatio	ons & Individuals	-	-	-
Othe	er Operating E	xpenditures	-	-	-
Equi	ipment		-	-	-
Capi	ital Outlay		-	-	-
Capi	ital Equipmen	t	-	-	-
Non-	-Capital Equip	ment	-	-	-
Debt	t Service		-	-	-
Cost	t Allocation &	Indirect Costs	-	-	-
Tran	sfers-Out		-	-	-
		Non-Appropriated Expenditure Sub-Total:	-	-	-
Non-	-Lapsing Auth	ority from Prior Years (no entry for BY)			
Adm	inistrative Adj	ustments (no entry for BY)	-	-	
Capi	ital Projects (L	and, Bldgs, Improv)	-	-	
Appr	ropriated 27th	Pay Roll	-	-	
Legi	slative Fund T	ransfers	-	-	
IT Pi	roject Transfe	rs	-	-	
Resi	idual Equity Ti	ransfer	-	-	
Tran	sfer Due to F	und Balance Cap	-	-	
Prior	r Committed o	r Obligated Expenditures (no entry for AY)	-	-	
Non-	-Appropriated	27th Pay Roll	-	-	
Non-Appı	ropriated Exp	penditure Total:	-	-	

## **Sources and Uses**

Agency:		Board of Chiropractic Examiners			
Fund:	CE2010	Chiropractic Examiners Board Fund			
Non-Appro	opriated FTE		-	-	-

# **Funding Issue List**

### Agency: Board of Chiropractic Examiners

FY 2025

Priority	Funding Issue Title	Total FTE	Total Amount	General Fund	Other Appropriated Funds	Non- Appropriated Funds
1	Business Entity Coordinator	1.0	96.3	-	96.3	-
2	Renewal and Continuing Education Coordinator	1.0	62.2	-	62.2	-
3	Interagency Service Agreement (ISA) with the Arizona Attorney General's Office for Legal Services	-	15.0	-	15.0	-
	Total:	2.0	173.5	-	173.5	-

# **Funding Issue Detail**

Agency:	Board of Chiropractic Examiners		
sue:	1 Business Entity Coordinator		Calculated ERE: Uniform Allowance:
Prog	gram: Licensing and Regulation d: CE2010 Chiropractic Examiners Board Fund (App	propriated)	
	Expenditure Categories	FY 2025	
ΓΕ	FTE	1.0	
000	Personal Services	67.6	
100	Employee Related Expenditures	28.7	
	Subtotal Personal Services and ERE	96.3	
	Program/Fund Total:	96.3	
sue:	2 Renewal and Continuing Education Coordinator		Calculated ERE:
			Uniform Allowance:
Prog		ropriated)	
Prog Fund	d: CE2010 Chiropractic Examiners Board Fund (App		
		FY 2025	
Func	d: CE2010 Chiropractic Examiners Board Fund (App		
Fund TE	d: CE2010 Chiropractic Examiners Board Fund (App	FY 2025	
Func	Expenditure Categories  FTE	<b>FY 2025</b>	
Func	Expenditure Categories  FTE  Personal Services	<b>FY 2025</b> 1.0 39.7	
Func	Expenditure Categories  FTE  Personal Services  Employee Related Expenditures	FY 2025 1.0 39.7 22.5	
-	Expenditure Categories  FTE  Personal Services  Employee Related Expenditures  Subtotal Personal Services and ERE  Program/Fund Total:	FY 2025  1.0  39.7  22.5  62.2  62.2	Calculated ERE:
Func FTE 6000 6100	Expenditure Categories  FTE  Personal Services  Employee Related Expenditures  Subtotal Personal Services and ERE  Program/Fund Total:	FY 2025  1.0  39.7  22.5  62.2  62.2	Calculated ERE: Uniform Allowance:
Func	Expenditure Categories  FTE  Personal Services  Employee Related Expenditures  Subtotal Personal Services and ERE  Program/Fund Total:  3 Interagency Service Agreement (ISA) with the Ari Attorney General's Office for Legal Services	FY 2025  1.0  39.7  22.5  62.2  62.2  zona	
TE 000 100	Expenditure Categories  FTE  Personal Services  Employee Related Expenditures  Subtotal Personal Services and ERE  Program/Fund Total:  3 Interagency Service Agreement (ISA) with the Ari Attorney General's Office for Legal Services  gram: Licensing and Regulation	FY 2025  1.0  39.7  22.5  62.2  62.2  zona	
Func FTE 5000 5100 ssue:	Expenditure Categories  FTE  Personal Services  Employee Related Expenditures  Subtotal Personal Services and ERE  Program/Fund Total:  3 Interagency Service Agreement (ISA) with the Ari Attorney General's Office for Legal Services	FY 2025  1.0  39.7  22.5  62.2  62.2  zona	
Func FTE 5000 5100 ssue:	Expenditure Categories  FTE  Personal Services  Employee Related Expenditures  Subtotal Personal Services and ERE  Program/Fund Total:  3 Interagency Service Agreement (ISA) with the Ari Attorney General's Office for Legal Services  gram: Licensing and Regulation  d: CE2010 Chiropractic Examiners Board Fund (App	FY 2025  1.0  39.7  22.5  62.2  62.2  zona	

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#### Agency: Board of Chiropractic Examiners

#### Issue: 1 Business Entity Coordinator

#### Description of Issue:

DESCRIPTION: The Board needs to hire a full-time Business Entity Coordinator requires the funding and FTE position to complete this objective.

#### **Business Entity Registrations**

In FY2023, the Board received new guidance and direction from the Arizona Attorney General's Office regarding the interpretation of A.R.S. §32-934 (K) regarding the exemptions for registering with the Board as a Business Entity. Previously, the Board implemented the exemptions listed in A.R.S. §32-934 (K) and did not require licensees that own a chiropractic clinic or practice with an unlicensed individual(s) to register with the Board as a Business Entity. The Attorney General's office has clarified to the Board that the purpose of this statute is to protect the public by ensuring that the Board has jurisdiction over the licensed chiropractor and the unlicensed individual(s) equally. Now that the Board has this clarifying information, the Board will need to go about registering these entities and then maintaining them.

The Board is anticipating that it will likely need to register and manage approximately 230 Business Entity Registrants. The entities are required to renew their license annually in June of each year. The Board also estimates that approximately ten percent of new licensees will need to set up a Business Entity as they begin to set up their practice or company in Arizona.

#### **Business Entity Renewal Date**

Considering this large increase in registrations, it may be in the Board's best interest to change its business entity renewal statute. To a rolling bi-annual renewal process by the business entity's last day of their issue month. This change would help better distribute the Board's workflow and processes and allow this function to be managed by a single FTE versus other staff members during the annual renewal period. The Board will work with the legislature to clarify this process and make any needed changes to the statute.

#### Health and Wellness Trends

In 2015, according to the Pew Research Center, more millennials reported making personal improvement commitments than any generation before. Millennials spend twice as much as other generations on self-care essentials such as workout regimens, diet plans, life coaching, therapy, and apps to improve their well-being. As this trend continues, chiropractic care is growing in the self-care healthcare industry.

Chiropractic care as a health and wellness benefit is beginning to appear outside the standard practitionerowned facilities. Many fitness centers and other corporate entities are now offering Chiropractic services. We will likely continue to see more chiropractic services in fitness centers, health/day spas, and MedSpas. Protecting the public from businesses and agencies owned by corporations or unlicensed individuals while employing chiropractor physicians is important. The Board must maintain and hold jurisdiction over the ownership to ensure full compliance with the state's statutes and rules.

#### Business Entity Compliance, Investigations, and Enforcement

There are additional regulation requirements included in the law: the Board is to receive notice within thirty (30) days when there are any changes to the officer, owners, or directors of the entity or any modifications to the chiropractor(s) providing treatment or supervision for the entity (A.R.S. 32-394 (D) (E). Staff will need to manage and regulate these changes in addition to processing the applications and renewals. Board staff currently does not have the staff to manage and maintain these requirements effectively.

The Board has seen an increase in organizations and businesses that are not properly registered as a Business Entity as required by statute. It is important to have the necessary support and resources to investigate, ensure compliance with the statute and rules, and enforce the Board's orders and directives. There is a need for additional staff support to manage these functions, work with the Board's investigators during the investigative process, and help to identify entities that are not in compliance. This position will need to be able to not only process incoming applications but also research and locate businesses that are out of compliance and send notifications.

As the Board navigates through this change and implements these processes, there will likely be an ongoing increase in Board complaints and investigations. The Board may need to open complaints to address concerns with these various entities for compliance. There is also a concern that reviewing current practices may increase complaints and investigations as the various business models may violate the Board's statutes and rules.

#### Process Improvements

The Board has recently transitioned to the Thentia Online Portal, and an Online Business Entity Portal is included as a portal option. The Online Portal will make it easier for owners, directors, and officers to log in, update, and maintain their information.

#### Agency: Board of Chiropractic Examiners

#### Issue: 1 Business Entity Coordinator

#### Revenue Projections

The Board anticipates that it will need to register about 230 Business Entities to comply with A.R.S. §32-934. The Board has approximately 2,300 Active Licensees. The Board is making a speculative determination that of those licensees, approximately ten (10%) percent of those entities need to register with the Board as Business Entities. The Board also estimates that ten (10%) percent of newly licensed professionals will need to register as a Business Entity (15 per year).

# of Reg. Total Revenue

Initial BE Registration Applications 230-\$92,000.00 One Time Annual New Registrations 15-\$6,000.00 Ongoing BE Registration Renewals-230-\$46,000.00 Ongoing Total Revenue \$144,000.00

#### Proposal:

#### PROPOSED SOLUTION:

The Board requires approval for additional ongoing funding to fully implement the Legislative mandate of A.R.S. §32-934 and ensuring that businesses that are owned and operated by unlicensed or corporate entities that are offering chiropractic services and employing chiropractors are registered with the Board.

This additional FTE will ensure that the Board effectively implements the objectives of this legislative mandate without impacting the Board's functions in the areas of licensure, renewals, and investigations. This additional position will help ensure ongoing safety for the public by ensuring that this agency fully complies with all aspects of the article and rule.

Increased continued funding is needed for \$85,967.00 ongoing and \$4,000.00 one-time appropriation for equipment and operating expenses to hire a Licensing Administrator-Grade 22 to support the functions of Business Entity Applications and Compliance.

Fiscal Impact Estimate

Personnel Services (Ongoing)-\$67,567.00 ERE (Ongoing)-\$28,707.37 Equipment (One-Time)-\$3,000.00 Other Operating Expenses (One-Time)-\$1,000.00 Total Ongoing Request-\$96,274.37 Total One-Time Request-\$4,000.00 Total Request-\$100,274.37

# Alternatives Considered:

#### UNSUCCESSFUL OPTIONS:

Without the additional resources, the Board cannot fully implement this statutory directive and could place the public at risk if it is not addressed quickly. There is significant danger to the public by having an unlicensed and unqualified individual or corporate entity potently directing and managing patient care and who is unaware of the standard of care, the Board's statute, and rules regarding chiropractic physicians.

Alternatively, the agency could delay Board investigations and utilize the Board's second investigator in a limited capacity for this function. The investigator will need to investigate complaints and register and identify business entities. This additional workload will reduce the number of medium to low-level complaints they can investigate. This change will cause an increase and delay in the Board's current case backlog. This prioritization pivot will likely cause the Board's complaints over 180 days to grow significantly. Without the additional support, the Board will likely lose all its progress.

The Board will probably have to focus its limited resources on registering business entities and locating them, sending notices, and forgo managing and maintaining the additional requirements and changes for the business entities. We have considered all other options, but none will protect the public while maintaining our current efficiency and service.

We cannot rely on temporary assistance or a one-time fix

The Board does not currently have the funds available to hire a temporary staff member to assist with this changing workload.

This function is an ongoing critical workload that must be continually addressed and not left to temporary staff.

Agency: Board of Chiropractic Examiners

Issue: 1 Business Entity Coordinator

Impact of Not Funding This Year:

IMPACT OF NOT FUNDING:

The Board has carefully implemented every possible solution to enhance our service and efficiency. The Board recently hired an additional investigator to investigate complaints and monitor compliance. The Board may have to continue not implementing this function fully or effectively and may be putting the public at risk.

The Board needs to secure funding for this position to have the ability to implement this statute fully. The Board will have to continue to delay its medium and lower-level complaints to address these requirements and ensure the public's safety and welfare.

Statutory Reference: A.R.S. §32-934

Equipment to be Purchased (if applicable):

Standard office and computer equipment and software licenses.

Classification of New Positions:

Licensing Administrator-Grade 22 AUN03784

Annualization(s): Personnel Services (Ongoing)-\$67,567.00

ERE (Ongoing)-\$28,707.37 Total Ongoing Request-\$96,274.37

Alignment with Agency's Strategic Plan or Statutory Responsibilities: AGENCY MISSION OR GOALS:

The mission of the Agency is to protect the public by setting educational and training standards for licensure by reviewing complaints against chiropractic physicians to ensure that their conduct meets the profession's standards.

Goal: To protect the public and ensure that unlicensed professionals or corporate entities are not impacting or interfering with patient care by directing chiropractic professionals to violate the Board's statutes and rules.

ONGOING APPROPRIATION REQUESTED:

As noted earlier, we request authorization to increase ongoing funding for \$96,274.37 on-going and \$4,000.00 one-time appropriation appropriation from the Chiropractic Examiners Board Fund (CE2010) to achieve this solution

Impact on Historically Underserved, Marginalized, or Adversely Affected Groups: IMPACT ON HISTORICALLY UNDERSERVED, MARGINALIZED, OR ADVERSELY AFFECTED GROUPS

The purpose of this statute is to ensure that no matter where chiropractic treatment is sought, the minimum standard of care is the same for all Arizonans. This law provides that unlicensed individuals or large corporations do not interfere with the standard of care for financial gain.

It levels the playing field and holds all parties accountable equally, both the treating chiropractor and the business entity. A level playing field helps ensure that those groups that are underserved, marginalized, or vulnerable populations are protected from potentially predatory entities that are not under the Board's jurisdiction and intervening in patient care or circumventing the Board's statute and rules. Having the necessary staff to implement this statute in its entirety is in the best interest of supporting these groups and improving the standard of chiropractic care across the great State of Arizona.

How has feedback been incorporated from groups directly impacted by proposal?: HOW HAS FEEDBACK BEEN INCORPORATED FROM GROUPS DIRECTLY IMPACTED BY THIS PROPOSAL

The Board, as a regulatory authority, often has to implement and establish rules and policies that conflict with the desires and preferences of its licensee population in order to protect the public. No group or organization enjoys additional regulation or oversight. However, it is the public who is most impacted by the lack of regulation or oversight. No lobbyists or associations represent the public's best interest, which is the Board's highest duty.

