

<h2 style="margin: 0;">Regulatory Analysis Form</h2> <p style="margin: 0;">(Completed by Promulgating Agency)</p> <p style="margin: 0; font-size: small;">(All Comments submitted on this regulation will appear on IRRC's website)</p>	<p><b>INDEPENDENT REGULATORY REVIEW COMMISSION</b></p>
<p>(1) Agency <b>Department of State, Bureau of Professional and Occupational Affairs, State Board of Chiropractic</b></p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">2018 FEB - 9 A 10:49</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">RECEIVED IRRC</p>
<p>(2) Agency Number: 16A Identification Number: 16A-4312</p>	<p>IRRC Number: <b>3197</b></p>
<p>(3) PA Code Cite: <b>49 Pa. Code §§ 5.1, 5.31(c)(5)</b></p>	
<p>(4) Short Title: <b>Chiropractic specialties</b></p>	
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact: <b>Thomas A. Blackburn, Regulatory Unit Counsel, Department of State, P.O. Box 69523, Harrisburg, PA 17106-9523 (phone 717-783-7200) (fax 787-0251) <a href="mailto:tblackburn@pa.gov">tblackburn@pa.gov</a></b></p> <p>Secondary Contact: <b>Cynthia K. Montgomery, Regulatory Counsel, Department of State, P.O. Box 69253, Harrisburg, PA 17106-5923 (phone 717-783-7200) (fax 787-0251) <a href="mailto:cymontgomc@pa.gov">cymontgomc@pa.gov</a></b></p>	
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input checked="" type="checkbox"/> <b>PROPOSED REGULATION</b></p> <p><input type="checkbox"/> Final Regulation</p> <p><input type="checkbox"/> Final Omitted Regulation</p>	<p><input type="checkbox"/> Emergency Certification Regulation;</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p><b>This proposed rulemaking would amend the regulations of the State Board of Chiropractic (Board) at § 5.31(c)(5) (relating to professional advertising of specialties) to provide that an advertisement may not contain a representation that the licensee is a specialist in a chiropractic specialty unless the licensee holds certification or diplomate status in that specialty from a specialty board recognized by the American Chiropractic Specialties Board.</b></p>	
<p>(8) State the statutory authority for the regulation. Include <u>specific</u> statutory citation.</p> <p><b>The rulemaking is authorized under section 302(3) of the Chiropractic Practice Act (act) (63 P.S. § 625.302(3)).</b></p>	

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

**This regulation is not mandated by any Federal or State law or court order or Federal regulation.**

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

**A licensee who “holds himself out as a specialist unless he possesses a postgraduate certification in that specialty” is subject to disciplinary action under section 506(a)(17) of the act (63 P.S. § 625.506(a)(17)). Attaining specialist status and identifying that status to patients are important aspects of the practice of chiropractic. There is significant confusion in the field of chiropractic concerning what qualifies as a specialty. If the Board were to fail to set standards for attainment of specialist credentials, a licensee could advertise truthfully that the licensee is certified in a specialty, despite the fact that the certification is easily attained or the specialty is not generally recognized, and thereby present misleading information to the public. The Board determined that clarifying the validity of these credentials and the standards for qualifying as a specialist requires amending the Board’s regulations.**

**Without amending the Board’s regulations, consumers of chiropractic services in this Commonwealth may be confused by the abundance of credentials listed by licensees as specialties. Legitimate specialties that require additional education and training are being overshadowed by so-called paper credentials that require only joining an organization or “board” in order to use the group’s initials behind a licensee’s name or that do not require the licensee to possess significant specialized post-graduate education. Some credentials only require a licensee to pay a fee. Consumers are being misled into believing that these groups are issuing credentials earned through additional training when they are not.**

