

**Department of State**  
**Division of Publications**  
 312 Rosa L. Parks Ave., 8th Floor  
 Nashville, TN 37243  
 Phone: 615-741-2650  
 Email: [publications.information@tnsos.gov](mailto:publications.information@tnsos.gov)

**For Department of State Use Only**

Sequence Number: 12-15-25  
 Notice ID(s): 4205  
 File Date: 12/11/2025

# Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

<b>Agency/Board/Commission:</b>	Board of Chiropractic Examiners
<b>Division:</b>	
<b>Contact Person:</b>	Michael Varnell, Associate Counsel Grayson Carter, Assistant Commissioner for Legislative Affairs
<b>Address:</b>	665 Mainstream Drive, Nashville, TN 37243 710 James Robertson Parkway, Nashville, TN 37243
<b>Phone:</b>	(615) 253-4214 (615) 741-5233
<b>Email:</b>	<a href="mailto:Michael.Varnell@tn.gov">Michael.Varnell@tn.gov</a> <a href="mailto:Grayson.Carter@tn.gov">Grayson.Carter@tn.gov</a>

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

<b>ADA Contact:</b>	ADA Coordinator
<b>Address:</b>	710 James Robertson Parkway Andrew Johnson Building, 5 <sup>th</sup> Floor, Nashville, Tennessee 37243
<b>Phone:</b>	(615) 253-5604
<b>Email:</b>	<a href="mailto:Kelly.Swindell@tn.gov">Kelly.Swindell@tn.gov</a>

**Hearing Location(s)** (for additional locations, copy and paste table)

Address 1:	Metro Center
Address 2:	665 Mainstream Drive, Poplar Conference Room
City:	Nashville, Tennessee
Zip:	37243
Hearing Date:	02/02/2026
Hearing Time:	10:00 A.M. <input checked="" type="checkbox"/> X CST/CDT <input type="checkbox"/> EST/EDT

**Additional Hearing Information:**

Join link: <a href="https://tn.webex.com/tn/j.php?MTID=m1a7b0f0151968a79b499a0b5bce1a970">https://tn.webex.com/tn/j.php?MTID=m1a7b0f0151968a79b499a0b5bce1a970</a>
Webinar number: 2305 416 2560
Webinar password: MrS2n9GiHW3 (67726944 when dialing from a phone or video system)

**Revision Type (check all that apply):**

Amendment

New

Repeal

**Rule(s)** (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that **ALL** new rule and repealed rule numbers are listed in the chart below. Please enter only **ONE** Rule Number/Rule Title per row)

<b>Chapter Number</b>	<b>Chapter Title</b>
0260-02	General Rules Governing Chiropractic Examiners
<b>Rule Number</b>	<b>Rule Title</b>
0260-02-.01	Definitions
0260-02-.02	Scope of Practice
0260-02-.12	Continuing Education
0260-02-.19	Board Members, Officers, Consultants, Records, Declaratory Orders, and Advisory Rulings

Chapter 0260-02  
General Rules Governing Chiropractic Examiners

Amendments

Rule 0260-02-.01 Definitions is amended by adding new paragraph (3) and renumbering the remaining paragraphs appropriately.

(3) Animal Chiropractic – Defined by T.C.A. § 63-4-101(a)(1).

Authority: T.C.A. §§ 63-4-106, 63-4-114, 63-4-119, 63-4-120, 63-4-121, 63-4-122, and 63-4-123.

Rule 0260-02-.02 Scope of Practice is amended by adding new paragraph (5), including its subparagraphs and parts.

(5) Animal Chiropractic – The scope of practice for animal chiropractic is set forth in T.C.A. § 63-4-101(a)(1).

(a) A chiropractic physician may engage in the practice of animal chiropractic if certified to do so by the Board. In order to be certified by the Board to practice animal chiropractic, a chiropractic physician must:

1. Submit proof to the Board's Administrative Office of obtaining a certificate of animal chiropractic from the American Veterinary Chiropractic Association (AVCA), or a similar curriculum approved by the Board consisting of at least 210 hours in animal chiropractic.
2. Upon receipt of the above information, the Board's Administrative Office shall provide a letter confirming the chiropractic physician's ability to proceed with the practice of animal chiropractic. The Board shall maintain on its website a list of chiropractic physicians who are certified in good standing to perform animal chiropractic.

(b) A chiropractic physician who performs animal chiropractic in the same facility where human patients are treated shall maintain a separate, non-carpeted room for the purpose of treating animals. The table and equipment used for animals shall not be used for human patients. A chiropractic physician who treats both animal and human patients in the same facility must post a sign in the reception area of that facility informing patients that nonhuman patients are treated on the premises.