For this reason, the Board needs to have the additional FTE to regulate the portion of the healthcare industry properly. The Board has seen an increase in organizations and businesses not properly registered as a Business Entity as required by statute. It is important to have the necessary support and resources to investigate, ensure compliance with the statute and rules, and enforce the Board's orders and directives. There is a need for additional staff support to manage these functions, work with the Board's investigators during the investigative process, and help to identify entities that are not in compliance.

Agency:		Board of Chiropractic Examiners	
Issue:	1	Business Entity Coordinator	
Description of		DESCRIPTION OF HOW THIS FURTHERS THE GOVERNOR'S PRIORITIES	
this furthers the Governor's priorities:		This funding request supports the Governor's priority of a "Better Future for Everyone" by ensuring that the public is protected, a level and equal playing field for every licensee regardless of the type of facility they chose to practice at and that unlicensed individuals and corporations' business practices and standards are in full compliance with the Chiropractic Practice Act.	
Issue:	2	Renewal and Continuing Education Coordinator	

#### Agency: Board of Chiropractic Examiners

#### Issue: 2 Renewal and Continuing Education Coordinator

#### **Description of Issue:**

DESCRIPTION: The Board needs to hire a full-time Renewal and Continuing Education Coordinator and requires the funding and FTE position to complete this objective.

#### Renewal Applications

The passage of SB 1726 changes Chiropractic Physicians' license expiration dates from December 31st each year to the last day of the Licensee's birth month. The Board will be migrating from an annual renewal period to a rolling monthly renewal cycle for each license period. This change will result in an average of 200 renewal applications per month. The Board expects to significantly improve the processing timelines and reduce the average renewal processing time from forty-five (45) to fifteen (15) days with the new Thentia Online Licensee Portal.

In previous years, Board staff implemented an "all hands on deck" model to process all renewals within the statutory timeframes. This work model causes the Board's Investigators and Licensing Coordinator to step away from their daily responsibilities, which include investigating and processing licensing applications to support the renewal process. During the four-month renewal period (Aug 30, Oct 13, Jan 18, Feb 15), the number of complaints on the agenda went from an average of fifteen (15) complaints per meeting to an average of six (6) complaints per meeting. The reduction in investigating and hearing complaints directly correlates to the total number of cases over 180 days.

In the last year, the Board heard eighty-seven (87) cases and fully adjudicated forty-five (45) of those complaints. The Board issued one hundred and twenty-seven (127) licenses in the previous year, an eight (8%) percent increase over the last three years. All this was accomplished with reduced investigation and licensing workflows while processing renewal applications. This change in the renewal process aims to improve processing timeframes for renewals, licensing applications, and investigations.

#### Continuing Education Applications-Renewals

The Board is required to approve all Continuing Education courses for our population of licensees. Quality Continuing Education (CE) is critical to public protection and ensuring competent and qualified education for our chiropractic providers. Part of the Board's responsibility is to review and approve these courses. Last year, the agency received 475 Continuing Education Applications for approval.

When a complete CE application is received, it takes staff forty-five (45) minutes to an hour to process a single application. Staff is required to review names, dates, and locations of the courses, detailed descriptions of the course content, detailed syllabus by subject matter, resume and curriculum vitae for each instructor, license verification for each instructor, letters of recommendation for each instructor, and when necessary, sponsorship contract information A.A.C. R4-7-801 (E).

About sixty-four percent (64%) (308) of the applications received are PACE Pre-checked CE applications, which have been approved by the Federation of Chiropractic Licensing Boards (FCBL) and can be processed with less information and in a shorter timeframe. These applications can be processed at a rate of four (4) applications per hour but still require a detailed review of the application and supporting documentation.

There has been a 20-30% increase in Continuing Education applications since the COVID-19 pandemic lifted, and now, with the increased use of online training platforms, this number continues to skyrocket.

The Board has significantly improved the CE Application process in the last year. It developed a new Continuing Education Provider website, transitioned from paper applications to improved online Adobe Applications, and an online credit card payment portal. The Board has almost fully transitioned from paper file storage of these applications to fully electronic records. These changes have improved communication with our CE Providers regarding the Board's expectations and processes and assisted staff's ability to reduce the overall application turnaround time and the application review processing.

With these changes to both renewals and CE Applications, the Board expects that, on average, this additional staff member will be able to process approximately 200 renewal applications and fifty (50) Continuing Education Applications per month. As well as manage all email correspondence and phone calls, written notices, and approvals in these areas.

The Board and Board staff strive to balance protecting the public with providing our licensees the highest levels of customer service. In this new scenario, achieving both of these objectives using the existing processing model and staff will be difficult, if not impossible. It will directly affect the Board's ability to protect the public.

#### Agency: Board of Chiropractic Examiners

#### Issue: 2 Renewal and Continuing Education Coordinator

#### Proposal:

#### PROPOSED SOLUTION:

The Board needs approval for additional ongoing funding to fully implement the Board's objective of improving the renewal process, reducing the process turnaround time, and removing barriers that are caused by the long turnaround time for processing renewal applications.

This additional FTE will ensure that the Board effectively implements the objectives of this legislative change without impacting the Board's functions in the areas of licensure and investigation. This additional position will help ensure ongoing safety to the public as other staff members will no longer have to stop their work to support the renewal function and can focus on licensing and investigations.

Increased ongoing funding is needed for \$54,800.00 and \$4,000.00 one-time appropriation for equipment and operating expenses to hire an Administrative Assistant II-Grade 15 to support the functions of Renewal and Continuing Education Applications.

Fiscal Impact Estimate

Personnel Services (Ongoing)-\$39,683.00 ERE (Ongoing)-\$22,514.03 Equipment (One-Time)-\$3,000.00 Other Operating Expenses (One-Time)-\$1,000.00 Total Ongoing Request-\$62,197.03 Total One-Time Request-\$4,000.00 Total Request-\$66,197.03

# Alternatives Considered:

#### **UNSUCCESSFUL OPTIONS:**

Without the additional resources, the Board must choose between processing renewal applications and its other critical functions of investigations and licensing. Non-funding of this option will undo the significant progress the Board has made in the last year. The Board has reduced the time for issuing licenses, hired an additional investigator to investigate complaints, and moved from paper-based renewal applications to the Thentia Licensure Portal. The Thentia Cloud-based Licensing platform has assisted with improving some workflows, but the volume of work still exists. Essentially, the work does not go away with the improved technology. It shifts to other functions and responsibilities.

This statutory change aimed to improve the overall renewal application turnaround time. The Agency has considered all other options, but none will protect our current efficiency and service levels.

We cannot rely on temporary assistance or a one-time fix

The Board does not currently have the funds available to hire a temporary staff member to assist with this changing workload. Additionally, it is an ongoing workload that must be continually addressed. The Board has been managing the work at a staff deficit for a significant amount of time. In July of 2023, the Board hired an additional investigator to help support and manage the Board's complaints.

During that time, the Board saw an increase in the number of complaints received and was unable to effectively investigate and hear these matters, which resulted in a backlog of complaints. Additionally, the Board fluctuates between having a backlog of Continuing Education Applications and being up to date on Continuing Education Applications. The risk of not funding this new position may result in ever-increasing backlogs not just in investigations but in licensing and other business functions. These backlogs could put the public at risk as there could be complaints that need to be addressed, or mistakes can occur when processes are not adhered to or followed.

# Impact of Not Funding This Year:

#### IMPACT OF NOT FUNDING:

The Board has carefully implemented every possible solution to enhance our service and efficiency. The Board recently hired an additional investigator to investigate complaints and monitor compliance. If the Board does not secure funding for this new position, it will likely have to delay low to medium complaints and continue to increase our investigating timelines.

Additionally, the Board will have to increase the timeframes to process Continuing Education applications beyond the current sixty-day period and potentially reduce the pool of providers that provide continuing education in Arizona. Having quality continuing education providers in the State of Arizona is paramount for not only the protection of the public but also the mission of improving healthcare outcomes for all Arizonans.

Agency: Board of Chiropractic Examiners

Issue: 2 Renewal and Continuing Education Coordinator

**Statutory Reference:** ARS 32-923 (B) AND 36-2981-SB 1726

Equipment to be Purchased (if applicable):

Standard office and computer equipment and applicable software licenses.

Classification of New Positions:

AUN06609 ADMINISTRATIVE ASSISTANT 2 Grade 15

Annualization(s):

Personnel Services (Ongoing)-\$39,683.00 ERE (Ongoing)-\$22,514.03 Total Ongoing Request-\$62,197.03

Alignment with Agency's Strategic Plan or Statutory Responsibilities: AGENCY MISSION OR GOALS:

The mission of the Agency is to protect the public by setting educational and training standards for licensure by reviewing complaints against chiropractic physicians to ensure that their conduct meets the profession's standards

Goal: Reducing renewal application processing time from forty-five (45) to fifteen (15) days while maintaining current efficiencies and improving timeframes for investigating complaints and issuing licenses.

ONGOING APPROPRIATION REQUESTED:

As noted earlier, we request authorization to increase continued funding for \$62,197.00 each year and a \$4,000.00 one-time appropriation from the Chiropractic Examiners Board Fund (CE2010) to achieve this solution.

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Impact on Historically Underserved, Marginalized, or Adversely Affected Groups: IMPACT ON HISTORICALLY UNDERSERVED, MARGINALIZED, OR ADVERSELY AFFECTED GROUPS

The obvious beneficiary of this legislative change and the Board's process improvement is our licensees; however, there is a component of this request that benefits the historically underserved, marginalized or adversely affected groups. Last year, the legislature passed H.B. 2863, which authorized \$12.7 million for chiropractic care and treatment for AHCCCS recipients. Secondly, the medical industry is now referring patients for non-pharmacologic methods, such as chiropractic care, as the "first line" approach for addressing pain instead of prescribing opioids. For chiropractors servicing these populations, having an active license is paramount to ensure the ability to continue providing treatment through the AHCCCS program. Renewal delays are often caused by the backlog of applications received at the last minute. This can result in a licensee's license becoming administratively suspended, preventing them from treating those most in need while they await processing. It can also have the opposite effect and allow a chiropractic physician to treat these vulnerable populations on a suspended or inactive license. Causing great risk to them and the potential for injury or having their claims rejected by AHCCCS.

The rolling renewal period and online Thentia Licensure Portal helps ensure that licensees are aware of their licensure status in real-time with no delays. The Portal also has a public lookup that allows the public and credentialing entities to verify the license status and date the renewal was submitted and processed. This online look-up should reduce delays in billing and payment as well as ensure the status of a chiropractor's license.

Source: National Library of Medicine, National Center of Biotechnology Information Association between chiropractic care and the use of prescription opioids among older medicare beneficiaries with spinal pain https://chiromt.biomedcentral.com/articles/10.1186/s12998-022-00415-7

Date Printed:

#### Agency: Board of Chiropractic Examiners

#### Issue: 2 Renewal and Continuing Education Coordinator

How has feedback been incorporated from groups directly impacted by proposal?: HOW HAS FEEDBACK BEEN INCORPORATED FROM GROUPS DIRECTLY IMPACTED BY THIS PROPOSAL

The Board has heard extensively from its licensees regarding its renewal process and the time it takes to review and approve their renewal applications. This legislative change was directly from our licensee population, who deserve a timely, responsive turnaround for their renewal applications.

The Board has implemented a three-part plan to improve this process and deliver better customer service to our licensees and the public. The first phase was to change the renewal process and move away from the traditional annual renewal every December. The second phase was the migration from paper renewal applications to the Online Thentia Licensure Portal. This migration not only gives the public and the licensee real-time information about the status of the renewal application. The public can now see when the licensee submitted their renewal application and when the Board approved and completed the application. This improvement will provide increased insight and transparency to the public as well as insurance and credentialing entities, thus helping to reduce delays in insurance authorizations and payments.

The final part of this plan is to receive approval for the funding and hire a dedicated staff member to support this function and allow everyone to receive the full benefit intended by this statutory change.

Description of how this furthers the Governor's priorities:

DESCRIPTION OF HOW THIS FURTHERS THE GOVERNOR'S PRIORITIES:

The Mission of the Office of Governor Hobbs is to make a just, prosperous, and resilient Arizona for everyone by acting with integrity, engaging communities, and making government a force for opportunity and growth. This request helps make a resilient Arizona for everyone by improving the turnaround time for processing renewal applications and providing greater public transparency regarding the status of individual licenses.

Interagency Service Agreement (ISA) with the Arizona Attorney General's Office for Legal Services

Agency: Board of Chiropractic Examiners

Issue: 3 Interagency Service Agreement (ISA) with the Arizona Attorney General's Office for Legal Services

#### **Description of Issue:**

DESCRIPTION: The Board needs to increase its current Interagency Service Agreement (ISA) for additional legal services to continue to address and process complaints effectively.

Since FY 2019, the Board has experienced a sixty-eight percent (68%) average increase in high-priority complaints. The Board defines a high priority as a complaint involving sexual misconduct, patient injury, criminal misconduct, or substance abuse. In addition to the increase in high-priority complaints, the Board has continued to see, on average, a 26.5% increase in new license applications since FY 2019.

Additionally, the Board is still addressing a backlog of complaints from FY 2020. The Board has worked to address the majority of complaints. The Board has taken a two-pronged approach to address the backlog, first addressing high-priority complaints, then in the order, the Board received the complaints starting with FY 2018. The Board has successfully resolved all FY 2018 and 2019 complaints. As for FY 2020, only three (3) complaints remain. These complaints are awaiting Formal Hearings. Fifteen (15) complaints are left to investigate and hear for FY 2021 and 2022, and the Board anticipates most of those complaints being closed in early 2024.

The Board has seen a decline in low-priority complaints, which include false or misleading advertising, failing to provide records to the patient or representative free of charge, failing to register a Chiropractic Assistant, etc. Non-Disciplinary Board Orders for Continuing Education or Non-Disciplinary Advisory Letters for these levels of violations are well-suited to be drafted by Board Staff.

With the increase in high-priority complaints and more complex medium complaints, the Board requires more attention and support from the Arizona Attorney General's office to articulately draft the Board Orders and Consent Agreements to ensure all the necessary legal nuances and language are included to implement the Board's disciplinary intent effectively. It is a critical component of the Board and its staff process to have the assistance of the Assistant Attorney General in drafting the Board's disciplinary orders and consent agreements.

