



## State of Arizona Board of Chiropractic Examiners

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May 2, 2017

Douglas A. Ducey  
Office of the Arizona Governor  
1700 West Washington Street  
Phoenix, Arizona 85007

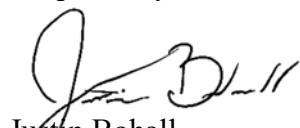
RE: Executive Order 2017-03

To Whom It May Concern:

The State of Arizona Board of Chiropractic Examiners hereby submits the following report in response to Executive Order 2017-03; regarding the requirements of licensure for the Chiropractic profession in the State of Arizona. The State of Arizona Board of Chiropractic Examiners has been in operation since 1921 and has carefully selected the requirements of licensure in the state to ensure the health, safety, and welfare of the public is protected while maintaining the least burdensome regulations on the profession.

Please do not hesitate to contact me should you have any questions at either 602.864.5088 or [JBohall@chiroboard.az.gov](mailto:JBohall@chiroboard.az.gov).

Respectfully,



Justin Bohall  
Executive Director

Enclosure

Douglas A. Ducey  
Governor

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James Badge, D.C.  
Chairperson

Richard Guarino, D.C.  
Vice-Chairperson

Gregory Katsaros, D.C.  
Member

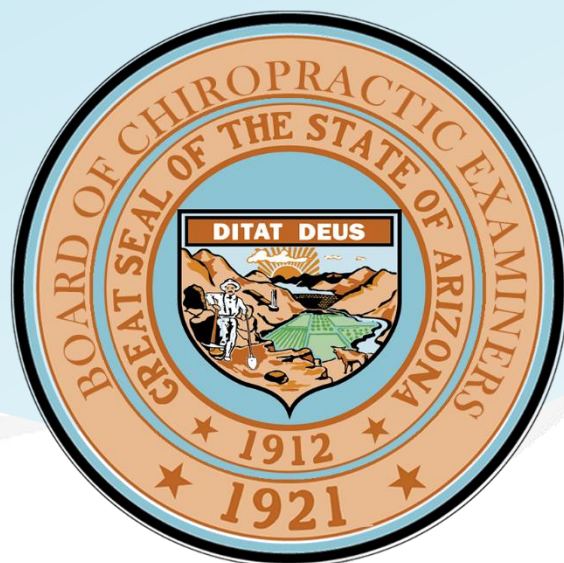
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Justin Bohall  
Executive Director

**STATE OF ARIZONA**  
**BOARD OF CHIROPRACTIC**  
**EXAMINERS**

**EO 2017-03 REPORT**

**REGULATION OF THE**  
**CHIROPRACTIC PROFESSION IN**  
**ARIZONA**



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# EO 2017-03 Report: Regulation of the Chiropractic Profession in Arizona

## Executive Summary

The State of Arizona Board of Chiropractic Examiners conducted a full review of the Board's requirements for licensure of the Chiropractic Profession in Arizona in accordance with Executive Order 2017-03. The full report will be submitted to the Governor's office as well as published on the Board's website. The report indicates that the State of Arizona Board of Chiropractic Examiners operates well within the average of regulatory requirements if not acting as one of the least restrictive and least burdensome of the nation.

The Chiropractic Profession is regulated in all fifty states and in the District of Columbia requiring a license to practice. The average requirements for licensure include: Background check or Fingerprinting, Jurisprudence Examination, two years of undergraduate study, completion of a doctorate of chiropractic college from an accredited college or university by the Council on Chiropractic Education, successful passing of the National Board of Chiropractic Examiners Exams parts I – IV, a \$350 application fee, thirty hours of continuing education, and a \$277 renewal fee. As demonstrated by the report, the Arizona Board of Chiropractic Examiners requires the minimum or below of these requirements including no requirements of undergraduate education, only twelve hours of continuing education and a renewal fee of \$170.00.

The Board has also introduced several streamlined processes to aid in reducing licensing time frames, as well as increase customer service to the regulated profession.



STATE OF ARIZONA  
★  
EXECUTIVE ORDER

**Executive Order 2017-03**

**Internal Review of Training Requirements, Continuing Education, Fees, and Processes**

**WHEREAS**, government licensing requirements should be as limited as possible; and

**WHEREAS**, onerous licensing requirements and excessive fees can create unnecessary barriers for Arizonans who want to enter the job market; and

**WHEREAS**, burdensome training requirements, excessive fees, arbitrary investigations and economic protectionism stand in the way of Arizonans' right to work an honest job; and