Rule 0260-02-.02 Scope of Practice. The rule authority is amended to read as follows:

Authority: T.C.A. §§ 63-4-101, 63-4-106, 63-4-114, 63-4-119, 63-4-121, 63-4-122, and 63-4-123.

Rule 0260-02-.12 Continuing Education is amended by adding new subparagraph (1)(b) and re-lettering the remaining subparagraphs appropriately.

(1) (b) Animal Chiropractic – licensees who are certified to practice animal chiropractic shall annually complete a minimum of six (6) hours of Board-approved continuing education in animal chiropractic in addition to the twenty-four (24) hours otherwise required by this Rule. Chiropractic physicians who are certified by the Board to perform animal chiropractic must obtain a cumulative total of thirty (30) hours of continuing education. No credit for continuing education shall be awarded for courses in animal chiropractic completed beyond the six (6) hours required by this rule each year.

Rule 0260-02-.12 Continuing Education. The rule authority is amended to read as follows:

Authority: T.C.A. §§ 63-4-101, 63-4-106, 63-4-114, 63-4-119, 63-4-121, 63-4-122, and 63-4-123.

Rule 0260-02-.19 Board Members, Officers, Consultants, Records, Declaratory Orders, and Advisory Rulings is amended by adding new subparagraph (7)(j).

- (7) (j) The Board may appoint a chiropractic physician who is certified in animal chiropractic to serve as a consultant in matters involving the practice of animal chiropractic.

Authority: T.C.A. §§ 63-4-106, 63-4-114, 63-4-119, 63-4-120, 63-4-121, 63-4-122, and 63-4-123.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 12/11/2025

Signature: W. Michael Varnell

Name of Officer: Michael Varnell

Title of Officer: Associate Counsel, Department of Health

**Department of State Use Only**

Filed with the Department of State on: 12/11/2025

Tre Hargett  
Tre Hargett  
Secretary of State

**RECEIVED**

Dec 11 2025, 4:11 pm

Secretary of State  
Division of Publications

**RULES  
OF  
THE TENNESSEE BOARD OF CHIROPRACTIC EXAMINERS  
DIVISION OF HEALTH RELATED BOARDS**

**CHAPTER 0260-02  
GENERAL RULES GOVERNING CHIROPRACTIC EXAMINERS**

**TABLE OF CONTENTS**

0260-02-.01	Definitions	0260-02-.16	License
0260-02-.02	Scope of Practice	0260-02-.17	Licensee Address and Name
0260-02-.03	Necessity of Certification	0260-02-.18	Mandatory Release of Patient Records
0260-02-.04	Qualifications for Licensure	0260-02-.19	Board Members, Officers, Consultants, Records, Declaratory Orders, and Advisory Rulings
0260-02-.05	Procedures for Licensure		Advertising
0260-02-.06	Fees	0260-02-.20	Chiropractic Preceptor Program
0260-02-.07	Application Review, Approval, Denial, Interviews	0260-02-.21	Substantiation of Services
0260-02-.08	Examinations	0260-02-.22	Consumer Right-To-Know Requirements
0260-02-.09	Renewal of License	0260-02-.23	Chiropractic Professional Corporations (CPC) and Chiropractic Professional Limited Liability Companies (CPLLC)
0260-02-.10	Professional Peer Assistance	0260-02-.24	Free Health Clinic and Volunteer Practice Requirements
0260-02-.11	Retirement and Reactivation of License		Chiropractic Records
0260-02-.12	Continuing Education	0260-02-.25	The Practice of Telehealth or Telemedicine
0260-02-.13	Professional Ethics		
0260-02-.14	Repealed		
0260-02-.15	Disciplinary Actions, Civil Penalties, Screening Panels, Subpoenas, and Assessment of Costs	0260-02-.26 0260-02-.27	

**0260-02-.01 DEFINITIONS.**

As used in these rules, the following terms and acronyms shall have the following meaning ascribed to them:

- (1) Adjustment - An interchangeable term with manipulation. A manual or mechanical passive therapeutic intervention using a direct thrust that may be administered with a high or low velocity, short or long lever, or high or low amplitude, directed to specific structures of the frame to improve joint function, neurological integrity, joint mobility or alignment. These interventions may be applied to all joints of the body as deemed appropriate.
- (2) Advertising - Includes, but is not limited to business solicitation, with or without limiting qualifications, in a card, sign, or device issued to a person; in a sign or marking in or on any building; or in any newspaper, magazine, directory, or other printed matter. Advertising also includes business solicitations communicated by individual, radio, video, or television broadcasting, internet, social media, or any other means designed to secure public attention.
- (3) Animal Chiropractic – Defined by T.C.A. § 63-4-101(a)(1).
- (43) Applicant - Any individual seeking licensure by the Board who has submitted an official application and paid the application fee.
- (54) Board - The Tennessee Board of Chiropractic Examiners.
- (65) Board Administrative Office - The office of the Unit Director assigned to the Board located at 665 Mainstream Drive, Nashville, TN 37243.