**Consumers of services offered by licensed chiropractors in this Commonwealth will benefit from the proposed rulemaking. Specialties will be recognized in a clearly defined manner, ending the confusion that currently abounds. Consumers will no longer be misled by specialty designations that are not generally recognized as requiring significant educational attainment within the chiropractic profession. The Board is unable to give an approximate number of individuals who will be assisted by this proposed rulemaking; the Board believes that this measure will assist all consumers of chiropractic services to make informed decisions and to have confidence in the skill of their chiropractor.**

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

**The rulemaking is not more stringent than and does not overlap or conflict with any federal requirements.**

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

The Delaware Board of Chiropractic regulates specialties by requiring 100 hours of training in addition to hours spent obtaining a doctor of chiropractic degree in order to be certified in a specialty by a nationally recognized certification body and licensees are subject to discipline if they hold themselves out as specialists when they do not have a current, valid certification. The Maryland Board of Chiropractic Examiners requires licensees to obtain training before performing a new technique or a service in a new specialty. Specialties may not be advertised unless the Board has approved the specialty. The Ohio State Chiropractic Board requires chiropractors to present credentials in an accurate and dignified manner. The use of the term "board certified" is improper. The use of the word "board" can only be used in regard to the state chiropractic board unless the complete name of entity other than the state chiropractic board is used. Specialties may not be advertised unless the chiropractor holds the recognized credentials issued by the proper authority. In Virginia, medical doctors, doctors of osteopathy, doctors of podiatry and doctors of chiropractic may not use "board certified" unless the complete name of the specialty board conferring certification is disclosed. The West Virginia Board of Chiropractic Examiners prohibits licensees from representing to the public, the possession of special skill, training, knowledge or qualifications unless the board recognizes the training or certification on which the representation is based.

The proposed rulemaking would not put Pennsylvania at a competitive disadvantage with other states.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

This rulemaking would not affect other regulations of the Board or other state agencies.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

After discussing this concept at various public meetings, the Board solicited input from and provided an early exposure draft of this proposed rulemaking to interested parties. The Board received responses from the Pennsylvania Chiropractic Association (PCA), the Chiropractic Fellowship of Pennsylvania, and Practice Masters, Inc. After receiving input and significantly revising the proposed rulemaking, in April 2014 the Board sent an additional exposure draft. The Board has not received any subsequent input.

The Board discussed this proposed rulemaking in public session during its public meetings in September 2007; January 2008; and January and November 2013. Representatives of PCA, the professional society of which the Board's licensees are members, generally attend the Board's public meetings.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

All licensees of the Board would be affected by the proposed rulemaking. The Board currently licenses approximately 4,020 chiropractors. According to the Pennsylvania Department of Labor and Industry, in 2014 (the most recent year for which data is available) 64.6% of chiropractors in Pennsylvania were employed in offices of health care practitioners other than physicians, and 31.5% were self-employed; data for employment in offices of physicians, other ambulatory health care services, general medical and surgical hospitals, and specialty hospitals is marked confidential.

Section 3 of the Regulatory Review Act provides that a small business is defined by the U.S. Small Business Administration's Small Business Size Regulations under 13 CFR Ch. 1 Part 121. These size standards have been established for types of businesses under the North American Industry Classification System (NAICS). In applying the NAICS standards to the types of businesses where chiropractors work, a healthcare office other than a physician office is a small business if it has \$7.5 million or less in total average annual receipts. Those who are self-employed are presumed to be a small business.

In considering all of these small business thresholds set by NAICS for the businesses in which chiropractor work, it is probable that the vast majority of licensees work in small businesses.

As noted in response to question (17), the proposed amendments impose no additional paperwork requirements or administrative burdens and require no additional investment in equipment. Accordingly, there should be no disproportionate impact upon small businesses as a result of compliance with the proposed rulemaking.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

See the response to question (15). All licensees of the Board will be required to comply with the rulemaking.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

The Board does not expect this rulemaking to have any financial, economic or social impact on individuals, small businesses, businesses or labor communities or other public or private organizations.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

The above-identified benefits of the rulemaking outweigh any cost or adverse effect.

