

Tennessee

Board of Chiropractic Examiners

Newsletter



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Website only



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Fall 2015

Division of Health Licensure and Regulation ♦ Health Related Boards ♦ 665 Mainstream Drive, 2nd Floor, Nashville, TN 37243

♦ Web: tn.gov/health ♦ Phone: (615) 741-3807 or 1-800-778-4123

Fax: (615) 253-8764 ♦ Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except State and Federal holidays)

In conjunction with the purpose and goals of the Department of Health, the mission of the Division of Health Licensure and Regulation is to: Monitor, assess and enforce health care laws and regulations; protect, promote and enhance quality health care for all citizens; continuously strive to meet the needs of our customers in a respectful and caring manner; provide quality work-life necessary to attract and retain competent, caring employees; empower our employees to become entrepreneurs in their jobs; increase awareness and public confidence in our services; and utilize our resources efficiently and cost effectively.

ACCESSING THE BOARD'S WEBSITE

- In address bar type: <http://tn.gov/health>
- Click on link titled: "Health Professionals"
- Choose: Health Related Boards,
- Click on link for: "Chiropractic Examiners"

There are many resources on our website, including the rules, statutes, applications, policy statements and a list of approved continuing education courses. License renewal and licensure verification may also be utilized on this website. This is a valuable resource. Please use it often.

RESOURCES AND USEFUL LINKS:

- [Tennessee Board of Chiropractic Examiners Home](#)
- [Licensure and Education Information](#)
- [Complaints, Disciplinary Actions and Peer Assistance](#)
- [Applications, Publications and Information](#)
- [Statutes, Rules and Policies](#)
- [Federal Licensing Boards of Chiropractic \(FLBC\)](#)
- [Tennessee Chiropractic Association \(TCA\)](#)

PROFESSIONAL PRIVILEGE TAX

Tennessee Code Annotated §67-4-1701, et seq., requires the payment of an annual professional privilege tax for licensed Chiropractic Physicians. Failure to pay your professional privilege tax constitutes grounds for suspension of your license to practice in Tennessee. If you fail to pay your professional privilege tax, the Department of Health will file formal charges against you seeking the suspension of your license pursuant to T.C.A. §67-4-1704 and T.C.A. §63-9-101, et seq.

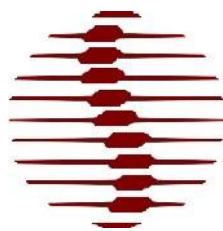
The Board of Chiropractic Examiners does not assess this tax; however, the board's administrative office is responsible for placing a hold on a practitioner license, who has failed to pay their professional occupations tax. Practitioners who remain delinquent are being processed for suspension of their license.

Avoid possible suspension of your privilege to practice in Tennessee by remitting your tax to the Department of Revenue in a timely fashion. For more information please visit:
<http://www.tn.gov/revenue/topic/professional-privilege-tax>.

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ABOUT THE BOARD OF CHIROPRACTIC EXAMINERS



The Tennessee Board of Chiropractic Examiners was created in 1923 by an act of the State Legislature. Its mission is to safeguard the health, safety, and welfare of Tennesseans by requiring those who practice the profession of chiropractic or chiropractic x-ray technology within this state to be qualified. The Board interprets the laws, rules, and regulations to determine the appropriate standards of practice in an effort to ensure the highest degree of professional conduct. The Board is authorized to issue licenses to qualified candidates who have completed appropriate education

and successfully completed required examinations. The Board is responsible for the investigation of alleged violations of the Practice Act and rules and is responsible for the discipline of licensees who are found guilty of such violations.

The administrative staff of the Division of Health Related Boards supports the Board by issuing licenses to those who meet the requirements of the law and rules. Licenses or certificates are awarded in the following categories:

- Chiropractic Physician
- Chiropractic Therapy Assistant
- Chiropractic X-Ray Technologist

Renewal of License

Licensees are responsible for renewing their licenses on time and keeping the Board apprised of changes affecting location and name as this facilitates timely notification from the administrative office. Renewal notices are mailed from the Board's administrative office forty-five (45) days prior to the expiration of the license to the current address on record. Licenses can be renewed on-line sixty (60) days prior to expiration at <https://apps.tn.gov/hlrs/>. It is a violation of the law and of the Board's rules to practice on an expired license.