- (76) Board Designee - Any person who has received a written delegation of authority from the Board to perform Board functions subject to review and ratification by the full Board where provided by these rules.
- (87) Closed Files - An administrative action which renders an incomplete or denied file inactive.
- (98) Department - Tennessee Department of Health.
- (109) Differential Diagnosis - Defined by T.C.A. § 63-4-101(a)(1)(B).
- (1140) Division - The Division of Health Related Boards, Tennessee Department of Health, from which the Board receives administrative support.
- (1244) Documentation - Refers to and includes, but is not limited to, notations made by the provider or his designated assistant in the patient record, relevant reports from other providers, electronically obtained and/or stored information and all diagnostic imaging, etc.
- (1342) Excessive - That which fails to be substantiated beyond the quantity of procedures customarily performed or utilized by a prudent person similarly trained, skilled and experienced in a specific diagnostic or treatment procedure or technique in question.
- (1443) Fee - Money, gifts, services, or anything of value offered or received as compensation in return for rendering services; also, the required application fees.
- (1544) Good Moral Character - The quality of being highly regarded in personal behavior and professional ethics.
- (1645) He/She Him/Her - When "he" appears in the text of these rules, the word represents both the feminine and masculine.
- (1746) HRB - When the acronym HRB appears in the text of these rules, the HRB represents Health Related Boards.
- (1847) License - Document issued to an applicant who successfully completes the licensure process. The license takes the form of an "artistically designed" license as well as other versions bearing an expiration date.
- (1948) Manipulation - An interchangeable term with adjustment. A manual or mechanical passive therapeutic intervention using a direct thrust that may be administered with a high or low velocity, short or long lever, or high or low amplitude, directed to specific structures of the frame to improve joint function, neurological integrity, mobility or alignment. These interventions may be applied to all joints of the body as deemed appropriate.
- (2049) National Board (NBCE) - Means the National Board of Chiropractic Examiners (NBCE) or its successor.
- (2120) Person - Any individual, firm, corporation, partnership, organization, or body politic.
- (2224) Licensee - Any person who has been lawfully issued a license.
- (2322) Rehabilitation Care - Corrective care provided to enhance and restore normal physiologic and/or functional ability to those with ailments, impairments, physical disorders or disabilities for the restoration and maintenance of health.

- (2423) Subluxation - An abnormal condition where one or the other of two adjacent articular surfaces has lost its articular or neurological function, position, or alignment and is classified less than a dislocation.
- (2524) Substantiation - Any test, examination, recorded symptom or other observation of the patient (or, in the case of a minor or otherwise legally incompetent person, reported to the provider or his staff by the parent or legal guardian) by the provider and determined by said provider to be useful in arriving at a treating or management diagnosis and/ or the determination of what, how, when, where and why to examine, treat, consult or refer a patient.
- (2625) Supportive Care - Support services and treatment given to enhance, prevent, control, or relieve complications, discomfort, and side effects and to improve the patient's comfort and quality of life.
- (2726) Telehealth/Telemedicine - Defined by T.C.A. § 63-1-155(a)(3).
- (2827) Telehealth Provider - Means a healthcare service provider engaged in the delivery of healthcare services through telehealth.
- (2928) Therapeutic Care - An adjustive, manipulative, nutritional, therapeutic, or rehabilitative treatment administered or ordered by a chiropractic physician. These interventions may utilize physical, mechanical, chemical, electrical, or thermal methods. These interventions may be applied throughout the joints and soft tissue regions of the body as deemed appropriate.
- (3029) Use of Title or Description - To hold oneself out to the public as having a particular status by means of stating on signs, mailboxes, address plates, stationary, announcements, business cards, or other means of professional identification.
- (3130) Written Evidence - Includes, but is not limited to, written verification from supervisors or other professional colleagues familiar with the applicant's work.

Authority: T.C.A. §§ 63-4-106, 63-4-114, 63-4-119, 63-4-120, 63-4-121, 63-4-122, and 63-4-123.

