

# THE GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

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**Policy Statements:** Please note that policy statements issued by the Board are subject to change and require no prior notice from the Board. You may contact the Board office to confirm that the information in this publication is still current.

## **Board Policy #1**

In the May 10, 2001 Board Meeting\*, the Georgia Board of Chiropractic Examiners voted to adopt the following as Board Policy:

### **Guidelines for Issuing Licenses**

Applications will be approved administratively once all criteria as outlined in the law and Board rules have been met. The administrative processing of licenses mean that the Board staff has reviewed the documents and approved licensure based upon the laws, rules and Board Policies that pertain to that specific type of licensure. License reinstatements will be administratively processed in compliance with the Board's current Reinstatement/Reactivation Policy. The Board will review any applicant with an affirmative answer to the conviction or Board sanction questions. Administratively issued licenses are considered for a vote to ratify at the next regularly scheduled Board meeting.

**\* This policy was reviewed, updated & approved in the June 9, 2003 Conference Call, and again in the July 10, 2003 Board meeting. Amended 9/9/2004.**

## **Board Policy #2**

\*In the March 8, 2001 Board Meeting, the Georgia Board of Chiropractic Examiners voted to adopt the following as Board Policy.

### **Guidelines for “Runner” Disciplinary Action**

#### **Standard “Runner” Consent Order Entails:**

- 90 Day Suspension
- 3 Years Probation
- \$10,000 Fine
- D.C. must provide sworn statement listing “runners” used
- Ethics and Boundaries Examination

#### **Category A:**

The following pertains to chiropractors who were found to have 1-10 documented cases of utilization of “runners” for patient referrals:

- 3 Years Suspension, stayed after 90 days – remainder to be served on probation
- \$500.00 fine per Offense
- Ethics and Boundaries Examination

#### **Category B:**

The following pertains to chiropractors who were found to have 11-25 documented cases of utilization of “runners” for patient referrals:

- 3 Years Suspension – Stayed after one year, remainder to be served on probation
- \$500.00 fine per Offense
- Successfully pass Ethics and Boundaries Examination.

#### **Category C:**

The following pertains to chiropractors who were found to have 26-50 documented cases of utilization of “runners” for patient referrals:

- 10 Years Suspension – Stayed after 3 Years – Remainder to be served on probation
- \$500.00 fine per Offense
- Ethics and Boundaries Examination

#### **Category D:**

The following pertains to chiropractors who were found to have 50 or more documented cases of utilization of “runners” for patient referrals:

- 10 Years Suspension – Stayed after 5 years ---remainder to be served on probation
- \$500.00 fine per Offense
- Successfully pass Ethics and Boundaries Examination

\* This policy was reviewed & approved in the July 10, 2003 Board meeting.  
Amended 9/9/04.

## **Board Policy #3**

### **Guidelines for the Request of Records to be Released**

If the Georgia Board of Chiropractic Examiners receives a complaint against a chiropractor whereby the chiropractor is alleged to have failed to release medical records to a patient or other authorized person within thirty (30) days of the written request, the Board grants the administrative staff the authority to send a letter via certified mail (“certified letter”) to the chiropractor at his or her address(es) of record. The letter shall instruct the chiropractor to provide a written response to the Board within ten (10) days of receipt of the certified mail indicating:

- (1) Whether the records have been released to the requestor and, if so, provide proof of such release;
- (2) If the records have not been released, the reason(s) why the records have not been released; and an alternate date by which the chiropractor will release the records to the requestor. The alternate date shall not exceed 30 days from the date of the receipt of the certified letter; and,
- (3) An acknowledgement that the chiropractor will provide the Board proof of release of records within ten (10) days of release.

If the Board has not received proof that the records have been released to the patient or other authorized person or the Board has not received a response from the chiropractor within 15 days of the receipt of the certified letter, the staff will present the case to the Investigative Committee of the Board for its consideration.

**Authority:** O.C.G.A. §§ 31-33-2; 31-33-3; 31-22-8(f); 43-1-19(a)(6) and (8); 43-1-25; 43-9-6.1; and 43-9-12(a)(6) and (8).

**History:** Adopted July 10, 2003. Amended September 9, 2004. Amended November 2, 2018. Amended October 21, 2019.

## **Board Policy #4**

\* In the May 3, 2001 Workshop Session, the Georgia Board of Chiropractic Examiners voted to adopt the following as Board Policy.

<b>Guidelines for Reactivating a License on Inactive Status</b>
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1. Submit completed application.
2. Submit proof of 20 hours of Continuing Education for the previous calendar year.
3. Submit \$250.00 reactivation fee.
4. Have license held in any other state verified to the Board office.
5. If the licensee has been out of practice for 5 or more years, the Board may, at its' discretion, require successful completion of the S.P.E.C. Exam.
6. Successfully pass Ethics and Boundaries Examination, at discretion of the Board.