The Board also requires day-to-day support from the Attorney General's office in preparing and reviewing investigative reports, drafting investigative interview questions, and preparing for the Board's Meetings. They help set and review the Board's agenda and assist investigators with assigning allegations and violations of the law. Provide direction to the Board and staff on processes and procedures.

The Assistant Attorney General also plays a crucial role in aiding the citizen judiciary in following the proper procedures for documenting the necessary findings of fact, conclusions of law, and violations on the record to meet the due process requirements.

The passage of HB 2722 changed the landscape for licensing boards and added a new layer to administrative processes with the De Novo Appeals. Representing the Board at these hearings falls to the Assistant Attorney General.

With the continued growth in licensed chiropractic physicians, high-priority complaints filed against chiropractic physicians, and the De Novo Appeal process, the Agency requires additional legal services from the Arizona Attorney General's Office.

#### Agency: Board of Chiropractic Examiners

# Issue: 3 Interagency Service Agreement (ISA) with the Arizona Attorney General's Office for Legal Services

#### Proposal:

#### PROPOSED SOLUTION:

The Board needs approval for additional ongoing funding to meet the growing demand for investigations of chiropractic professionals. This demand will continue to increase as licensing and complaints grow.

This additional funding will ensure that we continue the progress we have made. It will protect our ability to provide adjudication decisions quickly, so regulation is not a barrier to the practice of high-quality chiropractic care in Arizona, and it will enable us to respond to chiropractic physicians, healthcare professionals, and members of the public who need our services.

To achieve this solution, we request ongoing funding for the Agency to continue to utilize services from the Arizona Attorney General's Office. Currently, the Agency operates with 0.28 FTE. The Board has been working at the same level of FTE since at least FY 2021. In FY25, the Board requested to increase the ISA from 0.28 to 0.40 FTE.

Increased funding is needed in the amount of \$15,000.00 to address the costs associated with the Attorney General's Representation of the agency.

# Alternatives Considered:

#### **UNSUCCESSFUL OPTIONS:**

Without the additional resources, the Board may be unable to continue addressing the backlog of cases while managing the influx of new complaints. The Board has taken substantial steps to address these issues to eliminate the backlog and is working to close the majority of current complaints within 180 days.

The alternative is for the Agency to delay low and medium-priority complaints and continue to increase investigative timelines. Arizona's chiropractic licensees and the members of the public need and deserve our ongoing commitment to providing high-quality, responsive service.

# Impact of Not Funding This Year:

#### IMPACT OF NOT FUNDING:

The Board has carefully implemented every possible solution to enhance our service and efficiency. The Board successfully resolved 96.2% (45 complaints) of the cases it heard during FY 2023. On average, 12 complaints were heard at each Board Meeting, resulting in hearing a total of 38 Initial Actions, 5 Formal Interviews, and 2 Formal Hearings.

Additional funding would allow the Agency to utilize increased services from the Arizona Attorney General's Office to adjudicate complaints more efficiently and expeditiously so we do not lose efficient and customer service-focused practices as the demand exponentially increases.

Statutory Reference: None

Equipment to be Purchased (if applicable):

None

**Classification of New** 

Positions:

None

Annualization(s): \$48,000 annually

#### Agency: Board of Chiropractic Examiners

# Interagency Service Agreement (ISA) with the Arizona Attorney General's Office for Legal Services

Alignment with Agency's Strategic Plan or Statutory Responsibilities: AGENCY MISSION OR GOALS:

The mission of the Agency is to protect the public by setting educational and training standards for licensure by reviewing complaints against chiropractic physicians to ensure that their conduct meets the profession's minimum standards.

Goal: Finish adjudicating the current backlog of complaint investigations and work to address incoming complaints within the recommended 180-day timeframe while maintaining existing customer service responsiveness and other efficiencies currently established for the benefit of the Chiropractic Profession and the Citizens of the State of Arizona.

#### ONGOING APPROPRIATION REQUESTED:

As noted earlier, we request the authorization to use \$15,000 in ongoing funds from the Chiropractic Examiners Board Fund (CE2010) each year to achieve this solution.

Impact on Historically Underserved, Marginalized, or Adversely Affected Groups: IMPACT ON HISTORICALLY UNDERSERVED, MARGINALIZED, OR ADVERSELY AFFECTED GROUPS

Michael Connelly's Homicide Detective Harry Bosch's famous saying was "Everybody matters, or nobody matters," the Board strives to give every complaint and investigation the attention and focus it deserves, no matter who filed the complaint. It doesn't matter who files or makes the complaint. The Board investigates each case with tenacity and zeal.

Decreasing and limiting the Board's resources in this area will continue to drive up investigation timelines and may cause the vulnerable populations not to file complaints because they feel marginalized or ignored by the Board. An effective regularity body should have the balance to investigate timely and thorough complaints. To accomplish these objectives, the Board must have the resources.

How has feedback been incorporated from groups directly impacted by proposal?: HOW HAS FEEDBACK BEEN INCORPORATED FROM GROUPS, DIRECTLY IMPACTED BY THIS PROPOSAL

Everyone, from complainants to licensees, desires to have their matters heard and adjudicated promptly. The Board needs additional support from the Attorney General's Office to process complaints, assist with drafting Board Orders and Consent Agreements, and conduct Formal Hearings and De Novo Trials to drive any improvement in these areas.

Complainants deserve thoughtful and thorough investigations of their complaints. Licensees warrant the same while balancing the swiftness of the investigations with their due process rights. It is essential to have access to the Attorney General as a resource when addressing and investigating complaints.

Description of how this furthers the Governor's priorities:

IMPACT ON HISTORICALLY UNDERSERVED, MARGINALIZED, OR ADVERSELY AFFECTED GROUPS

Michael Connelly's Homicide Detective Harry Bosch's famous saying was "Everybody matters, or nobody matters," the Board strives to give every complaint and investigation the attention and focus it deserves, no matter who filed the complaint. It doesn't matter who files or makes the complaint. The Board investigates each case with tenacity and zeal.

Decreasing and limiting the Board's resources in this area will continue to drive up investigation timelines and may cause the vulnerable populations not to file complaints because they feel marginalized or ignored by the Board. An effective regularity body should be able to balance thorough and thoughtful investigations with swift and timely processing. To accomplish these objectives, the Board must have the resources.

# **Summary of Expenditure and Budget Request for All Funds**

Agency: Board of Chiropractic Examiners

Appro	priated Funds	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
Program	<u> </u>				
CEA-1-0	Licensing and Regulation	483.8	542.4	173.5	715.9
	Appropriated Funds Total:	483.8	542.4	173.5	715.9
	Expenditure Categories				
	FTE	4.0	5.0	2.0	7.0
	Personal Services	238.4	285.2	107.3	392.5
	Employee Related Expenditures	106.9	116.0	51.2	167.2
	Subtotal Personal Services and ERE	345.2	401.2	158.5	559.7
	Professional & Outside Services	33.9	35.0	15.0	50.0
	Travel In-State	0.1	2.5	-	2.5
	Travel Out-Of-State	7.6	15.0	-	15.0
	Other Operating Expenditures	88.0	67.7	-	67.7
	Capital Equipment	0.1	-	-	-
	Non-Capital Equipment	8.8	21.0	-	21.0
	Expenditure Categories Total:	483.8	542.4	173.5	715.9
Е	Board of Chiropractic Examiners Total for All Funds:	483.8	542.4	173.5	715.9
Appro	priated and Non-Appropriated	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2024 Funding Issue	FY 2025 Total Request
CEA-1-0	Licensing and Regulation	483.8	542.4	173.5	715.9
E	Board of Chiropractic Examiners Total for All Funds:	483.8	542.4	173.5	715.9

# **Summary of Expenditure and Budget Request for Selected Funds**

Agency:		Board of Chiropractic Examiners
Fund:	AA1000	General Fund (Appropriated)

	_	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
Progran	n:				
CEA-1-0	Licensing and Regulation	(0.0)	-	-	-
(	General Fund (Appropriated) Summary Total:	(0.0)	-	-	-
	Expenditure Categories				
	FTE	-	-	-	-
	Personal Services	-	-	-	-
	Employee Related Expenditures	-	-	-	-
	Subtotal Personal Services and ERE	-	-	-	-
	Professional & Outside Services	-	-	-	-
	Travel In-State	-	-	-	-
	Travel Out-Of-State	-	-	-	-
	Other Operating Expenditures	(0.0)	-	-	-
	Capital Equipment	-	-	-	-
	Non-Capital Equipment	-	-	-	-
	Expenditure Categories Total:	(0.0)			

# **Summary of Expenditure and Budget Request for Selected Funds**

Agency:		Board of Chiropractic Examiners
Fund:	CE2010	Chiropractic Examiners Board Fund (Appropriated)

		FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
Program	): 				
CEA-1-0	Licensing and Regulation	483.8	542.4	173.5	715.9
	Chiropractic Examiners Board Fund (Appropriated) Summary Total:	483.8	542.4	173.5	715.9
	Expenditure Categories				
	FTE	4.0	5.0	2.0	7.0
	Personal Services	238.4	285.2	107.3	392.5
	Employee Related Expenditures	106.9	116.0	51.2	167.2
	Subtotal Personal Services and ERE	345.2	401.2	158.5	559.7
	Professional & Outside Services	33.9	35.0	15.0	50.0
	Travel In-State	0.1	2.5	-	2.5
	Travel Out-Of-State	7.6	15.0	-	15.0
	Other Operating Expenditures	88.0	67.7	-	67.7
	Capital Equipment	0.1	-	-	-
	Non-Capital Equipment	8.8	21.0	-	21.0
	Expenditure Categories Total:	483.8	542.4	173.5	715.9

# Program Budget Unit Summary of Expenditure and Budget Request for All Funds

	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
Program: CEA-1-0 Licensing and Regula	ation			
Expenditure Categories				
TE	4.0	5.0	2.0	7.0
Personal Services	238.4	285.2	107.3	392.5
Employee Related Expenditures	106.9	116.0	51.2	167.2
Subtotal Personal Services and ERE	345.2	401.2	158.5	559.7
Professional & Outside Services	33.9	35.0	15.0	50.0
Fravel In-State	0.1	2.5	-	2.5
Fravel Out-Of-State	7.6	15.0	_	15.0
Other Operating Expenditures	88.0	67.7	_	67.
Capital Equipment	0.1	-	-	
Non-Capital Equipment	8.8	21.0	-	21.0
Expenditure Categories Total:	483.8	542.4	173.5	715.9
Fund Source				
Appropriated Funds				
General Fund (Appropriated)	(0.0)	-	-	
Chiropractic Examiners Board Fund (Appropriated)	483.8	542.4	173.5	715.9
Appropriated Funds Total:	483.8	542.4	173.5	715.9
Licensing and Regulation Total:	483.8	542.4	173.5	715.9
Sub Program: CEA-1-1 Licensing and Regula	ation			
Expenditure Categories				
TE	4.0	5.0	2.0	7.0
Personal Services	238.4	285.2	107.3	392.5
Employee Related Expenditures	106.9	116.0	51.2	167.2
Subtotal Personal Services and ERE	345.2	401.2	158.5	559.7
Professional & Outside Services	33.9	35.0	15.0	50.0
Fravel In-State	0.1	2.5	-	2.5
Fravel Out-Of-State	7.6	15.0	-	15.0
Other Operating Expenditures	88.0	67.7	-	67.

**PBU Summary** 

All dollars are presented in thousands (not FTE)

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# Program Budget Unit Summary of Expenditure and Budget Request for All Funds

Agency:		Board of Chiropractic	Examiners			
			FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
Program:	CEA-1-0	Licensing and Regulat	ion			
Sub Program:	CEA-1-1	Licensing and Regulat	ion			
Non-Capital Equ	ipment		8.8	21.0	-	21.0
	Expenditu	ıre Categories Total:	483.8	542.4	173.5	715.9
Fund Source	)					
Appropriated Fu	unds					
General Fund (	Appropriated	d)	(0.0)	-	-	-
Chiropractic Ex (Appropriated)	aminers Boa	ard Fund	483.8	542.4	173.5	715.9
	Appro	priated Funds Total:	483.8	542.4	173.5	715.9
	Licensing a	nd Regulation Total:	483.8	542.4	173.5	715.9

# Program Budget Unit Summary of Expenditure and Budget Request for Selected Funds

	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
Program: CEA-1-0 Licensing an	d Regulation			
Fund: AA1000 General Fund	d			
Appropriated				
Personal Services	-	-	-	
Employee Related Expenditures	-	_	_	
Subtotal Personal Services and ERE		-	-	
Professional & Outside Services	-	-	-	
Travel In-State	-	-	-	
Travel Out-Of-State	-	-	-	
Other Operating Expenditures	(0.0)	-	-	
Capital Equipment	-	-	-	
Non-Capital Equipment	-	-	-	
Francisco Catanania 7				
Expenditure Categories T	otal: (0.0)	-	-	
General Fund T				
General Fund T		<u>-</u>	-	
General Fund T  Fund: CE2010 Chiropractic  Appropriated	otal: (0.0)	285.2	107.3	392.5
General Fund T  Fund: CE2010 Chiropractic  Appropriated  Personal Services	Examiners Board Fund	285.2		
General Fund T  Fund: CE2010 Chiropractic  Appropriated  Personal Services  Employee Related Expenditures	Examiners Board Fund  238.4		107.3 51.2 158.5	167.2
General Fund T  Fund: CE2010 Chiropractic  Appropriated  Personal Services  Employee Related Expenditures  Subtotal Personal Services and ERE	Examiners Board Fund  238.4 106.9	116.0	51.2	167.2 <b>559</b> .7
General Fund T  Fund: CE2010 Chiropractic  Appropriated  Personal Services  Employee Related Expenditures  Subtotal Personal Services and ERE  Professional & Outside Services	Examiners Board Fund  238.4 106.9 345.2	116.0 <b>401.2</b>	51.2 158.5	167.2 <b>559.</b> 7 50.0
General Fund T  Fund: CE2010 Chiropractic  Appropriated  Personal Services Employee Related Expenditures Subtotal Personal Services and ERE  Professional & Outside Services  Travel In-State	Examiners Board Fund  238.4 106.9 345.2 33.9	116.0 <b>401.2</b> 35.0	51.2 158.5	167.2 <b>559.</b> 7 50.0 2.5
General Fund T  Fund: CE2010 Chiropractic  Appropriated  Personal Services  Employee Related Expenditures  Subtotal Personal Services and ERE  Professional & Outside Services  Travel In-State  Travel Out-Of-State	238.4 106.9 345.2 33.9 0.1	116.0 401.2 35.0 2.5	51.2 158.5	167.2 559.1 50.0 2.8 15.0
General Fund T  Fund: CE2010 Chiropractic  Appropriated  Personal Services  Employee Related Expenditures  Subtotal Personal Services and ERE  Professional & Outside Services  Travel In-State  Travel Out-Of-State  Other Operating Expenditures	238.4 106.9 345.2 33.9 0.1 7.6	116.0 <b>401.2</b> 35.0 2.5 15.0	51.2 158.5	167.: 559.: 50.: 2.: 15.:
General Fund T  Fund: CE2010 Chiropractic  Appropriated  Personal Services  Employee Related Expenditures  Subtotal Personal Services and ERE  Professional & Outside Services  Travel In-State  Other Operating Expenditures  Capital Equipment	238.4 106.9 345.2 33.9 0.1 7.6 88.0	116.0 <b>401.2</b> 35.0 2.5 15.0	51.2 158.5	167.2 <b>559.</b> 3 50.0 2.5 15.0 67.7
General Fund T  Fund: CE2010 Chiropractic  Appropriated  Personal Services  Employee Related Expenditures  Subtotal Personal Services and ERE  Professional & Outside Services  Travel In-State  Other Operating Expenditures  Capital Equipment	238.4 106.9 345.2 33.9 0.1 7.6 88.0 0.1 8.8	116.0 401.2 35.0 2.5 15.0 67.7	51.2 158.5	167.2 559.7 50.0 2.5 15.0 67.7 21.0
Fund: CE2010 Chiropractic  Appropriated  Personal Services Employee Related Expenditures Subtotal Personal Services and ERE  Professional & Outside Services  Travel In-State  Travel Out-Of-State Other Operating Expenditures  Capital Equipment  Non-Capital Equipment	238.4 106.9 345.2 33.9 0.1 7.6 88.0 0.1 8.8	116.0 401.2 35.0 2.5 15.0 67.7 - 21.0	51.2 158.5 15.0 - - - -	392.9 167.2 559.7 50.0 2.9 15.0 67.7 21.0