## **0260-02-.02 SCOPE OF PRACTICE.**

- (1) Any person who possesses a valid unsuspended and unrevoked license issued by the Board has the right to use the title licensed chiropractic physician. No other person shall assume this title on any work, letter, sign, figure, advertisement, or device to indicate that the person using the same is a licensed chiropractic physician. The work performed includes offering case management procedures and recommendations for health care and services to the public.
- (2) The scope of practice of a chiropractic physician shall be as set forth in T.C.A. § 63-4-101 and shall include:
  - (a) As a portal of entry provider, a chiropractic physician has authority to make a differential diagnosis that may include the use of patient history, examination techniques, lab analysis and analytical instruments for the purpose of determining vital signs and screening of health status, orthopedic and neurological testing, range of motion and muscles testing and diagnostic evaluation and/or imaging of the human body that may be revealed in a state of pathology, as a basis for making clinical judgments as to the patient's condition, degree or nature of treatment needed and management and rehabilitation of the human body which is in the opinion of the provider, appropriate for the support, restoration, and maintenance of health.

- (b) A chiropractic physician has the authority to utilize physical agent modalities and perform an adjustment, manipulation, manual therapy, dry needling, rehabilitation, or treatments which may include therapeutic care interventions to the human frame and/or soft tissues.
  - (c) The chiropractic physician's responsibility for patient care, case management, and the protection of the patient includes the authority to make a proper referral to another health care provider for consultation or collaborative care, and also for treatments, therapeutic procedures, recommendations, recording and reporting to third-party payers, preparing narratives, giving of depositions and in-court testimony as an expert witness and determination of impairment ratings.
  - (d) The scope of practice of a chiropractic physician includes such supportive care as nutritional evaluation, recommendation and supplementation, patient management in their mental and physical environment, and due regard for patients concerning diet, hygiene, sanitation and rehabilitation.
  - (e) The scope of practice of a chiropractic physician includes the ordering of imaging as defined in T.C.A. § 63-4-101(a)(1)(A)(ii).
  - (f) The scope of practice of a chiropractic physician includes the performance of x-rays and other non-invasive diagnostic procedures as defined in T.C.A. § 63-4-101(a)(1)(A)(iii).
  - (g) The scope of practice of a chiropractic physician includes the collection of blood, urine, saliva, and hair for analysis as defined in T.C.A. § 63-4-101(a)(1)(A)(iv) or ordering the analysis of blood, urine, or other bodily fluid, secretions, or excretions from a licensed or certified laboratory for the diagnosis and management of the patient.
  - (h) The scope of practice includes the use of "telehealth" also known as "telemedicine" for the purpose of diagnosis, consultation, or treatment of a patient in another location where there may be no in-person exchange. As a telehealth provider, services provided through a telehealth encounter shall comply with applicable state and federal statutes, as well as with rules promulgated by the Board. Telehealth providers shall be held to the same standard of care as healthcare services providers providing the same healthcare service through in-person encounters.
  - (i) The Board of Chiropractic Examiners does not recognize any one document, guideline, textbook, clinical trial or study as the exclusive endorsement for setting standards of practice.
- (3) Spinal Manipulation/Spinal Adjustment
- (a) Training must be performed in chiropractic institutions or institutions that specialize in spinal manipulative therapy. Spinal manipulation is a highly skilled maneuver that requires adequate training. Four hundred (400) hours of classroom instruction and eight hundred (800) hours of supervised clinical training are considered a minimum level of education to properly administer the techniques.
  - (b) Spinal manipulation must be performed by hand or with the use of instruments such as Activator, Grostic, Pettibon, mechanical and/or electromechanical devices.
  - (c) Manipulation moves the spinal segments beyond their normal range of motion for the restoration of neurological integrity, and/or correction of articular dysfunction, but without exceeding the limits of anatomical integrity.