**\* This policy was reviewed & approved in the July 10, 2003 Board meeting. Fee amended in the March 14, 2002 meeting and again in the July 10, 2003 meeting. Amended 9/9/04.**

## **Board Policy #5**

### **Reinstatement Policy**

The Reinstatement Application is available on the board's web site at <http://sos.ga.gov/index.php/licensing/plb/14>.

Once the completed reinstatement application and the supporting documents have been submitted the board staff will review and issue the reinstatement for all individuals with a "clean" application. Complete "clean" applications will be reinstated administratively. A list of the reinstated licensees will be presented to the board for ratification at the next board meeting. For purposes of this policy, a consent order is a legal binding document that becomes a permanent part of your licensure information.

The supporting documents required with the reinstatement application include:

- CE hours- twenty (20) hours per year totaling forty (40) hours within the last two (2) years;
  - The CE hours used for reinstatement cannot be used to meet the CE requirements for the biennium for which the license is reinstated; and
- Verification of licensure from all states in which the applicants holds or has ever held a license.

All reinstatement application citing problems, (not having CE during last biennial renewal period, unlicensed practice, convictions, disciplinary action in other states, etc.) will have to be reviewed by the board at the next available board meeting.

For licensees that state that they **have not been practicing** without a license since the date that the license lapsed are reinstated without a consent order.

For licensees that state that they **have been practicing** without a license since the date that the license lapsed are reinstated and the matter is referred to Legal Services for the following:

- public consent order citing the dates of the unlicensed practice,
- \$1,000 fine to be paid in full before the license will be reinstated,
- # of years probation to be determined by the Board,
- and the completion of the Ethics and Boundaries Examination administered by the National Board of Chiropractic Examiners within one year of the effective date of the order.

If reinstatement is granted, the license will be required to be renewed by the last day of December in EVEN numbered years, regardless of when the license is reinstated.

The implications of a licensee practicing without a license are far-reaching. Employers, employees, and/or associates working with any unlicensed person who is practicing chiropractic could be subject to disciplinary action for aiding & abetting unlicensed practice; Medicaid & Medicare charges and insurance billed during any unlicensed period may be subject to denial or reimbursement; if applicable, malpractice providers may not cover the individual during the unlicensed period.

\*Amended 02-2007

## **Board Policy #6**

\* In the May 10, 2001 Board Meeting, the Georgia Board of Chiropractic Examiners voted to adopt the following as Board Policy:

### **Guidelines for Aiding and Abetting Unlicensed Practice Disciplinary Actions**

If a Chiropractor licensed in this state is found to have participated in the unlawful practice of Aiding and Abetting Unlicensed Practice, he/she shall be placed under a Public Consent Order to include the following:

1. Pay a fine of up to \$500.00, per occurrence;
2. Probation (time period of probation to be set by the Board);
3. Public Reprimand
4. Successfully pass Ethics and Boundaries Examination

**\* This policy was reviewed & approved in the July 10, 2003 Board meeting. This policy was amended 9/9/04.**

## **Board Policy #7**

### **Guidelines for Continuing Education Renewals**

#### **Renewal Policies**

Once a license expires on 12/31 of the even years, a chiropractor cannot practice until his/her license has been renewed.

#### **Continuing Education for License Renewal**

Pursuant to Board Rule 100-5-.02, official documentation is defined as documentation from an approved provider that verifies a licensee's attendance, course content, hours earned, and date and times that a course is given. Checks for payment, hotel reservations, or copies of a course syllabus shall not serve as acceptable documentation.

#### **CE Guidelines**

The following procedures/guidelines will apply when auditing licensees for compliance with continuing education requirements during a renewal cycle:

- 1) Licensees who are unable to document CE compliance prior to the December 31<sup>st</sup> deadline but are able to do so prior to March 31<sup>st</sup>, will be renewed upon receipt of such documentation and payment of the late renewal fee.
- 2) Any licensee who does not respond to the audit notice or to a deficiency notice and/or cannot provide proof of completion of CE will revert to "lapsed" status on April 1<sup>st</sup> and must undergo the reinstatement application process.
- 3) If a chiropractor has obtained the required amount of continuing education, but not in the required time period and/or in the required subject area he/she may be renewed under:
  1. Public Consent Order
  2. \$500.00 Fine
  3. At the Boards discretion, successfully pass the Ethics and Boundaries Examination

**\*Amended 02-2007**

## **Board Policy #8**

### **Board Policy Investigative Interviews**

1. First opportunity, then written request to reschedule.
2. Second opportunity, then meeting scheduled for Macon.

**\* This policy was approved in the May 13, 2004 Board meeting.**

## **Board Policy #9**

### **Board Policy Payment of Fines**

All Fines must be paid by 5:00 p.m. when due.