# Program Budget Unit Summary of Expenditure and Budget Request for Selected Funds

Agency: E	Board of Chiropraction	Examiners			
		FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Reques
Program: CEA-1-0 L	icensing and Regula	ation			
Sub Program: CEA-1-1 L	icensing and Regula	ation			
Fund: AA1000 (	General Fund				
Appropriated					
Personal Services		_	_	_	
Employee Related Expenditures	s	_	_	_	
Subtotal Personal Services ar				-	
Professional & Outside Services					,
Travel In-State		-	-	-	
Travel Out-Of-State		-	-	-	
Other Operating Expenditures		(0.0)	-	-	
Capital Equipment		-	-	-	
Non-Capital Equipment		-	-	-	
Expenditure	Categories Total:	(0.0)	-	-	
G	eneral Fund Total:	(0.0)	-		
Fund: CE2010 C	Chiropractic Examine	ers Board Fund			
Appropriated					
Personal Services		238.4	285.2	107.3	392.5
Employee Related Expenditures	S	106.9	116.0	51.2	167.2
Subtotal Personal Services ar	nd ERE	345.2	401.2	158.5	559.7
Professional & Outside Services	s	33.9	35.0	15.0	50.0
Travel In-State		0.1	2.5	-	2.5
Travel Out-Of-State		7.6	15.0	-	15.0
Other Operating Expenditures		88.0	67.7	-	67.7
Capital Equipment		0.1	-	-	
Non-Capital Equipment		8.8	21.0	-	21.0
Expenditure	Categories Total:	483.8	542.4	173.5	715.9
Chiropractic Examiners	Board Fund Total:	483.8	542.4	173.5	715.
Sub Program Total	I for Select Funds:	483.8	542.4	173.5	715.
Data Brintad: 9/21/2022 11:22		DDLLIndividual		dollars are presented in	thousands (not ETE

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# Program Budget Unit Summary of Expenditure and Budget Request for Selected Funds

Agency:		Board of Chiropractic Examiners						
			FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request		
Program:	CEA-1-0	Licensing and Regulation						

# **Program Summary of Expenditure and Budget Request**

Agency: Board of Chiropractic Examiners

Program: Licensing and Regulation

Progr	am Summary	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
CEA-1-1	Licensing and Regulation	483.8	542.4	173.5	715.9
	Licensing and Regulation Summary Total:	483.8	542.4	173.5	715.9
Exper	nditure Categories				
FTE	FTE	4.0	5.0	2.0	7.0
6000	Personal Services	238.4	285.2	107.3	392.5
6100	Employee Related Expenditures	106.9	116.0	51.2	167.2
	Subtotal Personal Services and ERE	345.2	401.2	158.5	559.7
6200	Professional & Outside Services	33.9	35.0	15.0	50.0
6500	Travel In-State	0.1	2.5	-	2.5
6600	Travel Out-Of-State	7.6	15.0	-	15.0
7000	Other Operating Expenditures	88.0	67.7	-	67.7
8400	Capital Equipment	0.1	-	-	-
8500	Non-Capital Equipment	8.8	21.0	-	21.0
	Expenditure Categories Total:	483.8	542.4	173.5	715.9
	Source riated Funds				
AA1000	General Fund (Appropriated)	(0.0)	-	-	-
CE2010	Chiropractic Examiners Board Fund (Appropriated)	483.8	542.4	173.5	715.9
	Appropriated Funds Total:	483.8	542.4	173.5	715.9
	Licensing and Regulation Summary Total:	483.8	542.4	173.5	715.9

# Program Summary of Expenditure and Budget Request for Selected Funds

Agency:		Board of Chiropractic Examiners
Program:		Licensing and Regulation
Fund:	AA1000	General Fund (Appropriated)

Progr	ram Expenditures	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
CEA-1-1	Licensing and Regulation	(0.0)	-	-	-
	General Fund (Appropriated) Summary Total:	(0.0)	-	-	-
Appro	opriated Funding				
6000	Personal Services	-	-	-	-
6100	Employee Related Expenditures	-	-	-	-
	Subtotal Personal Services and ERE	-	-	-	-
6200	Professional & Outside Services	-	-	-	-
6500	Travel In-State	-	-	-	-
6600	Travel Out-Of-State	-	-	-	-
7000	Other Operating Expenditures	(0.0)	-	-	-
8400	Capital Equipment	-	-	-	-
8500	Non-Capital Equipment	-	-	-	-
	Expenditure Categories Total:	(0.0)	<u> </u>		
	Fund AA1000 - A Total:	(0.0)	-	-	-

# Program Summary of Expenditure and Budget Request for Selected Funds

Agency: E		Board of Chiropractic Examiners
Program:		Licensing and Regulation
Fund:	CE2010	Chiropractic Examiners Board Fund (Appropriated)

Progr	ram Expenditures	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
CEA-1-1	Licensing and Regulation	483.8	542.4	173.5	715.9
	Chiropractic Examiners Board Fund (Appropriated) Summary Total:	483.8	542.4	173.5	715.9
Appro	opriated Funding				
6000	Personal Services	238.4	285.2	107.3	392.5
6100	Employee Related Expenditures	106.9	116.0	51.2	167.2
	Subtotal Personal Services and ERE	345.2	401.2	158.5	559.7
6200	Professional & Outside Services	33.9	35.0	15.0	50.0
6500	Travel In-State	0.1	2.5	-	2.5
6600	Travel Out-Of-State	7.6	15.0	-	15.0
7000	Other Operating Expenditures	88.0	67.7	-	67.7
8400	Capital Equipment	0.1	-	-	-
8500	Non-Capital Equipment	8.8	21.0	-	21.0
	Expenditure Categories Total:	483.8	542.4	173.5	715.9
	Fund CE2010 - A Total:	483.8	542.4	173.5	715.9
	Licensing and Regulation Total:	483.8	542.4	173.5	715.9

Agency: Board of Chiropractic Examiners							
Prograr	n: Licensing and Regulation						
FTE		FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2029 Tota Reques		
	FTE	4.0	5.0	2.0	7.0		
	Expenditure Category Total:	-					
Fund	Source						
Appropr	iated Funds						
CE2010	Chiropractic Examiners Board Fund (Appropriated)	4.0	5.0	2.0	7.0		
	Appropriated Funds Total:	4.0	5.0	2.0	7.0		
	Fund Source Total:	4.0	5.0	2.0	7.		
Perso	nal Services	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 202 Tota Reques		
	Personal Services	234.9	281.7	107.3	389.		
	Board & Commission Members Compensation	3.5	3.5	-	3.		
	Expenditure Category Total:	238.4	285.2	107.3	392.		
Fund	Source						
Appropr	iated Funds						
CE2010	Chiropractic Examiners Board Fund (Appropriated)	238.4	285.2	107.3	392.		
	Appropriated Funds Total:	238.4	285.2	107.3	392.		
	Fund Source Total:	238.4	285.2	107.3	392.		
Emplo	oyee Related Expenditures	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 202 Tota Reques		
	Employee Related Expenses	0.0	116.0	51.2	167.:		
	FICA Taxes	17.2	-	-			
	Medical Insurance	54.6	-	-			
	Basic Life	0.0	-	-			
	Long-Term Disability (ASRS)	0.3	-	-			
	Unemployment Compensation & Other State' Taxes	0.0	-	-			
	Dental Insurance	0.5	-	-			
	Workers' Compensation	2.8	-	-			
	Arizona State Retirement System	27.0	-	-			

Agency	: Board of Chiropractic Examiner	s			
Progran	n: Licensing and Regulation				
		FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
	Personnel Board Pro-Rata Charges	2.1	-	-	-
	Information Technology Pro Rata Charge	1.4	-	-	
	Accumulated Sick Leave Fund Charge	0.9	-	-	
	Expenditure Category Total:	106.9	116.0	51.2	167.2
Fund S	Source				
Appropri	iated Funds				
CE2010	Chiropractic Examiners Board Fund (Appropriated)	106.9	116.0	51.2	167.2
	Appropriated Funds Total:	106.9	116.0	51.2	167.2
	Fund Source Total:	106.9	116.0	51.2	167.2
Profes	ssional & Outside Services	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Tota Reques
	Professional and Outside Services		35.0	15.0	50.0
	Attorney General Legal Services	31.4	-	<u>-</u>	
	External Legal Services	0.5	-	-	
	Education & Training	1.5	-	-	
	Other Professional & Outside Services	0.6	-	<del>-</del>	
	Expenditure Category Total:	33.9	35.0	15.0	50.0
Fund S	Source				
Appropri	iated Funds				
CE2010	Chiropractic Examiners Board Fund (Appropriated)	33.9	35.0	15.0	50.0
	Appropriated Funds Total:	33.9	35.0	15.0	50.0
	Fund Source Total:	33.9	35.0	15.0	50.0
Travel	In-State	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2028 Tota Reques
	Travel In-State	-	2.5	-	2.5
	Mileage - Private Vehicle	0.1	-	-	
	Expenditure Category Total:	0.1	2.5	-	2.5
Fund 9	Source				

Date Printed:

**Appropriated Funds** 

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Agency	Board of Chiropractic Examiner	s			
Prograr	m: Licensing and Regulation				
		FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Tota Reques
CE2010	Chiropractic Examiners Board Fund (Appropriated)	0.1	2.5	-	2.5
	Appropriated Funds Total:	0.1	2.5	-	2.5
	Fund Source Total:	0.1	2.5	-	2.5
Trave	l Out-Of-State	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2028 Tota Reques
	Travel Out of State		15.0	_	15.0
	Airfare and Other Common Carrier Charges	2.3	-	-	
	Lodging Out-of-State	4.2	-	-	
	Meals with Overnight Stay	0.6	-	-	
	Meals without Overnight Stay	0.1	-	-	
	Other Miscellaneous Out-of- State Travel	0.3	-	-	
	Expenditure Category Total:	7.6	15.0	-	15.
Fund	Source				
Appropr	riated Funds				
CE2010	Chiropractic Examiners Board Fund (Appropriated)	7.6	15.0	-	15.0
	Appropriated Funds Total:	7.6	15.0	-	15.0
	Fund Source Total:	7.6	15.0	-	15.0
Other	Operating Expenditures	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2029 Tota Reques
	Other Operating Expenses	-	67.7	-	67.7
	Risk Management Charges to State Agencies	1.9	-	-	
	Internal Service Computer Processing, Hosting, Maintenance and Support Costs	3.2	-	-	
	External Programming and System Development Costs	2.6	-	-	
	Other External Computer Processing, Hosting, Maintenance and Support Costs	0.5	-	-	
	Charges Imposed Related to AFIS.	1.0	-	-	
	External Telecommunications Charges	3.4	-	-	
	Building Rent Charges to State Agencies	25.8	-	-	

Agency:	Board of Chiropractic Examiners	3			
Program	: Licensing and Regulation				
		FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Tota Reques
	Miscellaneous Rent	1.2	-	-	,
	Late Charges on Overdue Payments	0.0	-	-	
	Internal Accounting, Budgeting & Financial Services	13.0	-	-	
	Repair & Maintenance - Other Equipment	0.2	-	-	
	Software Support, Maintenance Short-term Licensing	4.8	-	-	
	Office Supplies	12.3	-	-	
	Computer Supplies	0.0	-	-	
	Conference Registration / Attendance Fees	1.6	-	-	
	Internal Printing	0.4	-	-	
	External Printing	0.1	-	-	
	Postage & Delivery	3.6	-	-	
	Document Shredding and Destruction Services	0.3	-	-	
	Awards	8.0	-	-	
	Dues	2.4	-	-	
	Books, Subscriptions & Publications	0.1	-	-	
	Costs for Digital Imaging or Producing Microfilm & Microfiche	7.4	-	-	
	Security Services	0.9	-	-	
	Fingerprinting, Background Checks, Etc.	0.4	-	-	
	Other Miscellaneous Operating	0.0	-	-	
	Expenditure Category Total:	88.0	67.7	-	67.7
Fund S					
Appropri	ated Funds				
AA1000	General Fund (Appropriated)	(0.0)	-	-	
CE2010	Chiropractic Examiners Board Fund (Appropriated)	88.0	67.7	<b>-</b>	67.7
	Appropriated Funds Total:	88.0	67.7		67.7
	Fund Source Total:	88.0	67.7		67.7
Capital	l Equipment	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2029 Tota Reques
	Purchased or licensed software / website	0.1		-	
	Expenditure Category Total:	0.1	-	_	