Contacting the Administrative Office:

Tennessee Board of Chiropractic Examiners
665 Mainstream Drive, 2nd Floor
Nashville, TN 37243
Phone: (615) 741-3807 Local or (800) 778-4123 Nationwide
Fax: (615) 253-8724

Administrative Staff

Michael Sobowale
Board Director

Zandra Pickett
Board Administrator

Lakita Taylor
Board Manager

COMPLAINTS, DISCIPLINARY ACTIONS & PEER ASSISTANCE

Complaints

If you believe a practitioner's performance or behavior is not acceptable, you may file a complaint through Health Related Boards, Office of Investigations. For information on filing a complaint, please visit: <http://tn.gov/health/article/Chiro-complaints>.

You may contact the Complaint Divisions of the Department of Health at 1-800-852-2187 to request a complaint form or download one here: <http://tn.gov/assets/entities/health/attachments/PH-3466.pdf>.

The form must be completed in its entirety. All materials received in connection with the complaint will become property of the Department of Health and cannot be returned. Please return the complaint to:

**Office of Investigations
665 Mainstream Drive, 2nd Floor, Suite 201
Nashville, TN 37243**

Disciplinary Actions

A listing of monthly disciplinary actions taken by the Board of Chiropractic Examiners can be found here: <http://tn.gov/health/article/boards-disciplinary-actions#dars>.

Peer Assistance

The Board of Chiropractic Examiners has contracted with the Physician's Health Program, which is a peer assistance program provided by the Tennessee Medical Foundation, a subsidiary of the Tennessee Medical Association, to assist in safeguarding health care consumers in Tennessee by providing a consultation, referral and monitoring program for Chiropractic Practitioners whose practice is impaired or potentially could be impaired due to the use of alcohol or drugs, or a psychological or physiological condition.

**Physician's Health Program
1777 Tyne Boulevard Nashville, TN 37215
Phone: 615-665-2516**

LEGISLATIVE UPDATES

Public Chapter 154

This act allows the Commissioner of Health or his designee to have electronic access to medical records to facilitate investigations when responding to an immediate threat to public health. Today the Commissioner of Health or his designee already has this authority but must go to the facility to review the medical records. This took effect on April 16, 2015.

Public Chapter 94

This act defines "abuse" and "neglect" for purposes of placing a person on the registry of persons who have abused, neglected or misappropriated the property of vulnerable individuals specifically within the statutes that govern the Dept. of Health. It does not impact the definitions within the statutes that govern the Dept. of Intellectual and Developmental Disabilities nor the Dept. of Human Services. It also increases the time within which placement on the registry may be appealed from 30 to 60 days. For rulemaking purposes, this bill became effective on April 10, 2015. All other provisions became effective on July 1, 2015.

Public Chapter 502

This act allows the Joint Government Operations Committee (the legislative committee that reviews all rules) to stay a rule up to 75 days instead of 60 days. Present law authorizes the Joint Government Operations Committee to consider the following factors when reviewing rules: authority, clarity, consistency, justification, necessity and reference. This act adds arbitrariness and capriciousness as two new considerations.

Public Chapter 268

This act makes disclosures of protected healthcare information permissible in medical malpractice lawsuits and became effective on April 24, 2015.

[Click on the public chapter titles to view legislative descriptions in their entirety.](#)

Continued on page 5...

MEETINGS OF THE BOARD

The Board has scheduled meetings throughout the year for purposes of conducting administrative business concerning ratifying licenses, promulgating rules, disciplinary matters, etc. The seven (7) members of the Board are appointed by the Governor and serve four (4) year terms. A quorum of four (4) members is required to conduct business. The meetings are open to the public. The Tennessee Open Meetings Act passed by the General Assembly in 1974 requires that meetings of state, city and county government bodies be open to the public and that any such governmental body give adequate notice of such meeting. Open meeting notices can also be accessed at <http://tn.gov/health/calendar/chiropractic-examiners>.