**WHEREAS**, regulatory Boards serve one purpose and one purpose only—to protect the public from harm; and

**WHEREAS**, all other issues beyond that one purpose can and should be handled by the private market; and

**WHEREAS**, each regulatory Board should undertake a critical and comprehensive review of its processes, fees, and training and continuing education requirements and take action to reduce all unwarranted regulatory burdens, and administrative delays; and

**WHEREAS**, Article 5, Section 4 of the Arizona Constitution and Title 41, Chapter 1, Article 1 of the Arizona Revised Statutes vests the executive power of the State of Arizona in the Governor;

**NOW, THEREFORE, I**, Douglas A. Ducey, by virtue of the authority vested in me by the Constitution and laws of the State of Arizona hereby declare the following:

1. Each Board subject to this Order shall review and report all requirements for each type of license issued by the Board. At a minimum for each type of license, this report shall include training requirements, continuing education, initial fees, and renewal fees along with the number of states which require a license for this profession and national average for training requirements, continuing education, initial fees, and renewal fees.
2. For each of the requirements identified in paragraph (1), if the requirement in Arizona is in excess of the national average for that license, the Board shall provide its justification with specific reference to potential harm to individuals in the State of Arizona.
3. If twenty-four or fewer states require a license for this profession, the report shall include the Board's justification for why that profession should be licensed with specific reference to potential harm to individuals in the State of Arizona.
4. The report shall also include whether applicants with a criminal record are barred from being licensed, for how long they are barred, and why the Board believes the bar is necessary. If the board does not have a complete bar, but may use a criminal conviction to deny an applicant based on character, the Board shall report how many applicants with criminal convictions were denied due to character concerns each year for the past five years.



5. The report shall include:
  - a. the number of consent agreements entered into each year for the past five years, the total amount of fines and fees imposed pursuant to such an agreement each year, and the ten most frequent violations resulting in a consent decree, and;
  - b. the average timeframe for approval for each type of license issued by the Board.
6. Each Board shall submit a report including the information required in this Executive Order to the Governor's Office no later than June 30, 2017. Reports may be submitted electronically.
7. For the purposes of this Order, the term "Board" includes without limitation, the State Board of Accountancy, the Arizona Boxing and MMA Commission, the State Board of Acupuncture, the State Board of Athletic Training, the State Board of Barbers, the State Board of Behavioral Health, the State Board of Chiropractic Examiners, the State Board of Cosmetology, the State Board of Dental Examiners, the State Board of Funeral Directors and Embalmers, the State Board of Homeopathic and Integrated Medicine Examiners, the State Board of Massage Therapy, the Arizona Medical Board, the Naturopathic Physicians Board of Medical Examiners, the State Board of Nursing, the State Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers, the State Board of Occupational Therapy Examiners, the State Board of Dispensing Opticians, the State Board of Optometry, the State Board of Osteopathic Examiners, the State Board of Pharmacy, the State Board of Physical Therapy, the State Board of Podiatry Examiners, the State Board of Psychologist Examiners, the State Board of Respiratory Care Examiners, the State Board of Technical Registration and the State Board of Veterinary Medical Examining.
8. This Executive Order expires on September 1, 2018.

**IN WITNESS WHEREOF**, I have hereunto set my hand caused to be affixed the Great Seal of the State of Arizona.



*Douglas A. Ducey*

**GOVERNOR**

**DONE** at the Capitol in Phoenix on this Twenty-Ninth day of March in the Year Two Thousand Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

**ATTEST:**

*Michelle Reagan*

**Secretary of State**

## Introductions

On March 29, 2017, Governor Douglas A. Ducey signed into effect Executive Order 2017-03 which directed the State of Arizona Board of Chiropractic Examiners (“Board”), among other various Boards, to review and report on licensing requirements of the regulated profession represented by the Board.

Justin Bohall, Executive Director of the State of Arizona Board of Chiropractic Examiners, in conjunction with Lindsey Castro, Deputy Director of State of Arizona Board of Chiropractic Examiners was directed by the Board of Chiropractic Examiners to provide the report relating to the requirements for licensure of the chiropractic profession in the State of Arizona in comparison to the national requirements of the profession.

The report aims to inform the reader of the various licensure requirements of the chiropractic profession in Arizona including but not limited to: training, examinations, education, and fees.

The chiropractic profession is regulated in all fifty US States and in the District of Columbia. Chiropractic is also recognized and regulated internationally at various levels.

The State of Arizona Board of Chiropractic Examiners has been in operation since 1921 and has carefully selected the requirements of licensure in the state to ensure the health, safety, and welfare of the public is protected while maintaining the least burdensome regulations on the profession.

The Board’s mission statement is as follows: “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 through the enforcement of the laws governing the practice of chiropractic.”

