

**PROFESSIONAL LICENSURE DIVISION[645]**

**Notice of Intended Action**

**Proposing rulemaking related to continuing education  
and providing an opportunity for public comment**

The Board of Chiropractic hereby proposes to rescind Chapter 44, “Continuing Education for Chiropractic Physicians,” Iowa Administrative Code, and to adopt a new chapter with the same title.

*Legal Authority for Rulemaking*

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A, 147, 151 and 272C.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code chapter 151 and Executive Order 10.

*Purpose and Summary*

The intended benefit of continuing education is to maintain professional competency and safety in diagnosing and analyzing human ailments, to stay current on techniques, and to stay current on billing guidelines administered by state and federal programs.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 645—Chapter 18.

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rulemaking. Written or oral comments in response to this rulemaking must be received by the Department of Inspections, Appeals, and Licensing no later than 4:30 p.m. on January 31, 2024. Comments should be directed to:

Michele Royer  
Bureau of Board Support  
Iowa Department of Inspections, Appeals, and Licensing  
6200 Park Avenue  
Des Moines, Iowa 50321  
Phone: 515.281.5234  
Email: [michele.royer@iowa.gov](mailto:michele.royer@iowa.gov)

*Public Hearing*

Public hearings at which persons may present their views orally or in writing will be held as follows:

January 30, 2024  
12:30 p.m.

6200 Park Avenue  
Des Moines, Iowa  
Video call link:  
[meet.google.com/jji-jaoj-uqy](https://meet.google.com/jji-jaoj-uqy)  
Or dial: 1.904.330.1060  
PIN: 744 558 427#  
More phone numbers:  
[tel.meet/jji-jaoj-uqy?pin=4753713549740](tel:meet/jji-jaoj-uqy?pin=4753713549740)

January 31, 2024  
12:30 p.m.

6200 Park Avenue  
Des Moines, Iowa  
Video call link:  
[meet.google.com/jji-jaoj-uqy](https://meet.google.com/jji-jaoj-uqy)  
Or dial: 1.904.330.1060  
PIN: 744 558 427#  
More phone numbers:  
[tel.meet/jji-jaoj-uqy?pin=4753713549740](tel:meet/jji-jaoj-uqy?pin=4753713549740)

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking. In an effort to ensure accuracy in memorializing a person's comments, a person may provide written comments in addition to or in lieu of oral comments at a hearing.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 645—Chapter 44 and adopt the following **new** chapter in lieu thereof:

CHAPTER 44  
CONTINUING EDUCATION FOR CHIROPRACTIC PHYSICIANS

**645—44.1(151) Definitions.** For the purpose of these rules, the following definitions will apply:

“Active license” means a license that is current and has not expired.

“Audit” means the selection of licensees for verification of satisfactory completion of continuing education requirements during a specified time period.

“Board” means the Iowa board of chiropractic.

“Clinical case management” means coursework pertaining to diagnosis, treatment, and appropriate referral or coordination of care.

“Continuing education” means planned, organized learning acts meeting the standards set forth in these rules, acquired during licensure, and designed to maintain, improve, or expand a licensee's knowledge and skills in order for the licensee to develop new knowledge and skills relevant to the enhancement of chiropractic practice, education, or theory development to improve the safety and welfare of the public.

“Hour of continuing education” means at least 50 minutes spent by a licensee in actual attendance at and completion of an approved continuing education activity.

“*Inactive license*” means a license that has expired because it was not renewed by the end of the grace period. The category of “inactive license” may include licenses formerly known as lapsed, inactive, delinquent, closed, or retired.

“*Independent study*” means a subject/program/activity that a person pursues autonomously that meets standards for approval criteria in the rules and includes a posttest and certificate of completion.

“*License*” means license to practice chiropractic in Iowa.

“*Licensee*” means any person licensed to practice as a chiropractic physician in Iowa.

**645—44.2(272C) Continuing education requirements.**

**44.2(1)** The biennial continuing education compliance period extends for a two-year period beginning on July 1 of each even-numbered year and ending on June 30 of each even-numbered year two years later.