LIVE-STREAM MEETINGS

As of January 2015, public meetings are live-streamed and viewable via the internet. Links to view a meeting can be accessed by visiting the department's "Calendar of Events" at: <http://tn.gov/health/calendar>. Archived meetings may also be accessed and viewed from the Department of Health website at: <https://web.nowuseeit.tn.gov/Mediasite/Catalog/Full/98fe21d561e9489487745f0c7da678b221>

BOARD MEMBER COMPOSITION

Christopher Alexander, DC, Chair
Lexington, TN

Sheila Fitzgerald, Secretary
Franklin, TN

Richard Cole, DC
Bartlett, TN

Andrea Selby, DC
Nashville, TN

Cole Hosenfeld, DC
Knoxville, TN

Joseph Amato, DC
Kingsport, TN

Nancy Strawn
Dyersburg, TN

BOARD MEETING SCHEDULE FOR 2015 & 2016

- ▶ January 22, 2015 – 9:00 AM CST
- ▶ April 16, 2015 – 9:00 AM CST
- ▶ July 23, 2015 – 9:00 AM CST
- ▶ October 8, 2015 – 9:00 AM CST
- ▶ January 28, 2016 – 9:00 AM CST
- ▶ April 21, 2016 – 9:00 AM CST
- ▶ July 21, 2016 – 9:00 AM CST
- ▶ October 20, 2016 – 9:00 AM CST

Unless otherwise noted, all meetings will be held at the following location:

665 Mainstream Drive
Poplar Conference Room, Ground Floor
Nashville, TN 37243



NATIONAL CONFERENCES

Annual Education Conference (CLEAR)
Boston, MA
September 17-19, 2015

ACA NCLC 2016 – American Chiropractic Association
Washington, DC
February 24-26, 2016

Federation of Chiropractic Licensing Boards (FCLB) 90th Annual Educational Conference
Phoenix, AZ
April 27 – May 1, 2016

IMPORTANT REMINDERS

Electronic Notifications Opt-In

Licensees who prefer to receive notifications by electronic means instead of by regular United States mail from the Department of Health should request to “opt-in” from the portal on the Board’s website at: <https://apps.tn.gov/hlrs/>. Licensees may also submit a written request to the Board’s Administrative Office.

Please note that once you choose to opt-in to receive electronic notifications, ALL notices from the Health Department, including license renewal notices, will be sent by electronic mail. License renewal notification will be sent from the Board’s Administrative Office forty-five (45) days prior to the expiration of the license to the current e-mail address on record with Tennessee Department of Health. Also, you will be required to notify the Administrative Office should there be any changes to your email address.

Updating Your Practitioner Profile

Pursuant to Tennessee Health Care Consumer Right – to-Know Act, 1998, T.C.A. §63-51-101, et seq., licensed chiropractic physicians have a continuing duty and the responsibility to notify the Department of Health of any changes or updates to information submitted on the mandatory practitioner’s profile questionnaire within thirty (30) days of the occurrence of such event. Changes include any change of address. A copy of the questionnaire can be found at: <http://health.state.tn.us/downloads/PH-3585.pdf>.

To check the accuracy of your profile, please visit: <https://apps.health.tn.gov/Licensure/>.

Changes may be submitted on the form to the Board’s Administrative Office at:

**Office of Health Related Boards
Board of Chiropractic Examiners
665 Mainstream Drive, 2nd Floor
Nashville, TN 37243**

LEGISLATIVE UPDATES CONT’D:

Public Chapter 121

This legislation would allow the Board of Chiropractic Examiners to petition a court to require a person to cease and desist in solicitation or telemarketing individuals after an accident or natural disaster. This act took effect on July 1, 2015.

Public Chapter 261

The act provides for the practice of telehealth. It outlines the following:

- Defines a healthcare provider
- Establishes a provider-patient relationship by mutual consent and mutual communication
- Specifies that telehealth does not create a new standard care
- Prohibits any board from creating a more restrictive standard of professional practice for telehealth service
- Allows a physician to prescribe by means of telemedicine and follow all prescribing applicable statutes such as checking the Controlled Substance Monitoring Database; however, pain management clinics are not permitted
- There is no separate telehealth license required by the Board of Medical Examiners