- (d) A differential diagnosis is necessary to properly establish the indications and contraindications before the administration of the spinal manipulation/adjustment procedure.
- (4) Acupuncture - A licensed chiropractic physician who practices acupuncture must complete two hundred and fifty (250) hours of an acupuncture course accredited by an agency or entity acceptable to the Board and pass the National Board of Chiropractic Examiners (NBCE) Acupuncture Exam. Prior to engaging in the practice of acupuncture, a chiropractic physician must:
- (a) Request that an official transcript be sent directly to the Board's administrative office from an accredited acupuncture program demonstrating successful completion of at least 250 hours training and education; and
  - (b) Request that official proof be sent directly to the Board's administrative office from the NBCE demonstrating successful completion of the acupuncture exam.
  - (c) Upon receipt, the Board office shall provide a letter to proceed with the practice of acupuncture.
- (5) Animal Chiropractic – The scope of practice for animal chiropractic is set forth in T.C.A. § 63-4-101(a)(1).
- (a) A chiropractic physician may engage in the practice of animal chiropractic if certified to do so by the Board. In order to be certified by the Board to practice animal chiropractic, a chiropractic physician must:
    - 1. Submit proof to the Board's Administrative Office of obtaining a certificate of animal chiropractic from the American Veterinary Chiropractic Association (AVCA), or a similar curriculum approved by the Board consisting of at least 210 hours in animal chiropractic.
    - 2. Upon receipt of the above information, the Board's Administrative Office shall provide a letter confirming the chiropractic physician's ability to proceed with the practice of animal chiropractic. The Board shall maintain on its website a list of chiropractic physicians who are certified in good standing to perform animal chiropractic.
  - (b) A chiropractic physician who is not certified by the Board to perform animal chiropractic may treat animal patients if the animal has been referred to a chiropractic physician by a doctor of veterinary medicine licensed under T.C.A. § 63-12-101, et. seq. The chiropractic physician shall maintain a professional collaboration with the referring veterinarian as necessary for the well-being of the animal patient.
  - (c) A chiropractic physician who performs animal chiropractic in the same facility where human patients are treated shall maintain a separate, non-carpeted room for the purpose of treating animals. The table and equipment used for animals shall not be used for human patients. A chiropractic physician who treats both animal and human patients in the same facility must post a sign in the reception area of that facility informing patients that nonhuman patients are treated on the premises.

Authority: T.C.A. §§ 63-4-101, 63-4-106, 63-4-114, 63-4-119, 63-4-121, 63-4-122, and 63-4-123.

**0260-02-.12 CONTINUING EDUCATION.**

- (1) Basic requirements - The Board of Chiropractic Examiners requires each licensee to complete twenty-four (24) clock hours of Board-approved continuing education each calendar year (January 1 - December 31).
- (a) Acupuncture - 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 (6) hours each year.
- (b) Animal Chiropractic – licensees who are certified to practice animal chiropractic shall annually complete a minimum of six (6) hours of Board-approved continuing education in animal chiropractic in addition to the twenty-four (24) hours otherwise required by this Rule. Chiropractic physicians who are certified by the Board to perform animal chiropractic must obtain a cumulative total of thirty (30) hours of continuing education. No credit for continuing education shall be awarded for courses in animal chiropractic completed beyond the six (6) hours required by this rule each year.
- (cb) Cardiopulmonary Resuscitation (CPR) - Two (2) hours of the twenty-four (24) hour requirement may be in CPR training.
- (de) A maximum of three (3) hours may be in courses that pertain to the promotion, growth, business management, and/or clinical documentation of a chiropractic practice.
- (ed) No prior approval is required for continuing education courses conducted by the American Chiropractic Association, the International Chiropractors Association, or the Tennessee Chiropractic Association. Courses approved by the Tennessee Chiropractic Association are allowed. Courses approved for CPR training provided by the American Heart Association or the American Red Cross are allowed.
- (fe) Prior approval is required for all course providers not mentioned in subparagraph (d) of this rule, and may be obtained by submitting the following information to the Board's administrative office at least thirty (30) days prior to the scheduled date of the course:
1. A detailed course outline or syllabus, including method of instruction and testing materials, if any; and
  2. Names of all lecturers and affiliations, if any; and
  3. Brief résumé of all lecturers; and
  4. Number of hours of educational credit requested; and
  5. Date of course; and
  6. Copies of materials to be utilized in the course; and
  7. How verification of attendance is to be documented.
- (gf) Whenever the Board decides that there is information that is crucial for licensees to have, it may prepare and send that information to all continuing education providers in a format no larger than two (2) pages. All approved continuing education providers must, as a prerequisite to remaining an approved provider, reproduce and distribute this information from the Board to every licensee attending each of its individual continuing education courses or group of courses.

(2) New Licensee Requirements

- (a) A six (6) hour Board approved course in risk management, sexual/professional boundaries, and Tennessee statutory and regulatory chiropractic jurisprudence must be taken within six (6) months prior to licensure or within the first six (6) months of licensure. If taken prior to licensure, the course must be an additional course beyond the regular chiropractic school program. If taken within the first six (6) months after licensure, the course shall not constitute part of the twenty-four (24) clock hour continuing education requirement in paragraph (1) of this rule for the first calendar year that continuing education is required.
- (b) New licensee by examination or reciprocity - New licensees, whether by examination or reciprocity, shall be exempted from the continuing education requirements of 0260-02-.12(1) for the calendar year in which they are licensed, but must take the six (6) hour course as described above in 0260-02-.12(2)(a).