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

**There are no costs or savings to the regulated community associated with compliance with the rulemaking.**

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

**There are no costs or savings to local governments associated with compliance with the rulemaking.**

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

**There are no costs or savings to state government associated with implementation of the rulemaking.**

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

**This rulemaking would not require any additional recordkeeping or other paperwork for implementation.**

22a) Are forms required for implementation of the regulation?

**No forms are required for implementation of the regulation.**

(22b) If forms are required for implementation of the regulation, **attach copies of the forms here**. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. **Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.**

N/A

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY	FY +1	FY +2	FY +3	FY +4	FY +5
<b>SAVINGS:</b>	\$	\$	\$	\$	\$	\$
Regulated Community						
Local Government						
State Government						
<b>Total Savings</b>	N/A	N/A	N/A	N/A	N/A	N/A
<b>COSTS:</b>						
Regulated Community						
Local Government						
State Government						
<b>Total Costs</b>	N/A	N/A	N/A	N/A	N/A	N/A
<b>REVENUE LOSSES:</b>						
Regulated Community						
Local Government						
State Government						
<b>Total Revenue Losses</b>	N/A	N/A	N/A	N/A	N/A	N/A

(23a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3 2013-14	FY -2 2014-15	FY -1 2015-16	Current FY 2016-17
Pa. State Bd. of Chiropractic	(actual) \$492,853	(actual) \$496,176	(actual) \$448,615	(budget) \$552,000

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

**The Board does not expect this rulemaking to have any adverse impact on small businesses. There will be no projected additional reporting, recordkeeping or other administrative costs required for compliance with the rulemaking. There are no less intrusive or less costly alternative methods of achieving the purpose of the rulemaking.**

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

**The Board has determined that there are no special needs of any subset of its applicants or licensees for whom special accommodations should be made.**

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

**Prior drafts of this proposed rulemaking set forth specific specialties to be recognized by the Board. In the course of compiling this list, it became apparent that it would be impractical for the Board to independently investigate and verify the merits of any given specialization. No alternative regulatory schemes were considered.**

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

**Because it does not expect this rulemaking to have any adverse impact on small businesses, the Board did not conduct a regulatory flexibility analysis.**

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

**This rulemaking is not based upon any scientific data, studies or references.**

(29) Include a schedule for review of the regulation including:

- |   |  |
|---|--|
| A. The length of the public comment period:   | <u>30 days after publ. as proposed</u>                                     |
| B. The date or dates on which any public meetings or hearings will be held:                   | <u>All rulemakings are considered at public meetings as listed in (30)</u> |
| C. The expected date of delivery of the final-form regulation:                                | <u>Within two years of publ. as proposed</u>                               |
| D. The expected effective date of the final-form regulation:                                  | <u>Upon final promulgation</u>   |
| E. The expected date by which compliance with the final-form regulation will be required:     | <u>Effective date</u>  |
| F. The expected date by which required permits, licenses or other approvals must be obtained: | <u>N/A</u>   |

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

**The Board continually reviews the efficacy of its regulations, as part of its annual review process under Executive Order 1996-1. The Board reviews its regulatory proposals at regularly scheduled public meetings, generally held the third Thursday of each odd-numbered month. The Board will meet on the following remaining dates in 2017: March 23, May 18, July 20, September 21 and November 9. More information can be found on the Board's website (linked under boards & commissions from professional licensing on the Department's website at [www.dos.pa.gov](http://www.dos.pa.gov)).**

FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU IRRRC

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(Pursuant to Commonwealth Documents Law) 2018 FEB -9 A 10:49

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

Copy below is approved as to form and legality. Executive or Independent Agencies.