Agency	Board of Chiropractic Examiner	s			
Prograr	m: Licensing and Regulation				
		FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
Fund	Source				
Appropr	riated Funds				
AA1000	General Fund (Appropriated)	-	-	-	-
CE2010	Chiropractic Examiners Board Fund (Appropriated)	0.1	-	-	-
	Appropriated Funds Total:	0.1		-	-
	Fund Source Total:	0.1	<u> </u>	<u> </u>	-
Non-C	Capital Equipment	FY 2023 Actuals	FY 2024 Expenditure Plan	FY 2025 Funding Issue	FY 2025 Total Request
	Non-Capital Resources	<del>-</del> -	21.0	-	21.0
	Computer Equipment – Non- Capitalized Purchases	1.2	-	-	-
	Other Equipment - Non- Capital Purchase	2.7	-	-	-
	Purchased or licensed software / website	5.0	<u>-</u>	<u>-</u>	-
	Expenditure Category Total:	8.8	21.0	<u> </u>	21.0
	Source				
Appropr	riated Funds				
CE2010	Chiropractic Examiners Board Fund (Appropriated)	8.8	21.0	-	21.0
	Appropriated Funds Total:	8.8	21.0	<u> </u>	21.0
	Fund Source Total:	8.8	21.0	_	21.0

Agency: Board of Chiropractic Examiners

Administrative Costs Summary	FY 2025	
Personal Services	18.5	
ERE	6.0	
All Other	9.2	
Administrative Costs Total:	33.7	
Administrative Costs / Total Expenditure Ratio	Request	Admin %
FY 2025	715.9	4.7%

AFIS Code	Category Description	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2023	FY 2024	FY 2025	% of Increase	3 Year
		Actual	Actual	Actual	Actual	Actual	Estimate	Actual	Estimate	Estimate	FY 22 to FY 23	Average
4312	Examination Fees	42.3	48.3	47.3	41.4	1	1.2	1.6	1.3	1.4	60.00%	1.3
4372	Publications & Reproductions	4.1	3.3	2.9	2.9	3.7	4.3	3.9	3.1	2.5	5.41%	3.5
4339	Other Fees and Services				0	29	33.4	27.4	29.0	30.8	-5.52%	28.2
4415	New Application Fees	383.7	390	393.6	445	429.3	493.7	544.0	34	37.9	26.72%	578.6
4415	Renewal Fees								580.7	578.6		
4415	Renewal Extension Fee								289.1	0.0		
4419	Other Licenses	28.8	32	28.6	18.3	24.4	28.1	39.4	68.6	73.4	61.48%	27.37
200	Restitution	0.1	5.7	2.7	2.4	6.1	5.0	20.0	5.0	5.0	227.87%	9.5
4647	Credit Card Processing Fees Paid	0	-0.4	-0.4	-0.4	-8	-9.2	-10.3	-13.4	-17.4	28.75%	-9.15
4649	Credit Card Convenice Fees Revenue	0	9.4	9.5	8.4	10	11.5	9.9	12.9	16.7	-1.00%	6.5
	Fund Total	459	488.3	484.2	518	495.5	567.8	635.9	1010.1	728.9	28.34%	645.82
	Number of Licensees	2,580	2,676	2,715	2,673	2,506	2,639	2,565	2,581	2,597		2,581
	% of Change Year to Year		3.72%	1.46%	-1.55%	-6.25%		2.35%	0.62%	0.62%		
	Number of Applications	86	102	113	113	120		127	134	142		120
	% of Change Year to Year		18.60%	10.78%	0.00%	6.19%		5.83%	5.83%	5.83%		

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#### **FY 2025 REVENUE MEMORANDUM**

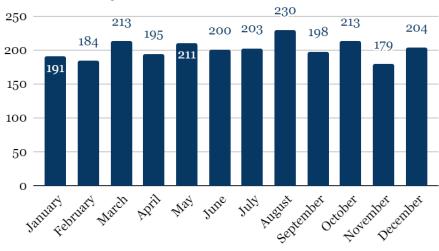
TO: OSPB

FROM: Alissa M. Vander Veen, Executive Director

RE: Revenue Explanation and Renewal Extention

The passage of <u>SB 1726</u> changes Chiropractic Physicians' license expiration dates from December 31st each year to the last day of the Licensee's birth month. The Board will be migrating from an annual renewal period to a rolling monthly renewal cycle for each license period. This change will result in an average of 200 renewal applications per month. The Board expects to significantly improve the processing timelines and reduce the average renewal processing time from forty-five (45) to fifteen (15) days with the new Thentia Online Licensee Portal.





With this legislative change, the Board had two problems to address. The first was that all current active licenses expire on December 31, 2023. The second problem was ensuring the Board's financial stability while transitioning the licensees to their new renewal date. If the Board started using the rolling calendar for the renewal date, it determined that it would have a revenue shortfall of approximately \$276,075 in FY 2026 because it would only receive 50% of the revenue from renewals that it had received when all licensees renewed in December. The Board would have the funds to operate in FY 2025 but would be left with only \$125,510.00 in the revolving fund for FY 2026.

To address these two problems, the Board voted to grant an extension to each licensee with their 2024 renewal. All licensees will renew on or before December 31, 2023. When they renew, they will be required to submit payment for their 2024 Renewal in the amount of \$225.00. Then, they will pay a monthly \$18.75 extension fee for a prorated amount to extend the new 2024 license to the recent renewal date (birth month) in 2025.

		Renewal Fee	Pro Rate Fee
January	191	\$42,975.00	\$3,581.25
February	184	\$41,400.00	\$6,900.00
March	213	\$47,925.00	\$11,981.25
April	195	\$43,875.00	\$14,625.00
May	211	\$47,475.00	\$19,781.25
June	200	\$45,000.00	\$22,500.00
July	203	\$45,675.00	\$26,643.75
August	230	\$51,750.00	\$34,500.00
September	198	\$44,550.00	\$33,412.50
October	213	\$47,925.00	\$39,937.50
November	179	\$40,275.00	\$36,918.75
December	204	\$45,900.00	\$22,950.00
	2421	\$544,725.00	\$273,731.25

This change will help the Board remain financially stable while transitioning the licensees to their new renewal date and address the December 31, 2023, statutory expiration date for the licenses renewed in 2022 for 2023. The Board felt that this process was the least burdensome way to address the changes while ensuring that the Board remains financially viable through the transition.



## **Arizona State Board of Chiropractic Examiners Projections For FY 2024**

Appropriation Year: Fiscal Year:

2023

Agency Name:

Arizona State Board of Chiropractic Examiners

Appropriation Name:

Operating Lump Sum Appropriation

Appropriation Number: New Year's CE30000

Fund:

CE2010

	<u>July</u>	Aug	<u>Sept</u>	<u>Oct</u>	Nov	Dec	<u>Jan</u>	<u>Feb</u>	March	<u>April</u>	<u>May</u>	<u>June</u>	Adjustment	<u>Total</u>
Appropriation/Adjustments	135,500	-	-	135,500	-	-	135,500	-	-	135,500	-	-	-	542,000
Remaining Beginning Allotment	135,500	90,300	45,100	135,400	90,200	45,000	135,300	90,100	44,900	135,200	90,000	44,800	(400)	
Expenditures:	2	2	2	2	2	3	2	2	2	2	2	3		
Personal Services 6000	23,766.66		23,766.66	23,766.66	23,766.66	23,766.66	23,766.66	23,766.66	23,766.66	23,766.66	23,766.66	23,766.66	-	285,200
Employee Related 6100	9,666.68		9,666.68	9,666.68	9,666.68	9,666.68	9,666.68	9,666.68	9,666.68	9,666.68	9,666.68	9,666.68	-	116,000
Professional & Outside Svc: 6200 Travel In State 6500	2,917 208	-	35,000 2,500											
Travel Out of State 6600	1,250		1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	-	15,000
Food 6700	1,230	1,230	1,230	1,230	1,230	1,230	1,230	1,230	1,250	1,230	1,230	1,230	-	13,000
Aid to Organizations 6800														_
Operating 7000	5,642	5,642	5,642	5,642	5,642	5,642	5,642	5,642	5,642	5,642	5,642	5,642	-	67,700
Capital Outlay 8100														-
Capital Equipment 8400														-
Non Capital Equipment 8500	1,750	1,750	1,750	1,750	1,750	1,750	1,750	1,750	1,750	1,750	1,750	1,750	-	21,000
Debit Services 8600 Cost Allocation 9000														-
Transfers Out 9100														-
Subtotal Expenditures	45,200	45,200	45,200	45,200	45,200	45,200	45,200	45,200	45,200	45,200	45,200	45,200	-	542,400
Subtotal Exportantial Sc	10,200	10,200	10,200	10,200	10,200	10,200	.0,200	10,200	10,200	10,200	10,200	10,200		0.2,.00
Remaining Ending Allotment	90,300	45,100	(100)	90,200	45,000	(200)	90,100	44,900	(300)	90,000	44,800	(400)	(400)	
Cumulative Expenditures YTD	45,200		90,400	90,400	90,400	90,400	90,400	90,400	90,400	90,400	90,400	90,400	45,200	
Comments:														

**Executive Director**Alissa M. Vander Veen

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### FY 2025 BUDGET JUSTIFICATION

**PROGRAM/SUBPROGRAM:** Arizona Board of Chiropractic Examiners

**ISSUE TITLE:** Decision Package 01–

**Business Entity Coordinator** 

**DESCRIPTION:** The Board needs to hire a full-time Business Entity Coordinator requires the funding and FTE position to complete this objective.

#### **Business Entity Registrations**

In FY2023, the Board received new guidance and direction from the Arizona Attorney General's Office regarding the interpretation of A.R.S. §32-934 (K) regarding the exemptions for registering with the Board as a Business Entity. Previously, the Board implemented the exemptions listed in A.R.S. §32-934 (K) and did not require licensees that own a chiropractic clinic or practice with an unlicensed individual(s) to register with the Board as a Business Entity. The Attorney General's office has clarified to the Board that the purpose of this statute is to protect the public by ensuring that the Board has jurisdiction over the licensed chiropractor and the unlicensed individual(s) equally. Now that the Board has this clarifying information, the Board will need to go about registering these entities and then maintaining them.

The Board is anticipating that it will likely need to register and manage approximately 230 Business Entity Registrants. The entities are required to renew their license annually in June of each year. The Board also estimates that approximately ten percent of new licensees will need to set up a Business Entity as they begin to set up their practice or company in Arizona.

#### Business Entity Renewal Date

Considering this large increase in registrations, it may be in the Board's best interest to change its business entity renewal statute. To a rolling bi-annual renewal process by the business entity's last day of their issue month. This change would help better distribute the Board's workflow and processes and allow this function to be managed by a single FTE versus other staff members during the annual renewal period. The Board will work with the legislature to clarify this process and make any needed changes to the statute.

#### Health and Wellness Trends

In 2015, according to the <u>Pew Research Center</u>, more millennials reported making personal improvement commitments than any generation before. Millennials spend twice as much as other generations on self-care essentials such as workout regimens, diet plans, life coaching, therapy, and apps to improve their well-being. As this trend continues, chiropractic care is growing in the self-care healthcare industry.

Chiropractic care as a health and wellness benefit is beginning to appear outside the standard practitioner-owned facilities. Many fitness centers and other corporate entities are now offering Chiropractic services. We will likely continue to see more chiropractic services in fitness centers, health/day spas, and MedSpas. Protecting the public from businesses and agencies owned by corporations or unlicensed individuals while employing chiropractor physicians is important. The Board

must maintain and hold jurisdiction over the ownership to ensure full compliance with the state's statutes and rules.

#### Business Entity Compliance, Investigations, and Enforcement

There are additional regulation requirements included in the law: the Board is to receive notice within thirty (30) days when there are any changes to the officer, owners, or directors of the entity or any modifications to the chiropractor(s) providing treatment or supervision for the entity (A.R.S. 32-394 (D) (E). Staff will need to manage and regulate these changes in addition to processing the applications and renewals. Board staff currently does not have the staff to manage and maintain these requirements effectively.

The Board has seen an increase in organizations and businesses that are not properly registered as a Business Entity as required by statute. It is important to have the necessary support and resources to investigate, ensure compliance with the statute and rules, and enforce the Board's orders and directives. There is a need for additional staff support to manage these functions, work with the Board's investigators during the investigative process, and help to identify entities that are not in compliance. This position will need to be able to not only process incoming applications but also research and locate businesses that are out of compliance and send notifications.

As the Board navigates through this change and implements these processes, there will likely be an ongoing increase in Board complaints and investigations. The Board may need to open complaints to address concerns with these various entities for compliance. There is also a concern that reviewing current practices may increase complaints and investigations as the various business models may violate the Board's statutes and rules.

### **Process Improvements**

The Board has recently transitioned to the Thentia Online Portal, and an Online Business Entity Portal is included as a portal option. The Online Portal will make it easier for owners, directors, and officers to log in, update, and maintain their information.

#### Revenue Projections

The Board anticipates that it will need to register about 230 Business Entities to comply with <u>A.R.S.</u> §32-934. The Board has approximately 2,300 Active Licensees. The Board is making a speculative determination that of those licensees, approximately ten (10%) percent of those entities need to register with the Board as Business Entities. The Board also estimates that ten (10%) percent of newly licensed professionals will need to register as a Business Entity (15 per year).

	# of Reg.	<b>Total Revenue</b>	
Initial BE Registration Applications	230	\$92,000.00	One Time
Annual New Registrations	15	\$6,000.00	Ongoing
BE Registration Renewals	230	\$46,000.00	Ongoing
		\$144,000.00	

#### PROPOSED SOLUTION:

The Board requires approval for additional ongoing funding to fully implement the Legislative mandate of A.R.S. §32-934 and ensuring that businesses that are owned and operated by unlicensed or corporate entities that are offering chiropractic services and employing chiropractors are registered with the Board.

This additional FTE will ensure that the Board effectively implements the objectives of this legislative mandate without impacting the Board's functions in the areas of licensure, renewals, and investigations. This additional position will help ensure ongoing safety for the public by ensuring that this agency fully complies with all aspects of the article and rule.

Increased continued funding is needed for \$85,967.00 ongoing and \$4,000.00 one-time appropriation for equipment and operating expenses to hire a *Licensing Administrator-Grade* 22 to support the functions of Business Entity Applications and Compliance.