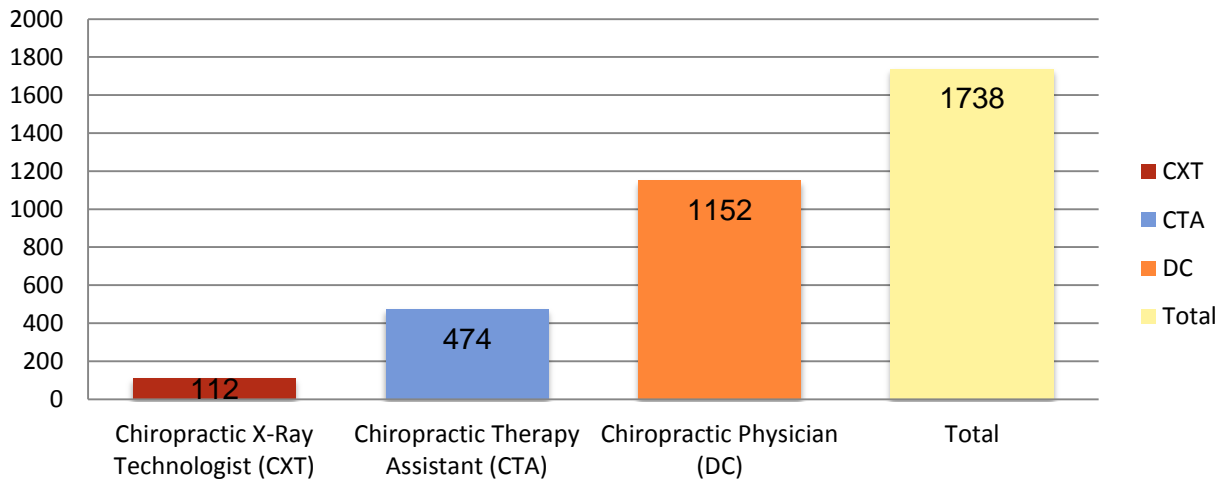
Public Chapter 475

Changes the requirements for who can become a certificate holder of a pain clinic. Certificate holders:

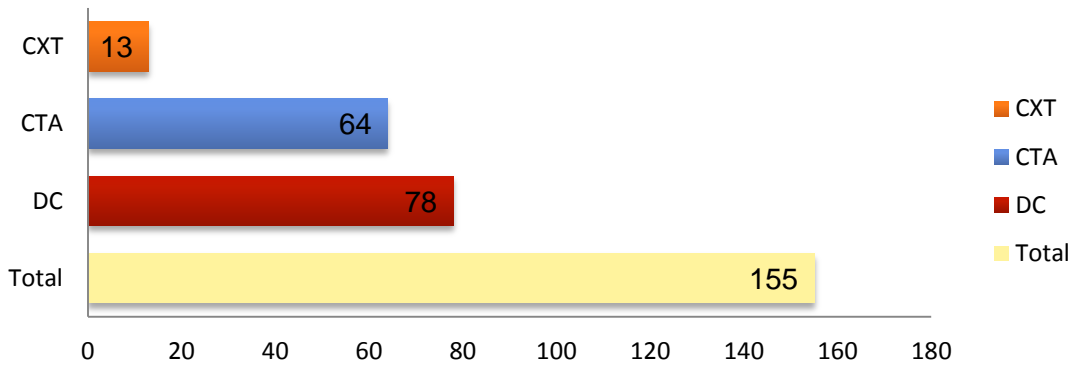
- Must be a Tennessee licensed Medical Doctor, Doctor of Osteopathy, Advanced Practice Nurse or Physician’s Assistant and
- This no longer allows pain clinics to be owned, in whole or in part, by chiropractors