The report addresses the 3 areas of the Executive Order:

(1) Requirements of Licensure

Section 1 describes all the requirements of chiropractic licensure in the State of Arizona. This includes all stages of the process from Initial Application and Training to Continued Chiropractic Practice and Renewal of Licensure. This section includes the national averages regarding chiropractic licensure and specific details as to how the Board is protecting the health safety and welfare while maintaining the least restrictive regulatory burden on licensees.

(2) Application Process & Criminal History

Section 2 describes the application process that includes the applicant’s potential criminal background and options the Board has to allow for licensure of an individual with a criminal history. This section will also include the statistics on average licensing time-

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Regulation of the Chiropractic Profession in Arizona

frames and the number of applicants who were denied a license due to character concerns for the past five years.

(3) Consent Agreements

Section 3 details the Board's consent agreement statistics that include the number of consent agreements, the amount of fines and fees associated with the consent agreements and the top ten most frequent violations found in the consent agreements.





# EO 2017-03 Report: Regulation of the Chiropractic Profession in Arizona

## Requirements for Licensure

Tab 1

### In this Section:

- States the Require a License to Practice
- Training Requirements
- Examinations
- Continuing Education
- Initial Fees
- Renewal Fees
- Other Requirements

## Section 1 - Requirements of Licensure

This section seeks to provide an overview of all the licensure requirements of the chiropractic profession in Arizona. The information contained in this section is a result of data gathered from the various regulatory agencies across the nation that regulate the practice of chiropractic. Additional data was gathered from the Federation of Chiropractic Licensing Boards (“FCLB”).

The State of Arizona Board of Chiropractic Examiners has the following requirements for Initial licensure: <sup>1</sup>

1. Be of Good Moral Character and Reputation as well as be able to Practice Chiropractic Skillful and Safely.
  - a. All but two states have requirements that licensed chiropractors be of good moral character and be able to practice chiropractic skillfully and safely. <sup>5</sup>
2. Complete Fingerprinting and Background Check
  - a. Over thirty states require a background check / fingerprint background check as a requirement to ensure that the applicant meets the good moral character standard for licensure. <sup>5</sup>
  - b. Fingerprint background checks are consistent with the Arizona Medical Board, Arizona Board of Dental Examiners, and the Arizona Board of Nursing.
3. Pass the Jurisprudence Examination
  - a. Thirty-five states require a passing score of the state’s jurisprudence exam. <sup>5</sup>
  - b. The Arizona Board developed an online jurisprudence exam in 2014 to increase access and availability of the exam to applicants.
4. Graduate of an Accredited Chiropractic College or University
  - a. The Arizona Board only requires that the applicant is a graduate of an accredited chiropractic college or university. This low threshold allows for international applicants that meet the same educational level to apply for licensure in Arizona.
  - b. The national average is to require two years of undergraduate coursework prior to application to the chiropractic college. <sup>5</sup>
    - i. The Arizona Board does not have an undergraduate requirement. This reduces the regulatory burden on the community while achieving the same results.
5. Pass Parts I-IV of the National Exams
  - a. All fifty states and the District of Columbia accept & require parts I-IV of the exams provided by the National Board of Chiropractic Examiners (“NBCE”). <sup>5</sup>
  - b. The Board has developed two additional paths to licensure for qualified applicants who have been in practice for a number of years, who were licensed before parts III & IV were developed to ensure that the Board is not restricting the licensure of otherwise experienced and qualified professionals. The Board has Licensure by Examination, Licensure by Reciprocity and Licensure by Endorsement.

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6. Pay the Application and Initial Licensure fees
  - a. Currently, the Board's application and initial licensure fee meet the national average of \$350.00.<sup>5</sup>
  - b. It should be noted that the Board has split the application and initial licensure fee to reduce the upfront cost of licensure for the applicant. If the applicant chooses not to receive the chiropractic license after the Board has approved the application the applicant does not pay the Initial licensure fee.

The State of Arizona Board of Chiropractic Examiners has the following requirements for licensure renewal:<sup>2</sup>

1. Renew the License annually by January 1<sup>st</sup>.
  - a. The Board requires annual renewal of the license which is consistent with the majority of states and jurisdictions.<sup>5</sup>
  - b. In 2015 the Board partnered with GL Solutions to develop an online renewal website to streamline the renewals process, escalate processing speed, and increase availability.
2. Complete 12 hours of Continuing Education for Licensure renewal
  - a. All 50 states and the District of Columbia require Continuing Education ("CE") for licensure renewal.
  - b. The national average is 30 hours of CE in order to renew your chiropractic license.<sup>5</sup>
3. Pay the Renewal Fee
  - a. The Board's application and Initial licensure fee are below the national average of \$277.00. The Board currently requires \$170.00 to renew a license and has not increased fees since 2002.<sup>5</sup>

# EO 2017-03 Report: Regulation of the Chiropractic Profession in Arizona

## Application Process & Criminal History

### In this Section:

- Laws and Rules regarding Criminal History
- Statistics of Applications
- Background Checks & Fingerprinting
- Average Licensing Timeframe

Tab 2



## Section 2 - Application Process & Criminal History

This section seeks to provide an overview of all the application process and the process by which the Board reviews applicants with a criminal history when applying for a license in the chiropractic profession in Arizona.