(3) Documentation

- (a) The licensee must, within (thirty) 30 days of a request from the Board, provide evidence of continuing education activities. Such evidence must be copies of one (1) or more of the following proofs:
  - 1. Original certificates or photocopies of original certificates verifying the licensee's attendance at approved continuing education program(s). The original certificates or photocopies of original certificates must include the following: continuing education program's approved provider or course, name and logo of the approved course provider or sponsor, date, clock hours awarded (continuing education units must be converted to clock hours), approved program or course title, licensee's name, and license number.
  - 2. Original documents or photocopies of original documents verifying successful completion of a written post experience examination to evaluate material retention upon completion of a multi-media course, as provided in paragraph (5). The original documents or photocopies of original documents must include the clock hours awarded (continuing education units must be converted to clock hours), program title, licensee's name, and license number.
- (b) Each licensee must retain original documents or photocopies of original documents which verify proof of attendance and completion of all continuing education requirements. This documentation must be retained for a period of four (4) years from the end of the calendar year in which the continuing education was acquired. This documentation must be produced for inspection and verification, if requested in writing by the Board during its verification process. The Board will not maintain continuing education files.
- (c) If a person submits documentation for training that is not clearly identifiable as appropriate continuing education, the Board will request a written description of the training and how it applies to the practice of chiropractic. If the Board determines that the training cannot be considered appropriate continuing education, the individual will be given ninety (90) days to replace the hours not allowed. Those hours will be considered replacement hours and cannot be counted during the next renewal period.

(4) Distance Learning

- (a) Continuing education courses may be presented in the traditional lecture and classroom formats or, with successful completion of a written post experience examination to

evaluate material retention, in multi-media formats. Multi-media courses may include courses utilizing:

1. The internet
2. Closed circuit television
3. Satellite broadcasts
4. Correspondence courses
5. Videotapes
6. CD-ROM
7. DVD
8. Teleconferencing
9. Videoconferencing
10. Distance learning

(b) A maximum of six (6) credit hours may be granted for distance learning courses during each calendar year. If the licensee practices acupuncture, three (3) of these six (6) hours may pertain to such acupuncture practice.

(5) Continuing education credit will not be allowed for the following:

- (a) Regular work activities, administrative staff meetings, case staffing/reporting, etc.
- (b) Membership in, holding office in, or participation on boards or committees, business meetings of professional organizations, or banquet speeches.
- (c) Training specifically related to policies and procedures of an agency.

(6) Continuing Education for Reactivation or Reinstatement of Retired, Revoked, or Expired Licensure

(a) Reactivation of Retired Licensure

1. An individual whose license has been retired for one year or less will be required to fulfill continuing education requirements as outlined in this rule as a prerequisite to reactivation. Those hours will be considered replacement hours and cannot be counted toward meeting the calendar year end requirement.
2. Any individual requesting reactivation of a license which has been retired for more than one (1) year must submit, along with the reactivation request, verification which indicates the attendance and completion of twenty-four (24) hours of continuing education. The continuing education hours must have been successfully completed before the date of reactivation.

(b) Reactivation of Revoked Licensure - No person whose license has been revoked for failure to comply with continuing education may be reactivated without complying with these requirements. Continuing education requirements will accumulate at the same rate

as that for those licenses which are active. The required clock hours of continuing education must have been begun and successfully completed before the date of reactivation.

- (c) Reactivation or Reinstatement of Expired Licensure - No person whose license has expired may be reactivated or reinstated without submitting evidence of continuing education. The continuing education hours documented at the time of reactivation or reinstatement must equal the hours required, had the license remained in an active status, and must have been begun and successfully completed before the date of reactivation or reinstatement.
- (d) Continuing education hours obtained as a prerequisite for reactivating or reinstating a license may not be counted toward the calendar year requirement.

(7) Violations

- (a) Any licensee who falsely certifies attendance and completion of the required hours of continuing education requirements, or who does not or cannot adequately substantiate completed continuing education hours with the required documentation, may be subject to disciplinary action.
- (b) Prior to the institution of any disciplinary proceedings, a letter shall be issued to the last known address of the individual stating the facts or conduct which warrant the intended action.
- (c) The licensee has thirty (30) days from the date of notification to show compliance with all lawful requirements for the retention of the license.
- (d) Any licensee who fails to show compliance with the required continuing education hours in response to the notice contemplated by subparagraph (b) above may be subject to disciplinary action. That disciplinary action will include: (1) Assessment of a civil penalty in the amount of six hundred dollars (\$600.00), which must be paid no later than 30 days after the assessment becomes final; and (2) A requirement that the licensee must make up the hours in which he is deficient, in addition to the continuing education hours necessary to be obtained annually. The deficient hours must be made up in the subsequent year. Failure to fulfill these requirements may result in additional disciplinary action.
- (e) Continuing education hours obtained as a result of compliance with the terms of a Board Order in any disciplinary action shall not be credited toward the continuing education hours required to be obtained in any renewal period.