**44.2(2)** Requirements of new licensees. Continuing education is not required in the first renewal period with the exception of two hours in the content areas of 645—Chapters 41 through 45 and Iowa Code chapter 151. Continuing education hours acquired any time from the initial licensing until the second license renewal, with the exception of two hours in the content areas of 645—Chapters 41 through 45 and Iowa Code chapter 151, may be used after the first renewal period. The new licensee will be required to complete a minimum of 40 hours of continuing education per biennium for each subsequent license renewal.

**44.2(3)** Hours of continuing education credit will be obtained by attending and participating in a continuing education activity as stipulated in rule.

**44.2(4)** No hours of continuing education will be carried over into the next biennium except as stated in 44.2(2) and 44.3(2) “a”(3). A licensee whose license is reactivated during the current renewal compliance period may use continuing education earned during the compliance period for the first renewal following reactivation.

**44.2(5)** It is the responsibility of each licensee to finance the cost of continuing education.

**645—44.3(151,272C) Standards.**

**44.3(1) *General criteria.*** A continuing education activity must meet the following criteria:

- a. Constitute an organized program of learning that contributes directly to the professional competency of the licensee;
- b. Pertain to subject matters that integrally relate to the practice of the profession;
- c. Be conducted by individuals who have specialized education, training and experience concerning the subject matter of the program. At the time of audit, the board may request the qualifications of presenters;
- d. Fulfill stated program goals, objectives, or both; and
- e. Provide proof of attendance to licensees in attendance including:
  - (1) Date(s), location, course title, presenter(s);
  - (2) Number of program clock hours; and
  - (3) Certificate of completion or evidence of successful completion of the course provided by the course sponsor.

**44.3(2) *Specific criteria.***

a. Continuing education hours of credit will be obtained by completing:

- (1) At least 36 hours of continuing education credit obtained from a program that directly relates to clinical case management of chiropractic patients. At least 20 of these hours will be earned by completing a program in which an instructor conducts the class by employing a traditional in-person, classroom-type presentation and the licensee is in attendance in the same room as that instructor. The remaining 16 hours of continuing education credit relating to clinical case management of chiropractic patients may be obtained by independent study, including any online instruction, that complies with conditions specified in 44.3(1).

(2) A minimum of two hours per biennium in professional boundaries regarding ethical issues related to professional conduct that may include but are not limited to sexual harassment, sensitivity training and ethics.

(3) A minimum of 12 hours per biennium of continuing education in the field of acupuncture is required for licensees certified in acupuncture and may be used toward clinical case management if the chiropractic physician is actively engaged in the practice of acupuncture. Chiropractic physicians not engaged in the active practice of acupuncture may take continuing education hours in the field of acupuncture for continuing education credit.

(4) Classes on child abuse and dependent adult abuse that meet the criteria in 645—subrules 41.8(4) and 44.3(1).

(5) Two hours of continuing education credit is required in the first biennial renewal period and one hour every biennial renewal period after that in the content areas of the administrative rules related to chiropractic physicians in Iowa, found at 645—Chapters 41 through 45 and the statutory provisions specific to the practice of chiropractic in Iowa Code chapter 151.

*b.* Continuing education hours of credit may be obtained by:

(1) Teaching at a Council on Chiropractic Education (CCE)-approved program or board of chiropractic-approved institution. A maximum of 15 hours per biennium may be obtained for each course taught.

(2) Completing electronically transmitted programs/activities or independent study programs/activities that have a certificate of completion.

(3) Presenting a continuing education program once per biennium for the initial presentation of the program.

(4) Completing a program provided by a CCE-accredited chiropractic college in the United States, the Iowa Chiropractic Society, American Chiropractic Association or International Chiropractors Association.

(5) Completing continuing education courses/programs that are certified by the Providers of Approved Continuing Education (PACE) through the Federation of Chiropractic Licensing Boards (FCLB).

(6) Proctoring at the NBCE examination. Fifteen hours of continuing education hours per NBCE examination event may be claimed up to a maximum of 30 hours of continuing education credit per biennium. The proctoring hours may apply toward the clinical requirement.

*c.* Continuing education may not be obtained by completing or teaching classes in basic anatomy and physiology or undergraduate level coursework.

**44.3(3)** *Specific criteria for presenters.* All instructors/presenters of a continuing education activity must include, as part of the continuing education activity, verbal and written statements to the participants regarding any affiliations or employment relationships with any entity promoting, developing or marketing products, services, procedures or treatment methods.

These rules are intended to implement Iowa Code section 272C.2 and chapter 151.