1. The Board has recently streamlined the application and licensure process by providing the Licensure Applications on the Board website. This is reducing the time frame for interested applicants to review the application and begin the process of applying to the Board.
2. The Board does not have a permanent bar on applicants with a criminal record. The Board considers all applications for licensure including those with criminal histories. The Board often suggests a consent agreement for licensure to allow for licensure but to ensure the safety of the public is maintained. In the last 5 years, the Board has denied two applications for licensure with criminal convictions both occurred in Fiscal Year 2013.<sup>3</sup>

Fiscal Year	Denied Applicants with Criminal Convictions
FY 17	0
FY 16	0
FY 15	0
FY 14	0
FY 13	2
FY 12	0

- a. Application #2013057 – Applicant “A.E.C.” was convicted of a felony “Lewd and Lascivious acts with a child under 14”, registered a sexual offender and had his chiropractic license revoked by Illinois Department of Financial and Professional Regulation, Division of Professional Regulation.<sup>4</sup> It should be noted in this case that the child was the niece of the applicant. It was for these reasons that the Board denied licensure into the chiropractic profession in Arizona.
- b. Application #2013040 – Applicant “AW” was convicted of a felony “Sexual Acts, Facilitation of Prostitution” and had his chiropractic license revoked by the California Board of Chiropractic Examiners.<sup>4</sup> It should be noted that in this case the applicant was operating four chiropractic offices and massage parlor using unlicensed individuals and conducting lewd and lascivious acts with clients for payment. It was for these reasons that the Board denied licensure into the chiropractic profession in Arizona.

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3. The Board currently processes complete applications within 16 calendar days.
  - a. The Board has identified a streamlining process to reduce this time frame, however, it will require legislation in order to do so. The proposed legislation would be to allow the Executive Director to approve and issue licenses to individuals with completed applications and have no criminal history or disciplinary actions on their record. The passage of this legislation has a potential to reduce the licensing time from to nearly one day for applicants with a completed application.

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# EO 2017-03 Report: Regulation of the Chiropractic Profession in Arizona

## Consent Agreements

### In this Section:

- Consent Agreement Statistics
- Fines and Fees
- Most Frequent Violations

Tab 3

## Section 3 – Consent Agreements

This section seeks to provide an overview of the consent agreement process and the amount received in fines and fees imposed by the consent agreements issued, as well as the most common violation resulting in consent agreements.

The process by which the Board enters into a consent agreement is that during the complaint process the licensee contacts the Board and requests the consent agreement. In the consent agreement, the licensee admits to the actions and infractions that occurred and agrees to the prescribed discipline by the Board. The Board has entered into a total of 39 consent agreements over the course of the last 6 fiscal years to date. <sup>3</sup>

Fiscal Year	Consent Agreements
FY 17	4
FY 16	11
FY 15	11
FY 14	6
FY 13	3
FY 12	4

Of the Consent Agreements entered into by the Board with the Licensee the following fines and fees were issued and collected each Fiscal Year. <sup>4</sup>

Fiscal Year	Fines & Fees
FY 17	\$750.00
FY 16	\$300.00
FY 15	\$1,000.00
FY 14	\$3,000.00
FY 13	\$2,750.00
FY 12	\$750.00

The ten most frequent violations resulting in a Consent Agreement are as follows: <sup>4</sup>

Ten most frequent Violations resulting in a Consent Agreement.	
#1	Unprofessional conduct
#2	Improper billing
#3	Danger to health, safety, welfare of the public
#4	Habitual use of impairment drugs or alcohol
#5	Misleading advertising
#6	Failure to maintain adequate records
#7	Failure to provide information to the Board
#8	Improper treatment
#9	Violation of a Board order
#10	Pending criminal prosecution



## References

- <sup>1</sup> Arizona Revised Statute § 32-921
- <sup>2</sup> Arizona Revised Statute § 32-923
- <sup>3</sup> Board of Chiropractic Examiners Annual Reports 2013 – 2016
- <sup>4</sup> Board Public Record – Available upon request.
- <sup>5</sup> Data collected from individual States and Jurisdictions