(8) Waiver of Continuing Education

- (a) The Board may grant a waiver of the need to attend and complete the required hours of continuing education if it can be shown to the Board that compliance was beyond the physical capabilities of or would constitute undue hardship to the person seeking the waiver.
- (b) Waivers will be considered only on an individual basis and may be requested by submitting the following items to the Board's administrative office:
  - 1. A written request for a waiver which specifies what requirement is sought to be waived and written and signed explanation of the reason for the request.

2. Any documentation which supports the reason for the waiver requested or which is subsequently requested by the Board.
- (c) A waiver approved by the Board is effective only for the calendar year for which the waiver is sought.

Authority: T.C.A. §§ [63-4-101](#), 63-4-106, 63-4-114, 63-4-119, 63-4-121, 63-4-122, and 63-4-123.

**0260-02-.19 BOARD MEMBERS, OFFICERS, CONSULTANTS, RECORDS, DECLARATORY ORDERS, AND ADVISORY RULINGS.**

- (1) Description of Organization
  - (a) The Board of Chiropractic Examiners is composed by law of seven members appointed by the governor to staggered terms of five (5) years. Each member shall serve until a successor is appointed.
  - (b) The composition of the Board shall include five (5) licensed chiropractic physicians who are residents in Tennessee and have been actively engaged in practice of their profession in Tennessee for a period of at least five (5) years, one member who is a chiropractic x-ray technician or chiropractic therapy assistant and who has been licensed in this state for not less than two (2) years and one (1) consumer member who is not affiliated with the practice of chiropractic.
  - (c) Appointments are made from a list of qualified candidates by the governor.
- (2) Purpose of the Board
  - (a) The Board is charged by law with the responsibility of regulating the practice of chiropractic in order to protect the citizens of Tennessee, additionally;
  - (b) The Board, by formulating and administering examinations, credentializes candidates for licensure and continues this credentialization process by approving educational seminars for licensees in appropriate subject material, or specific educational requirements for an individual licensee as conditions that may be appropriate as the results of a censure, reprimand or action taken in a formal hearing conducted or ratified by the Board.
- (3) Board Meetings
  - (a) The time, place, and frequency of Board meetings shall be at the discretion of the Board, except at least one meeting shall be held annually.
  - (b) Special meetings are called at the discretion of the Board president or at the written request from four (4) members of the Board.
  - (c) Four members of the Board shall at all times constitute a quorum.
  - (d) All meetings of the Board shall be open to the public.
- (4) The Board shall elect from its members the following officers:
  - (a) President - who shall preside at all Board meetings, appoint committees and correspond with other Board members when appropriate. The president, along with the Board Unit

Director, when authorized, shall be responsible for correspondence from the Board and to execute all official documents which require the seal of the Board to be affixed.

- (b) Vice President - whose duties will be to preside at a particular meeting in the absence or unavailability of the president. To serve only upon the issuance of notification from the president which will also be given to the Board Unit Director.
  - (c) Secretary - who along with the Board Unit Director shall be responsible for correspondence from the Board and to execute all official documents which require the seal of the Board to be affixed.
- (5) Responsibilities of the Board include, but are not limited to:
- (a) Adopt and revise rules and regulations as may be necessary to carry out its powers and duties.
  - (b) Adopt and/or administer examinations;
  - (c) Examine for, deny, withhold, or approve the license of applicants and renew licenses;
  - (d) Appoint designee(s) to assist in the performance of its duties, (i.e., examination proctors); and
  - (e) Conduct hearings.
- (6) Board Conflict of Interests - Any Board member having an immediate personal, private, or financial interest in any matter pending before the Board shall disclose the fact in writing, and shall not vote upon such matter.
- (7) The Board shall select one or more Board consultants who shall serve as a consultant to the Division and shall be vested with the authority to do the following acts:
- (a) Meet with the Board attorney to review complaints received against licensees.
  - (b) Acting in concert with the attorney to send warning letters of a non-disciplinary nature to licensees, where appropriate, and close complaint files determined by the consultant and the attorney not to constitute violations of the practice act.
  - (c) Recommend whether and what type of disciplinary actions should be instituted as the result of complaints received or investigations conducted by the Division.
  - (d) Recommend whether and/or what terms a disciplinary action might be settled. Any disciplinary matter proposed for settlement must be subsequently reviewed, evaluated and ratified by the full Board before it becomes effective.
  - (e) Undertake any other matter authorized by a majority vote of the Board.
  - (f) The composition of Board consultants may include three (3) licensed chiropractic physicians who are residents in Tennessee and have been actively engaged in practice of their profession in Tennessee for a period of at least ten (10) years.
  - (g) The Board consultants' licenses shall be unencumbered and in good standing prior to and throughout their term without any prior disciplinary action unless approved by the Board.