#### **Fiscal Impact Estimate**

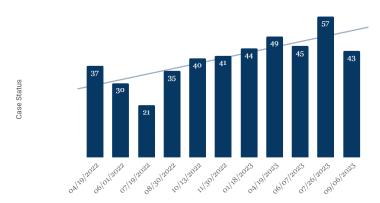
Personnel Services (Ongoing)	\$67,567.00
ERE (Ongoing)	\$28,707.37
Equipment (One-Time)	\$3,000.00
Other Operating Expenses (One-Time)	\$1,000.00
Total Ongoing Request	\$96,274.37
Total Ongoing Request  Total One-Time Request	\$96,274.37 \$4,000.00

#### UNSUCCESSFUL OPTIONS:

Without the additional resources, the Board cannot fully implement this statutory directive and could place the public at risk if it is not addressed quickly. There is significant danger to the public by having an unlicensed and unqualified individual or corporate entity potently directing and managing patient care and who is unaware of the standard of care, the Board's statute, and rules regarding chiropractic physicians.

Alternatively, the agency could delay Board investigations and utilize the Board's second investigator in a limited capacity for this function. The investigator will need to investigate complaints and register and identify business entities. This additional workload will reduce the number of medium to low-level complaints they can investigate. This change will cause an increase and delay in the Board's current case backlog. This prioritization pivot will likely cause the Board's complaints over 180 days to grow significantly. Without the additional support, the Board will likely lose all its progress.

Number of Cases Over 180 Days



The Board will probably have to focus its limited resources on registering business entities and locating them, sending notices, and forgo managing and maintaining the additional requirements and changes for the business entities. We have considered all other options, but none will protect the public while maintaining our current efficiency and service.

We cannot rely on temporary assistance or a one-time fix

The Board does not currently have the funds available to hire a temporary staff member to assist with this changing workload.

This function is an ongoing critical workload that must be continually addressed and not left to temporary staff.

#### **IMPACT OF NOT FUNDING:**

The Board has carefully implemented every possible solution to enhance our service and efficiency. The Board recently hired an additional investigator to investigate complaints and monitor compliance. The Board may have to continue not implementing this function fully or effectively and may be putting the public at risk.

The Board needs to secure funding for this position to have the ability to implement this statute fully. The Board will have to continue to delay its medium and lower-level complaints to address these requirements and ensure the public's safety and welfare.

#### IMPACT ON HISTORICALLY UNDERSERVED, MARGINALIZED, OR ADVERSELY AFFECTED GROUPS

The purpose of this statute is to ensure that no matter where chiropractic treatment is sought, the minimum standard of care is the same for all Arizonans. This law provides that unlicensed individuals or large corporations do not interfere with the standard of care for financial gain.

It levels the playing field and holds all parties accountable equally, both the treating chiropractor and the business entity. A level playing field helps ensure that those groups that are underserved, marginalized, or vulnerable populations are protected from potentially predatory entities that are not under the Board's jurisdiction and intervening in patient care or circumventing the Board's statute and rules. Having the necessary staff to implement this statute in its entirety is in the best interest of supporting these groups and improving the standard of chiropractic care across the great State of Arizona.

# HOW HAS FEEDBACK BEEN INCORPORATED FROM GROUPS DIRECTLY IMPACTED BY THIS PROPOSAL

The Board, as a regulatory authority, often has to implement and establish rules and policies that conflict with the desires and preferences of its licensee population in order to protect the public. No group or organization enjoys additional regulation or oversight. However, it is the public who is most impacted by the lack of regulation or oversight. No lobbyists or associations represent the public's best interest, which is the Board's highest duty.

For this reason, the Board needs to have the additional FTE to regulate the portion of the healthcare industry properly. The Board has seen an increase in organizations and businesses not properly registered as a Business Entity as required by statute. It is important to have the necessary support and resources to investigate, ensure compliance with the statute and rules, and enforce the Board's orders and directives. There is a need for additional staff support to manage these functions, work with the Board's investigators during the investigative process, and help to identify entities that are not in compliance.

#### DESCRIPTION OF HOW THIS FURTHERS THE GOVERNOR'S PRIORITIES

This funding request supports the Governor's priority of a "Better Future for Everyone" by ensuring that the public is protected, a level and equal playing field for every licensee regardless of the type of facility they chose to practice at and that unlicensed individuals and corporations' business practices and standards are in full compliance with the Chiropractic Practice Act.

#### AGENCY MISSION OR GOALS:

The mission of the Agency is to protect the public by setting educational and training standards for licensure by reviewing complaints against chiropractic physicians to ensure that their conduct meets the profession's standards.

**Goal:** To protect the public and ensure that unlicensed professionals or corporate entities are not impacting or interfering with patient care by directing chiropractic professionals to violate the Board's statutes and rules.

### ONGOING APPROPRIATION REQUESTED:

As noted earlier, we request authorization to increase ongoing funding for \$85,967.00 on-going and \$4,000.00 one-time appropriation appropriation from the Chiropractic Examiners Board Fund (CE2010) to achieve this solution.

**Executive Director**Alissa M. Vander Veen

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#### FY 2025 BUDGET JUSTIFICATION

**PROGRAM/SUBPROGRAM:** Arizona Board of Chiropractic Examiners

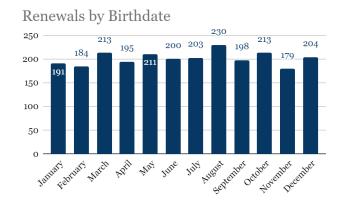
**ISSUE TITLE:** Decision Package 02–

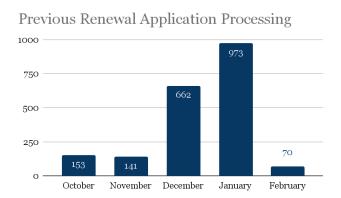
Renewal and Continuing Education Coordinator

**DESCRIPTION:** The Board needs to hire a full-time Renewal and Continuing Education Coordinator requires the funding and FTE position to complete this objective.

### Renewal Applications

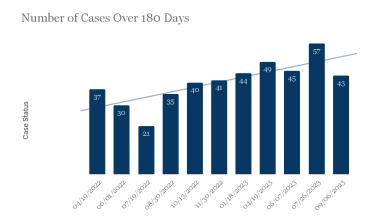
The passage of SB 1726 changes Chiropractic Physicians' license expiration dates from December 31st each year to the last day of the Licensee's birth month. The Board will be migrating from an annual renewal period to a rolling monthly renewal cycle for each license period. This change will result in an average of 200 renewal applications per month. The Board expects to significantly improve the processing timelines and reduce the average renewal processing time from forty-five (45) to fifteen (15) days with the new Thentia Online Licensee Portal.

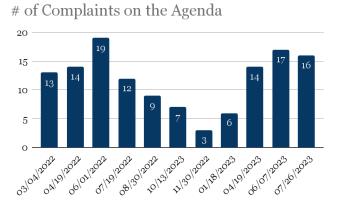




In previous years, Board staff implemented an "all hands on deck" model to process all renewals within the statutory timeframes. This work model causes the Board's Investigators and Licensing Coordinator to step away from their daily responsibilities, which include investigating and processing licensing applications to support the renewal process. During the four-month renewal period (Aug 30, Oct 13, Jan 18, Feb 15),

the number of complaints on the agenda went from an average of fifteen (15) complaints per meeting to an average of six (6) complaints per meeting. The reduction in investigating and hearing complaints directly correlates to the total number of cases over 180 days.





In the last year, the Board heard eighty-seven (87) cases and fully adjudicated forty-five (45) of those complaints. The Board issued one hundred and twenty-seven (127) licenses in the previous year, an eight (8%) percent increase over the last three years. All this was accomplished with reduced investigation and licensing workflows while processing renewal applications. This change in the renewal process aims to improve processing timeframes for renewals, licensing applications, and investigations.

#### Continuing Education Applications-Renewals

The Board is required to approve all Continuing Education courses for our population of licensees. Quality Continuing Education (CE) is critical to public protection and ensuring competent and qualified education for our chiropractic providers. Part of the Board's responsibility is to review and approve these courses. Last year, the agency received 475 Continuing Education Applications for approval.

When a complete CE application is received, it takes staff forty-five (45) minutes to an hour to process a single application. Staff is required to review names, dates, and locations of the courses, detailed descriptions of the course content, detailed syllabus by subject matter, resume and curriculum vitae for each instructor, license verification for each instructor, letters of recommendation for each instructor, and when necessary, sponsorship contract information A.A.C. R4-7-801 (E).

About sixty-four percent (64%) (308) of the applications received are PACE Pre-checked CE applications, which have been approved by the Federation of Chiropractic Licensing Boards (FCBL) and can be processed with less information and in a shorter timeframe. These applications can be processed at a rate of four (4) applications per hour but still require a detailed review of the application and supporting documentation.

There has been a 20-30% increase in Continuing Education applications since the COVID-19 pandemic lifted, and now, with the increased use of online training platforms, this number continues to skyrocket.

The Board has significantly improved the CE Application process in the last year. It developed a new <u>Continuing Education Provider website</u>, transitioned from paper applications to improved online Adobe Applications, and an online credit card payment portal. The Board has almost fully transitioned from paper file storage of these applications to fully electronic records. These changes have improved communication with our CE Providers regarding the Board's expectations and processes and assisted staff's ability to reduce the overall application turnaround time and the application review processing.

With these changes to both renewals and CE Applications, the Board expects that, on average, this additional staff member will be able to process approximately 200 renewal applications and fifty (50) Continuing Education Applications per month. As well as manage all email correspondence and phone calls, written notices, and approvals in these areas.

The Board and Board staff strive to balance protecting the public with providing our licensees the highest levels of customer service. In this new scenario, achieving both of these objectives using the existing processing model and staff will be difficult, if not impossible. It will directly affect the Board's ability to protect the public.

#### PROPOSED SOLUTION:

The Board needs approval for additional ongoing funding to fully implement the Board's objective of improving the renewal process, reducing the process turnaround time, and removing barriers that are caused by the long turnaround time for processing renewal applications.

This additional FTE will ensure that the Board effectively implements the objectives of this legislative change without impacting the Board's functions in the areas of licensure and investigation. This additional position will help ensure ongoing safety to the public as other staff members will no longer have to stop their work to support the renewal function and can focus on licensing and investigations.

Increased ongoing funding is needed for \$54,800.00 and \$4,000.00 one-time appropriation for equipment and operating expenses to hire an *Administrative Assistant II-Grade* 15 to support the functions of Renewal and Continuing Education Applications.

#### **Fiscal Impact Estimate**

Total Request	\$66,197.03
Total One-Time Request	\$4,000.00
Total Ongoing Request	\$62,197.03
Other Operating Expenses (One-Time)	\$1,000.00
Equipment (One-Time)	\$3,000.00
ERE (Ongoing)	\$22,514.03
Personnel Services (Ongoing)	\$39,683.00

### **UNSUCCESSFUL OPTIONS:**

Without the additional resources, the Board must choose between processing renewal applications and its other critical functions of investigations and licensing. Non-funding of this option will undo the significant progress the Board has made in the last year. The Board has reduced the time for issuing licenses, hired an additional investigator to investigate complaints, and moved from paper-based renewal applications to the Thentia Licensure Portal. The Thentia Cloud-based Licensing platform has assisted with improving some workflows, but the volume of work still exists.

Essentially, the work does not go away with the improved technology. It shifts to other functions and responsibilities.

This statutory change aimed to improve the overall renewal application turnaround time. The Agency has considered all other options, but none will protect our current efficiency and service levels.

We cannot rely on temporary assistance or a one-time fix

The Board does not currently have the funds available to hire a temporary staff member to assist with this changing workload. Additionally, it is an ongoing workload that must be continually addressed. The Board has been managing the work at a staff deficit for a significant amount of time. In July of 2023, the Board hired an additional investigator to help support and manage the Board's complaints.

During that time, the Board saw an increase in the number of complaints received and was unable to effectively investigate and hear these matters, which resulted in a backlog of complaints. Additionally, the Board fluctuates between having a backlog of Continuing Education Applications and being up to date on Continuing Education Applications. The risk of not funding this new position may result in ever-increasing backlogs in investigations, licensing, and other business functions. These backlogs could put the public at risk as complaints must be addressed promptly, or mistakes can occur when processes are not adhered to or followed.

#### **IMPACT OF NOT FUNDING:**

The Board has carefully implemented every possible solution to enhance our service and efficiency. The Board recently hired an additional investigator to investigate complaints and monitor compliance. If the Board does not secure funding for this new position, it will likely have to delay low to medium complaints and continue to increase our investigating timelines.

Additionally, the Board will have to increase the timeframes to process Continuing Education applications beyond the current sixty-day period and potentially reduce the pool of providers that provide continuing education in Arizona. Having quality continuing education providers in the State of Arizona is paramount for not only the protection of the public but also the mission of improving healthcare outcomes for all Arizonans.

#### IMPACT ON HISTORICALLY UNDERSERVED, MARGINALIZED, OR ADVERSELY AFFECTED GROUPS

The obvious beneficiary of this legislative change and the Board's process improvement is our licensees; however, there is a component of this request that benefits the historically underserved, marginalized or adversely affected groups. Last year, the legislature passed H.B. 2863, which authorized \$12.7 million for chiropractic care and treatment for AHCCCS recipients. Secondly, the medical industry is now referring patients for non-pharmacologic methods, such as chiropractic care, as the "first line" approach for addressing pain instead of prescribing opioids<sup>1</sup>. For chiropractors servicing these populations, having an active license is paramount to ensure the ability to continue providing treatment through the AHCCCS program. Renewal delays are often caused by the backlog of applications received at the last minute. This can result in a licensee's license becoming administratively suspended, preventing them from treating those most in need while they await processing. It can also have the opposite effect and allow a chiropractic physician to treat these vulnerable populations on a suspended or inactive license. Causing great risk to them and the potential for injury or having their claims rejected by AHCCCS.

<sup>&</sup>lt;sup>1</sup> Source: National Library of Medicine, National Center of Biotechnology Information Association between chiropractic care and the use of prescription opioids among older medicare beneficiaries with spinal pain <a href="https://chiromt.biomedcentral.com/articles/10.1186/s12998-022-00415-7">https://chiromt.biomedcentral.com/articles/10.1186/s12998-022-00415-7</a>

The rolling renewal period and online Thentia Licensure Portal helps ensure that licensees are aware of their licensure status in real-time with no delays. The Portal also has a public lookup that allows the public and credentialing entities to verify the license status and date the renewal was submitted and processed. This online look-up should reduce delays in billing and payment as well as ensure the status of a chiropractor's license.

# HOW HAS FEEDBACK BEEN INCORPORATED FROM GROUPS DIRECTLY IMPACTED BY THIS PROPOSAL

The Board has heard extensively from its licensees regarding its renewal process and the time it takes to review and approve their renewal applications. This legislative change was directly from our licensee population, who deserve a timely, responsive turnaround for their renewal applications.