Staff will send a thirty (30) day notice to pay letter. If the fine remains unpaid then the matter will be referred to the Attorney General's office for suspension.

**\*This policy was approved in the November 18, 2004 Board meeting.**

## **Board Policy #10**

### **Board Policy Authorization to Release**

The Board authorizes the Executive Director to release investigative materials without Board consent.

**\* This policy was approved in the July 14, 2005 Board meeting.**

## **Board Policy #11**

### **Guidelines for Expunging Advertising Consent Orders**

Pursuant to the authority in O.C.G.A. § 43-9-6.1(7), the board may consider, upon receipt of a written request from the licensee, expunging consent orders/disciplinary records of any advertising violations defined in rules of the board as immoral and unprofessional conduct or relating to reasonable care and skill in the treatment of a patient.

Upon receipt of the written request, said request will be placed on the next available board meeting agenda.

Upon approval by the board, a docketed letter citing approval will be mailed to the licensee. All records of this public matter will be removed from the board's web-site and any other disciplinary databases where the matter is reflected.

**\* This policy was approved in the September 8, 2005 Board meeting.**



## **Board Policy #12**

### **Ownership of Patient Records**

Ownership of patient records by Georgia Licensed Chiropractor's must be in accordance with OCGA Title 31 Chapter 33 Health Records and all applicable Federal Laws.

Georgia law can be found linked on the board's website at

<http://sos.georgia.gov/plb/chiro/TITLE%2031-%20Patient%20Record%20Laws.pdf>

**\* This policy was approved in the February 21, 2008 Board meeting.**

**\*This policy amended November 18, 2010.**

## **Board Policy #13**

### **Approved Georgia Professional Associations**

For the requirements as specified in Board Rule 100-7-.08, the Georgia Board of Chiropractic Examiners approves the Georgia Chiropractic Association (GCA) and the Georgia Council of Chiropractic (GCC).

**\* This policy was approved in the February 21, 2008 Board meeting.**

## **Board Policy #14**

### **Out of Practice: 5 Years or Greater**

A Chiropractor with a license in good standing that has allowed his or her license to lapse for over a five year period must complete a number of classes/courses in an accredited chiropractic college in order to review essential aspects of the chiropractic education. The following is a recommended list of courses and suggested credit hours for each. A list of CCE (Council on Chiropractic Education) approved accredited chiropractic schools and colleges can be viewed directly from the Board's website.

- **Emergency Procedures: 2 hours weekly x 4 weeks = 8 hours**
- **Ethics and Boundaries: 2 hours weekly x 4 weeks = 8 hours**
- **Integrated Diagnosis: 2 hours weekly x 4 weeks = 8 hours**
- **Radiographic Quality: 2 hours weekly x 4 weeks = 8 hours**
- **Advanced Imaging: 2 hours weekly x 4 weeks = 8 hours**
- **Skeletal Rad c: 3 hours weekly x 4 weeks = 12 hours**
- **Adjusting Special Populations: 4 hours weekly x 4 weeks = 16 hours**
- **Level III Clinical Practice Elective: 8 hours weekly x 4 weeks = 32 hours**

**\* This policy was approved in the January 11, 2013 Board meeting.**

**\* Amended September 18, 2015**

## **Board Policy #15**

### **Board Policy: DUI/DWI Policy:**

A single DUI/ DWI incurred five (5) years or more from the original date of application, and there being no additional occurrences during the preceding five-year period from the original date of the application, will not solely constitute grounds for denial of licensure by the Board.

- If all other licensure prerequisites are met and there being no additional infractions of the law five (5) years or more from the date of application, license may be issued administratively between Board meetings by staff and the issuance ratified by the Board at the next scheduled meeting.

Effective: 01-11-13

## **Board Policy #16**

### **Guidelines for Reporting Public Actions to FCLB CIN-BAD**

The Georgia Board of Chiropractic Examiners instructs staff to administratively report all public board actions to the Federation of Chiropractic Licensing Boards Chiropractic Information Network/Board Action Databank (FCLB CIN-BAD).

**\* This policy was adopted at the September 12, 2014 board meeting.**

## **Board Policy #17**

### **Guidelines for Approval of Continuing Education Programs**

Continuing education programs granted Board approval must submit a new application for approval each year. Applications are to be submitted **at least sixty (60) days** prior to the anniversary of the approval date from the previous year. The Board reserves the right to deny the acceptance of hours submitted from participants of any program which fails to timely submit a new application for approval. Blanket approval will be granted to state chiropractic organizations and accredited chiropractic colleges and universities upon receipt and review of a complete continuing education program application provided that the course(s) taught fall within the scope of practice of Georgia Chiropractic. A list of approved Continuing Education Programs for the current biennium will be posted on the Board website.

**\* This policy was adopted at the November 7, 2014 meeting.**

**\* This policy was amended at the January 16, 2015 meeting.**