STATISTICAL DATA

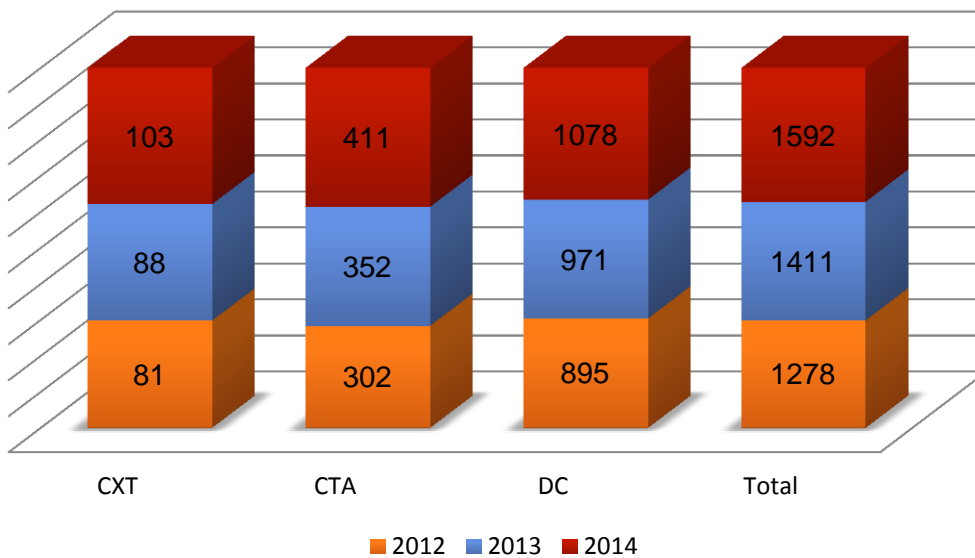
Total Number of Licenses as of 9/22/15



Applications Received from 1/1/15 to 9/22/15



Number of Licenses by Profession and Year



QUESTIONS AND ANSWERS

Q: I have moved and/or changed my place of employment. How do I update my address with the Board?

A: Changes in address must be submitted in writing to the Board's administrative office within 30 days. Please include your name, profession, license number, old address and new address. Please also specify if the change is to your mailing or practice address.

Q: How do I report a name change and/or request an updated license?

A: Changes in name must be submitted in writing to the Board's administrative office, along with documentation supporting the change (i.e. marriage certificate, divorce decree). Please include your name, profession and license number. If you wish to receive a duplicate copy of your license, reflecting the updated name, you must specify this in your request and include a check or money order in the amount of \$75.00 for each license type (i.e. Wallet/Renewal size or Wall size).

Q: I am applying for a license in another state and need primary source verification. How do I obtain this?

A: Requests for license verification must be submitted in writing to the Board's administrative office. Please include your name, profession, license number and address which the verification must be sent.

Q: Can I renew my license online?

A: Certainly! License renewals may be processed up to sixty (60) days prior to the license expiration date. Please visit <https://apps.tn.gov/hlrs/> and choose "Go Now" under Professional License.

Q: I am no longer practicing chiropractic. How do I retire my license?

A: To retire your license, please complete the Affidavit of Retirement form, have it notarized and forward it to the administrative office. The form may be downloaded from the Board's website at: <http://tn.gov/assets/entities/health/attachments/PH-3460.pdf>. Please inquire with the Board office regarding requirements to reinstate a retired license.

Q: My license has expired. How do I reinstate my license?

A: Reinstatement of a license that has expired may be accomplished upon meeting the following conditions: (a) Payment of all past due renewal fees and state regulatory fees; and, (b) Payment of the late renewal fee, pursuant to Rules 0260-02-.06, 0260-03-.06, and 0260-05-.06, and, (c) Submission of evidence of completion of continuing education requirements pursuant to Rules 0260-02-.12, 0260-03-.12, and 0260-05-.12.

Q: Am I required to do continuing education to maintain my license?

A: Pursuant to Rule 0260-02-.12(1): Each Chiropractic Physician is required to complete twenty-four (24) clock hours of Board-approved continuing education each calendar year. Licensees who practice acupuncture shall have six (6) classroom hours each year of the required twenty-four (24) hours in the area of acupuncture. Such licensees must have first met the requirements of Rule 0260-02-.02(4). No credit for continuing education shall be awarded beyond the six.

Pursuant to Rule 0260-05-.12(1): Each Chiropractic Therapy Assistant is required to complete six (6) clock hours of Board-approved continuing education each calendar year.

Pursuant to Rule 0260-03-.12(1): Each Chiropractic X-Ray Technologist is required to complete six (6) clock hours of Board-approved continuing education each calendar year.

New license/certificate holders by examination or reciprocity, shall be exempted from the continuing education requirements of 0260-02-.12(1), 0260-05-.12(1), and 0260-03-.12(1) for the calendar year in which they are licensed. However, Chiropractic Physicians must take a six (6) hour course and Chiropractic Therapy Assistants and Chiropractic X-Ray Technologist must take a two (2) hour course in Risk Management, Sexual/Professional Boundaries, and Tennessee statutory and regulatory chiropractic jurisprudence within twelve (12) months prior, or six (6) months after becoming licensed. These hours are in addition to the requirements for each calendar year.