The Board has implemented a three-part plan to improve this process and deliver better customer service to our licensees and the public. The first phase was to change the renewal process and move away from the traditional annual renewal every December. The second phase was the migration from paper renewal applications to the Online Thentia Licensure Portal. This migration not only gives the public and the licensee real-time information about the status of the renewal application. The public can now see when the licensee submitted their renewal application and when the Board approved and completed it. This improvement will provide increased insight and transparency to the public as well as insurance and credentialing entities, thus helping to reduce delays in insurance authorizations and payments.

The final part of this plan is to receive approval for the funding and hire a dedicated staff member to support this function and allow everyone to receive the full benefit intended by this statutory change.

#### **DESCRIPTION OF HOW THIS FURTHERS THE GOVERNOR'S PRIORITIES:**

The Mission of the Office of Governor Hobbs is to make a just, prosperous, and resilient Arizona for everyone by acting with integrity, engaging communities, and making government a force for opportunity and growth. This request helps make a resilient Arizona for everyone by improving the turnaround time for processing renewal applications and providing greater public transparency regarding the status of individual licenses.

#### **AGENCY MISSION OR GOALS:**

The mission of the Agency is to protect the public by setting educational and training standards for licensure by reviewing complaints against chiropractic physicians to ensure that their conduct meets the profession's standards.

**Goal:** Reducing renewal application processing time from forty-five (45) to fifteen (15) days while maintaining current efficiencies and improving timeframes for investigating complaints and issuing licenses.

### ONGOING APPROPRIATION REQUESTED:

As noted earlier, we request authorization to increase continued funding for \$62,197.00 each year and a \$4,000.00 one-time appropriation from the Chiropractic Examiners Board Fund (CE2010) to achieve this solution.

1740 West Adams Street, Suite 2430 • Phoenix, Arizona 85007 • Voice: (602) 864-5088 • GeneralInfo@ChiroBoard.az.gov www.chiroboard.az.gov

### **FY 2025 BUDGET JUSTIFICATION**

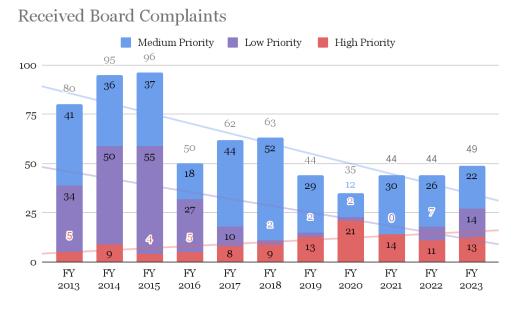
**PROGRAM/SUBPROGRAM:** Arizona Board of Chiropractic Examiners

**ISSUE TITLE:** Decision Package 03-

Interagency Service Agreement (ISA) with the Arizona Attorney General's Office for Legal Services

**DESCRIPTION:** The Board needs to increase its current Interagency Service Agreement (ISA) for additional legal services to continue to address and process complaints effectively.

Since FY 2019, the Board has experienced a sixty-eight percent (68%) average increase in high-priority complaints. The Board defines a high priority as a complaint involving sexual misconduct, patient injury, criminal misconduct, or substance abuse. In addition to the increase in high-priority complaints, the Board has continued to see, on average, a 26.5% increase in new license applications since FY 2019.



Additionally, the Board is still addressing a backlog of complaints from FY 2020. The Board has worked to address the majority of complaints. The Board has taken a two-pronged approach to address the backlog, first addressing high-priority complaints, then in the order, the Board received the complaints starting with FY 2018. The Board has successfully resolved all FY 2018 and 2019 complaints. As for FY 2020, only three (3) complaints remain. These complaints are awaiting Formal Hearings. Fifteen (15) complaints are left to investigate and hear for FY 2021 and 2022, and the Board anticipates most of those complaints being closed in early 2024.

The Board has seen a decline in low-priority complaints, which include false or misleading advertising, failing to provide records to the patient or representative free of charge, failing to register a Chiropractic Assistant, etc. Non-Disciplinary Board Orders for Continuing Education or Non-Disciplinary Advisory Letters for these levels of violations are well-suited to be drafted by Board Staff.

With the increase in high-priority complaints and more complex medium complaints, the Board requires more attention and support from the Arizona Attorney General's office to articulately draft the Board Orders and Consent Agreements to ensure all the necessary legal nuances and language are included to implement the Board's disciplinary intent effectively. It is a critical component of the Board and its staff process to have the assistance of the Assistant Attorney General in drafting the Board's disciplinary orders and consent agreements.

The Board also requires day-to-day support from the Attorney General's office in preparing and reviewing investigative reports, drafting investigative interview questions, and preparing for the Board's Meetings. They help set and review the Board's agenda and assist investigators with assigning allegations and violations of the law. Provide direction to the Board and staff on processes and procedures.

The Assistant Attorney General also plays a crucial role in aiding the citizen judiciary in following the proper procedures for documenting the necessary findings of fact, conclusions of law, and violations on the record to meet the due process requirements.

The passage of HB 2722 changed the landscape for licensing boards and added a new layer to administrative processes with the De Novo Appeals. Representing the Board at these hearings falls to the Assistant Attorney General.

With the continued growth in licensed chiropractic physicians, high-priority complaints filed against chiropractic physicians, and the De Novo Appeal process, the Agency requires additional legal services from the Arizona Attorney General's Office.

#### PROPOSED SOLUTION:

The Board needs approval for additional ongoing funding to meet the growing demand for investigations of chiropractic professionals. This demand will continue to increase as licensing and complaints grow.

This additional funding will ensure that we continue the progress we have made. It will protect our ability to provide adjudication decisions quickly, so regulation is not a barrier to the practice of high-quality chiropractic care in Arizona, and it will enable us to respond to chiropractic physicians, healthcare professionals, and members of the public who need our services.

To achieve this solution, we request ongoing funding for the Agency to continue to utilize services from the Arizona Attorney General's Office. Currently, the Agency operates with 0.28 FTE. The Board has been working at the same level of FTE since at least FY 2021. In FY25, the Board requested to increase the ISA from 0.28 to 0.40 FTE.

Increased funding is needed in the amount of \$15,000.00 to address the costs associated with the Attorney General's Representation of the agency.

#### **UNSUCCESSFUL OPTIONS:**

Without the additional resources, the Board may be unable to continue addressing the backlog of cases while managing the influx of new complaints. The Board has taken substantial steps to address these issues to eliminate the backlog and is working to close the majority of current complaints within 180 days.

The alternative is for the Agency to delay low and medium-priority complaints and continue to increase investigative timelines. Arizona's chiropractic licensees and the members of the public need and deserve our ongoing commitment to providing high-quality, responsive service.

#### IMPACT OF NOT FUNDING:

The Board has carefully implemented every possible solution to enhance our service and efficiency. The Board successfully resolved 96.2% (45 complaints) of the cases it heard during FY 2023. On average, 12 complaints were heard at each Board Meeting, resulting in hearing a total of 38 Initial Actions, 5 Formal Interviews, and 2 Formal Hearings.

Additional funding would allow the Agency to utilize increased services from the Arizona Attorney General's Office to adjudicate complaints more efficiently and expeditiously so we do not lose efficient and customer service-focused practices as the demand exponentially increases.

### IMPACT ON HISTORICALLY UNDERSERVED, MARGINALIZED, OR ADVERSELY AFFECTED GROUPS

Michael Connelly's Homicide Detective Harry Bosch's famous saying was "Everybody matters, or nobody matters," the Board strives to give every complaint and investigation the attention and focus it deserves, no matter who filed the complaint. It doesn't matter who files or makes the complaint. The Board investigates each case with tenacity and zeal.

Decreasing and limiting the Board's resources in this area will continue to drive up investigation timelines and may cause the vulnerable populations not to file complaints because they feel marginalized or ignored by the Board. An effective regularity body should be able to balance thorough and thoughtful investigations with swift and timely processing. To accomplish these objectives, the Board must have the resources.

# HOW HAS FEEDBACK BEEN INCORPORATED FROM GROUPS, DIRECTLY IMPACTED BY THIS PROPOSAL

Everyone, from complainants to licensees, desires to have their matters heard and adjudicated promptly. The Board needs additional support from the Attorney General's Office to process complaints, assist with drafting Board Orders and Consent Agreements, and conduct Formal Hearings and De Novo Trials to drive any improvement in these areas.

Complainants deserve thoughtful and thorough investigations of their complaints. Licensees warrant the same while balancing the swiftness of the investigations with their due process rights. It is essential to have access to the Attorney General as a resource when addressing and investigating complaints.

# DESCRIPTION OF HOW THIS FURTHERS THE GOVERNOR'S PRIORITIES AGENCY MISSION OR GOALS:

The mission of the Governor is to make Arizona a just, prosperous, and resilient Arizona for everyone. Managing and adjudicating the Board's caseloads promptly while having the necessary tools and resources is a core component of the Board's roles and responsibilities. The additional support from the Attorney General's Office will aid the Governor's priorities and the Board's mission.

#### AGENCY MISSION OR GOALS:

The mission of the Agency is to protect the public by setting educational and training standards for licensure by reviewing complaints against chiropractic physicians to ensure that their conduct meets the profession's minimum standards.

**Goal:** Finish adjudicating the current backlog of complaint investigations and work to address incoming complaints within the recommended 180-day timeframe while maintaining existing customer service responsiveness and other efficiencies currently established for the benefit of the Chiropractic Profession and the Citizens of the State of Arizona.

### ONGOING APPROPRIATION REQUESTED:

As noted earlier, we request the authorization to use \$15,000 in ongoing funds from the Chiropractic Examiners Board Fund (CE2010) each year to achieve this solution.

#### **Agency Summary**

#### Board of Chiropractic Examiners

Alissa M. Vander Veen, Executive Director

Phone: 6028645088

A.R.S. §§ 32-900 et seq.

#### Mission:

To protect the health, welfare, and safety of Arizona citizens through the enforcement of laws governing chiropractic care.

#### **Description:**

The Board of Chiropractic Examiners conducts examinations and evaluates applications from Chiropractors seeking original licensure and renewal of licensure, and from persons seeking participation in Board-approved preceptorship or chiropractic assistant programs. The Board investigates complaints made against Chiropractors and conducts administrative hearings as required. The Board provides information to the public concerning applicants, licensees, and regulatory actions.

#### Agency Summary: (\$ Thousands)

Program	FY 2023 Actual	FY 2024 Estimate	FY 2025 Estimate
▶ Licensing and Regulation	483.8	542.4	715.9
Agency Total:	483.8	542.4	715.9
Funding:			
	FY 2023 Actual	FY 2024 Estimate	FY 2025 Estimate
General Fund	(0.0)		
Other Appropriated Funds	483.8	542.4	715.9
Total Funding	483.8	542.4	715.9
FTE Positions	4.0	5.0	7.0

#### **5 Year Plan**

**Issue 1** Improve the timelines to complete investigations, formal interviews, and formal hearings.

**Description:** The Auditor General's Office recommends that cases be concluded within 180 days. The Board's ability to

increase the percentage of

complaints resolved within 180 days of receipt when no hearing is required, as well as the average number of

months to resolve cases in

which administrative hearings continues to improve.

#### **Solutions:**

The Board continues to address the backlog of complaints dating back to FY 2018. The Board has worked to address the majority of complaints. In the last year, the Board heard eighty-seven (87) cases and fully adjudicated forty-five (45) complaints. The Board has successfully resolved all FY 2018 and 2019 complaints. As for FY 2020, only three (3) complaints remain. These complaints are awaiting Formal Hearings. Fifteen (15) complaints are left to investigate and hear for FY 2021 and 2022, and the Board anticipates the remaining complaints being closed in early 2024.

In reviewing the data, the Board has made significant progress in the average number of days from receiving the complaint to closure. For FY 2022, the average time to close an open complaint is 292 average days, down significantly from the all-time high of 522 average days in FY 2020. Additionally, the Board has reduced the average number of days for High Priority (HP Cases) complaints from the high in FY 2020 of 612 average days to 129 days in FY 2022.

Since the Board has prioritized High Priority Complaints over medium and lower-priority complaints, there is still a significant delay in investigating these lower-level cases. The Board has recently hired an additional investigator to help investigate its medium to lower-level matters and reduce the average number of days from its high in FY 2021 of 460 days to an average at or below 180 days.

During the last five years, most complaints before the Board have evolved from simple refund issues and advertising matters to more complex cases involving billing, fraud, sexual misconduct, and substance abuse. Because of these additional complexities, they now involved extra time and resources to gather all the necessary evidence to present the matter to the Board. A higher number of complaints and complicated cases result in the

Board issuing more disciplinary orders and consent agreements. These items require additional staff resources to monitor and track compliance with

these corrective orders.

Utilizing two investigators to address complaints and move cases forward in a more expeditious manner will help the Board achieve this vital objective. However, without the additional requested staff support for Renewal Applications and Business Entities, it will likely have to shift responsibilities back to the investigative staff to handle these other processes.

The Board has and continues to use AMS and visual management tools to track high-priority cases, where cases are in the pipeline for review by the Board and placement on the Board's agenda. This process ensures all cases are moved forward to the next steps promptly. The agenda is planned out in quarterly segments, and cases are plotted accordingly.

Lower-priority and easy-to-resolve cases are no longer prioritized over the more complicated high priority cases. Complaints are monitored and tracked daily, assigned to an investigator, and then placed on the agenda. These tools also ensure notices are completed timely and that the Board avoids possible due process issues by being consistent and prompt with its notices for interviews and hearings.

Issue 2 Cross-train all staff in routine office and business functions in Thentia Cloud Solution

**Description:** 

The Board has shifted from using the 1995 Microsoft Access Database to the Thentia Online Application and Licensure Portal. As a result of this change, staff members must be able to navigate all parts of the system. A small team must be familiar with all the essential business functions to support the public and licensees.

#### **Solutions:**

The Board is currently utilizing this time to introduce new database sections and develop How-To Guides for staff and portal users. These guides are stored and shared on the Board's Thentia Google Drive for staff and posted on the Board's website for portal users, making them easily accessible.

We are expanding the How To Guides to cover most of the Board's business functions, making it easy for all staff to access informative guides for their daily responsibilities. Furthermore, staff members will share lower-level procedures weekly, helping them stay sharp and engaged with these processes and any updates.

Every day, the staff has a huddle call to check on everyone's workload and ensure the team is on track to complete tasks on time, meeting internal and external deadlines. Once a week, there is a staff meeting to discuss any updates to Board processes and brainstorm ways to improve efficiency. When necessary, all staff members pitch in to complete tasks such as Continuing Education Applications, Renewal Applications, answering phone calls, and responding to emails.