- (h) The Board consultant may be appointed by the Board for a term of up to five (5) years. The Board will appoint one of its members to consult with the Board attorney and an official from the office of investigations to review the current status and continued qualifications of the consultant toward the end of their term. An additional term may be granted upon approval from the Board.
- (i) Any consultant having an immediate personal, private, or financial interest in any matter pending before the Board or being investigated shall disclose the fact in writing to the Board.
- (j) The Board may appoint a chiropractic physician who is certified in animal chiropractic to serve as a consultant in matters involving the practice of animal chiropractic.

(8) Records and Complaints

- (a) All requests, applications, notices, other communications and correspondence shall be directed to the Board's administrative office. Any requests or inquiries requiring a Board decision or official Board action, except documents relating to disciplinary actions or hearing request, must be received fourteen (14) days prior to a scheduled Board meeting and will be retained in the Board's administrative office and presented to the Board at the Board meeting.
- (b) All records of the Board, except those made confidential by law, are open for inspection and examination, under the supervision of an employee of the Division at the Board's administrative office during normal business hours.
- (c) Copies of public records shall be provided to any person upon payment of the cost of copying.
- (d) Complaints made against a licensee become public information only upon the filing of a notice of charges by the Department of Health.
- (e) All complaints should be directed to the Investigations Section of Health Related Boards.

(9) Declaratory Orders - The Board adopts, as if fully set out herein, Rule 1200-10-01-.11, of the Division of Health Related Boards and as it may from time to time be amended, as its rule governing the declaratory order process. All declaratory order petitions involving statutes, rules or orders within the jurisdiction of the Board shall be addressed by the Board pursuant to that rule and not by the Division. Declaratory Order Petition forms can be obtained from the Board's administrative office.

(10) Advisory Rulings - Any person who is affected by any matter within the jurisdiction of the Board and who holds a license issued pursuant to Chapter 4 of Title 63 of the Tennessee Code Annotated, may submit a written request for an advisory ruling subject to the limitations imposed by T.C.A. § 63-4-103(4). The procedures for obtaining and issuance of advisory rulings are as follows:

- (a) The licensee shall submit the request to the Board Administrative Office on the form contained in subparagraph (e) providing all the necessary information; and
- (b) The request, upon receipt, shall be referred to the Board's administrative staff for research, review and submission of a proposed ruling to the Board for its consideration at the next meeting after the draft ruling has been approved by the Board's consultant and advisory attorney; and

- (c) The Board shall review the proposed ruling and either make whatever revisions or substitutions it deems necessary for issuance or refer it back to the administrative staff for further research and drafting recommended by the Board; and
- (d) Upon adoption by the Board the ruling shall be transmitted to the requesting licensee. The ruling shall have only such effect as is set forth in T.C.A. § 63-4-103(4).
- (e) Any request for an advisory ruling shall be made on the following form, a copy of which may be obtained from the Board's administrative office:

Board of Chiropractic Examiners  
Request for Advisory Ruling

Date: \_\_\_\_\_

Licensee's Name: \_\_\_\_\_

Licensee's Address: \_\_\_\_\_

\_\_\_\_\_

Zip Code: \_\_\_\_\_

License Number: \_\_\_\_\_

1. The specific question or issue for which the ruling is requested:  
\_\_\_\_\_  
\_\_\_\_\_

2. The facts that gave rise to the specific question or issue:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. The specific statutes and/or rules which are applicable to the question or issue:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Licensee's Signature

Mail or Deliver to: Administrator  
Tennessee Board of Chiropractic  
Examiners 665 Mainstream Drive  
Nashville, TN 37243

- (11) The Board authorizes the member who chaired the Board for a contested case to be the agency member to make the decisions authorized pursuant to Rule 1360-04-01-.18 regarding petitions for reconsiderations and stays in that case.

Authority: T.C.A. §§ 63-4-106, 63-4-114, 63-4-119, 63-4-120, 63-4-121, 63-4-122, and 63-4-123.