Issue 3 Establish the capability of accepting Continuing Education applications and fees in electronic formats

#### **Description:**

The Board currently only accepts paper copy applications and payments in the form of checks or money orders. These outdated processes prevent the Board from processing the applications in a reasonable timeframe. There is no statute timeframe for processing these applications. This results in a long delay in processing these applications. The Board is striving to reduce the application wait times from 90 to 120 days to 45 days or less.

#### Solutions:

Thentia is developing a CE Provider Portal that the Board may integrate into its portal features in the future. Within the past year, the Board implemented a new Online Submission Application for CE Applications and established a Continuing Education Provider and Trainer website. Additionally, the Board now accepts online payments, eliminating the need for checks and money orders. These modifications have significantly enhanced the overall process. It is too early to deduce if these changes have improved the Board's average application turnaround time, but the Board is monitoring and tracking these improvements.

The Board has requested an extra employee to aid in processing Renewal Applications and Continuing Education applications. This additional staff support will assist the Board in providing a superior customer service experience for its CE Providers. It will also ensure our licensed individuals have quality and meaningful options for their Continuing Education Credits.

Issue 4 Update information technology

**Description:** Update information technology to ensure capable management of practitioner licensure, consumer

complaints, and other board responsibilities and activities.

#### Solutions:

The Board has transitioned to the Thentia Online Cloud Solution as a part of its daily operations. The Board is gradually integrating this technology and onboarding Chiropractic Assistants and their Supervisors onto the platform. New applicants are using the portal to submit their licensure applications. Currently, the Board is processing and reviewing complaints. On September 1, 2023, the Board will notify all licensees on how to access the online portal. Finally, starting in October 2023, the Board will use the portal for its annual renewal process. By December 2023, the Board will be fully onboarded to this new system. The next phase of this solution will be to create an online portal for our Continuing Education providers for their Continuing Education Applications.

#### **Resource Assumptions**

	FY 2026 Estimate	FY 2027 Estimate	FY 2028 Estimate
Full-Time Equivalent Positions	7.0	7.0	7.0
General Fund	-	-	-
Other Appropriated Funds	-	-	-
Non-Appropriated Funds	-	-	-
Federal Funds	-	-	-

♦ Goal 1

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To issue and renew licenses promptly to those applicants determined to be eligible based on their accurate and complete application and demonstration of the required standards of education, knowledge, and competency while ensuring that the health, safety,

Performance Measures	FY 2022 Actual	FY 2023 Estimate	FY 2023 Actual	FY 2024 Estimate	FY 2025 Estimate
Number of applications for licensure received	117	132	129	134	142
Average number of business days between receipt of complete application and licensure decision.	15	15	15	15	15
Number of new licenses issued	117	132	95	132	142
Number of licenses issued prior to undisclosed conviction being identified	0	0	0	0	0
Number of licenses eligible for renewal	2,618	2,682	2,565	2,581	2,597

Percent of license renewal applications processed within 15 business days	75	95	75	95	95
Percent of licenses renewed each year	88	90	93	94	95

To investigate promptly complaints filed against licensees throughout the state and to proactively identify risks to the consumer public. To timely and knowledgeably determine if a matter should be dismissed or proceed to hearing, to conduct formal interviews

Performance Measures	FY 2022 Actual	FY 2023 Estimate	FY 2023 Actual	FY 2024 Estimate	FY 2025 Estimate
Number of new complaints filed	44	75	48	60	72
Percent of complaints resolved within 180 days of receipt with no hearing required	23	50	18	50	65
Average number of months to resolve an administrative hearing	3	3	3	3	3
Number of licenses revoked, surrendered, or suspended	0	0	5	0	0
Total number of investigations conducted	70	84	53	70	70

♦ Goal 3 To ensure Board and staff competence and knowledge.

Performance Measures	FY 2022 Actual	FY 2023 Estimate	FY 2023 Actual	FY 2024 Estimate	FY 2025 Estimate
Percent of survey responses which indicate that staff was knowledgeable and courteous in public communications or that the measure was not applicable.	98	98	98	98	98
Administration as a percent of total cost	12	12	12	12	12

♦ Goal 4 To increase public awareness of agency functions, resources, and public records accessibility.

Performance Measures	FY 2022 Actual	FY 2023 Estimate	FY 2023 Actual	FY 2024 Estimate	FY 2025 Estimate	
Self assessment surveys returned.	10	10	10	10	10	
Percent of complaint investigations that the	5	5	5	5	5	

#### **Agency 5 Year Plan**

#### **CEA Board of Chiropractic Examiners**

**Issue 1** Improve the timelines to complete investigations, formal interviews, and formal hearings.

**Description:** The Auditor General's Office recommends that cases be concluded within 180 days. The Board's ability to

increase the percentage of

complaints resolved within 180 days of receipt when no hearing is required, as well as the average number of

months to resolve cases in

which administrative hearings continues to improve.

#### Solutions:

The Board continues to address the backlog of complaints dating back to FY 2018. The Board has worked to address the majority of complaints. In the last year, the Board heard eighty-seven (87) cases and fully adjudicated forty-five (45) complaints. The Board has successfully resolved all FY 2018 and 2019 complaints. As for FY 2020, only three (3) complaints remain. These complaints are awaiting Formal Hearings. Fifteen (15) complaints are left to investigate and hear for FY 2021 and 2022, and the Board anticipates the remaining complaints being closed in early 2024.

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Since the Board has prioritized High Priority Complaints over medium and lower-priority complaints, there is still a significant delay in investigating these lower-level cases. The Board has recently hired an additional investigator to help investigate its medium to lower-level matters and reduce the average number of days from its high in FY 2021 of 460 days to an average at or below 180 days.

During the last five years, most complaints before the Board have evolved from simple refund issues and advertising matters to more complex cases involving billing, fraud, sexual misconduct, and substance abuse. Because of these additional complexities, they now involved extra time and resources to gather all the necessary evidence to present the matter to the Board. A higher number of complaints and complicated cases result in the

Board issuing more disciplinary orders and consent agreements. These items require additional staff resources to monitor and track compliance with

these corrective orders.

Utilizing two investigators to address complaints and move cases forward in a more expeditious manner will help the Board achieve this vital objective. However, without the additional requested staff support for Renewal Applications and Business Entities, it will likely have to shift responsibilities back to the investigative staff to handle these other processes.

The Board has and continues to use AMS and visual management tools to track high-priority cases, where cases are in the pipeline for review by the Board and placement on the Board's agenda. This process ensures all cases are moved forward to the next steps promptly. The agenda is planned out in quarterly segments, and cases are plotted accordingly.

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**Description:** The Board has shifted from using the 1995 Microsoft Access Database to the Thentia Online Application and Licensure Portal. As a result of this change, staff members must be able to navigate all parts of the system. A

small team must be familiar with all the essential business functions to support the public and licensees.

Solutions:

#### **Agency 5 Year Plan**

The Board is currently utilizing this time to introduce new database sections and develop How-To Guides for staff and portal users. These guides are stored and shared on the Board's Thentia Google Drive for staff and posted on the Board's website for portal users, making them easily accessible.

We are expanding the How To Guides to cover most of the Board's business functions, making it easy for all staff to access informative guides for their daily responsibilities. Furthermore, staff members will share lower-level procedures weekly, helping them stay sharp and engaged with these processes and any updates.

Every day, the staff has a huddle call to check on everyone's workload and ensure the team is on track to complete tasks on time, meeting internal and external deadlines. Once a week, there is a staff meeting to discuss any updates to Board processes and brainstorm ways to improve efficiency. When necessary, all staff members pitch in to complete tasks such as Continuing Education Applications, Renewal Applications, answering phone calls, and responding to emails.

#### Issue 3 Establish the capability of accepting Continuing Education applications and fees in electronic formats

**Description:** The Board currently only accepts paper copy applications and payments in the form of checks or money orders. These outdated processes prevent the Board from processing the applications in a reasonable timeframe. There is no statute timeframe for processing these applications. This results in a long delay in processing these applications. The Board is striving to reduce the application wait times from 90 to 120 days to 45 days or less.

#### Solutions:

Thentia is developing a CE Provider Portal that the Board may integrate into its portal features in the future. Within the past year, the Board implemented a new Online Submission Application for CE Applications and established a Continuing Education Provider and Trainer website. Additionally, the Board now accepts online payments, eliminating the need for checks and money orders. These modifications have significantly enhanced the overall process. It is too early to deduce if these changes have improved the Board's average application turnaround time, but the Board is monitoring and tracking these improvements.

The Board has requested an extra employee to aid in processing Renewal Applications and Continuing Education applications. This additional staff support will assist the Board in providing a superior customer service experience for its CE Providers. It will also ensure our licensed individuals have quality and meaningful options for their Continuing Education Credits.

#### Issue 4 Update information technology

**Description:** Update information technology to ensure capable management of practitioner licensure, consumer complaints, and other board responsibilities and activities.

#### **Solutions:**

The Board has transitioned to the Thentia Online Cloud Solution as a part of its daily operations. The Board is gradually integrating this technology and onboarding Chiropractic Assistants and their Supervisors onto the platform. New applicants are using the portal to submit their licensure applications. Currently, the Board is processing and reviewing complaints. On September 1, 2023, the Board will notify all licensees on how to access the online portal. Finally, starting in October 2023, the Board will use the portal for its annual renewal process. By December 2023, the Board will be fully onboarded to this new system. The next phase of this solution will be to create an online portal for our Continuing Education providers for their Continuing Education Applications.

#### **Resource Assumptions**

	FY 2026 Estimate	FY 2027 Estimate	FY 2028 Estimate
Full-Time Equivalent Positions	7.0	7.0	7.0
General Fund	-	-	-
Other Appropriated Funds	-	-	-
Non-Appropriated Funds	-	-	-

## **Agency 5 Year Plan**

Federal Funds	-	-	-

## **Budget Related Performance Measures**

## **CEA Board of Chiropractic Examiners**

### **PROGRAM SUMMARY**

**Program:** Board of Chiropractic Examiners (CEA)

Contact: Alissa M. Vander Veen, Executive Director 6028645088

**2nd Contact:** Alissa M. Vander Veen

Michael Nayeri, Executive Director 6028645088

**Statute:** A.R.S. §§ 32-900 et seq.

ML	Budget <sup>*</sup>	Туре	Performance Measures	FY 2022 Actual	FY 2023 Estimate	FY 2023 Actual	FY 2024 Estimate	FY 2025 Estimate
X	X	OP	Number of licenses eligible for renewal	2,618	2,682	2,565	2,581	2,597
X	X	EF	Percent of license renewal applications processed within 15 business days	75	95	75	95	95
X	X	IP	Total number of investigations conducted	70	84	53	70	70

## **Not in Master List**

## Goals without any Performance Measures Marked for inclusion in the Master List

The display of the footnote: \* = Agency, Program, or Sub Program has no goals with publishable performance measures.

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## **Explore Plans**

#### P 0 CEA Board of Chiropractic Examiners

- G 1 To issue and renew licenses promptly to those applicants determined to be eligible based on their accurate and complete application and demonstration of the required standards of education, knowledge, and competency while ensuring that the health, safety,
  - P 1 Number of applications for licensure received
  - P 2 Average number of business days between receipt of complete application and licensure decision.
  - P 3 Number of new licenses issued
  - P 4 Number of licenses issued prior to undisclosed conviction being identified
  - P 5 Number of licenses eligible for renewal
  - P 6 Percent of license renewal applications processed within 15 business days
  - P 7 Percent of licenses renewed each year
- G 2 To investigate promptly complaints filed against licensees throughout the state and to proactively identify risks to the consumer public. To timely and knowledgeably determine if a matter should be dismissed or proceed to hearing, to conduct formal interviews
  - P 1 Number of new complaints filed
  - P 2 Percent of complaints resolved within 180 days of receipt with no hearing required
  - P 3 Average number of months to resolve an administrative hearing
  - P 4 Number of licenses revoked, surrendered, or suspended
  - P 5 Total number of investigations conducted
- G 3 To ensure Board and staff competence and knowledge.
  - P 1 Percent of survey responses which indicate that staff was knowledgeable and courteous in public communications or that the measure was not applicable.
  - P 2 Administration as a percent of total cost
- G 4 To increase public awareness of agency functions, resources, and public records accessibility.
  - P 1 Self assessment surveys returned.
  - P 2 Percent of complaint investigations that the Board found to be outside of its jurisdiction.

#### P 1 CEA-1-0 Licensing and Regulation

S 1 CEA-1-1 Licensing and Regulation

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## **Explore Plans**

#### P 0 CEA Board of Chiropractic Examiners

- G 1 CEA-G001 To issue and renew licenses promptly to those applicants determined to be eligible based on their accurate and complete application and demonstration of the required standards of education, knowledge, and competency while ensuring that the health, safety.
  - P 1 CEA-PM0001 Number of applications for licensure received
  - P 2 CEA-PM0002 Average number of business days between receipt of complete application and licensure decision.
  - P 3 CEA-PM0003 Number of new licenses issued
  - P 4 CEA-PM0004 Number of licenses issued prior to undisclosed conviction being identified
  - P 5 CEA-PM0005 Number of licenses eligible for renewal
  - P 6 CEA-PM0006 Percent of license renewal applications processed within 15 business days
  - P 7 CEA-PM0007 Percent of licenses renewed each year
- G 2 CEA-G002 To investigate promptly complaints filed against licensees throughout the state and to proactively identify risks to the consumer public. To timely and knowledgeably determine if a matter should be dismissed or proceed to hearing, to conduct formal interviews
  - P 1 CEA-PM0008 Number of new complaints filed
  - P 2 CEA-PM0009 Percent of complaints resolved within 180 days of receipt with no hearing required
  - P 3 CEA-PM0010 Average number of months to resolve an administrative hearing
  - P 4 CEA-PM0011 Number of licenses revoked, surrendered, or suspended
  - P 5 CEA-PM0012 Total number of investigations conducted
- G 3 CEA-G003 To ensure Board and staff competence and knowledge.
  - P 1 CEA-PM0013 Percent of survey responses which indicate that staff was knowledgeable and courteous in public communications or that the measure was not applicable.
  - P 2 CEA-PM0014 Administration as a percent of total cost
- G 4 CEA-G004 To increase public awareness of agency functions, resources, and public records accessibility.
  - P 1 CEA-PM0015 Self assessment surveys returned.
  - P 2 CEA-PM0016 Percent of complaint investigations that the Board found to be outside of its jurisdiction.

#### P 1 CEA-1-0 Licensing and Regulation

S 1 CEA-1-1 Licensing and Regulation

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