BY: *Angela Elliott*  
(DEPUTY ATTORNEY GENERAL)

State Board of Chiropractic  
(AGENCY)

BY: *Jennyfer H. Whare*

Jan 25, 2018  
DATE OF APPROVAL

DOCUMENT/FISCAL NOTE NO. 16A-4312

DEC 20 2017  
DATE OF APPROVAL

DATE OF ADOPTION:

(Deputy General Counsel  
~~Chief Counsel,~~  
Independent Agency  
(Strike inapplicable title)

BY: *John E. McCarrin*  
John E. McCarrin, DC

[ ] Check if applicable  
Copy not approved.  
Objections attached.

TITLE: Chairperson  
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

[ ] Check if applicable.  
No Attorney General approval  
or objection within 30 day  
after submission.

PROPOSED RULEMAKING

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF CHIROPRACTIC

49 Pa. Code §§ 5.1, 5.31(c) (5)  
CHIROPRACTIC SPECIALTIES

The State Board of Chiropractic (Board) proposes to amend §§ 5.1 and 5.31 (relating to definitions; and professional advertising) to read as set forth in Annex A.

*Effective date*

The amendments will be effective upon publication of the final-form regulation in the *Pennsylvania Bulletin*.

*Statutory Authority*

The amendments are authorized under section 302(3) of the Chiropractic Practice Act (act) (63 P.S. § 625.302(3)).

*Background and Need for the Amendment*

A licensee who “[m]ake[s] misleading, deceptive, untrue or fraudulent representations in the practice of chiropractic” is subject to disciplinary action under section 506(a)(2) of the act (63 P.S. § 625.506(a)(2)). At § 5.31(c)(2) (relating to professional advertising), the Board has defined false, fraudulent, deceptive or misleading advertising to include advertising that “makes only a partial disclosure of relevant facts in its content or in the context in which it is presented.” In addition, a licensee who “[h]old[s] himself out as a specialist unless he possesses a postgraduate certification in that specialty” is subject to disciplinary action under section 506(a)(17) of the act (63 P.S. § 625.506(a)(17)). The Board has defined the term “chiropractic specialty” at § 5.1 (relating to definitions) as a “specialized area of chiropractic in which a licensee has achieved certification or diplomate status through a program approved by an approved chiropractic college that has established valid standards acceptable to the Board for the achievement of certification or diplomate status.” At § 5.31(c)(5), the Board has defined false, fraudulent, deceptive or misleading advertising to include advertising that “contains a representation that the licensee holds certification in a chiropractic specialty when the licensee does not hold certification in that specialty.”

The Board is aware that a chiropractor might obtain a “certification” that does not truly reflect genuine advanced knowledge, training or skill, but instead is rather easily obtained. Unfortunately, the public, not knowing what certifications are meaningful, may be confused or deceived by the advertising of such credentials. Because it is not a false statement to advertise the credentials that the licensee actually holds, regardless of the real value of those credentials, the licensee cannot be prosecuted under section 506(a)(2) of the act without showing that the advertisement was misleading or under § 5.31(c)(2) without showing that the advertisement made only a partial disclosure. Because § 5.31(c)(5) already specifically addresses the advertising of chiropractic specialties, it appears appropriate to amend that provision to create a brighter line rule in the advertising of professional credentials.

The American Board of Chiropractic Specialties recognizes various specialty boards including: Academy of Chiropractic Orthopedists; American Chiropractic Association Council on Pediatrics; American Chiropractic Association Council on Chiropractic Physiological Therapeutics and Rehabilitation; American Chiropractic Association Council on Diagnosis and

Internal Disorders; American Chiropractic Association Council on Diagnostic Imaging; American Chiropractic Association Council on Nutrition; American Chiropractic Council on Occupational Health; American Chiropractic Association Council on Orthopedics; American Chiropractic Association Council on Injuries and Physical Fitness; American Chiropractic Association Council on Neurology; American Chiropractic College of Radiology; American College of Chiropractic Consultants; American College of Chiropractic Orthopedists; and International Chiropractic Pediatric Association. These specialty boards all require passing a certification examination after either a full-time residency of at least 3 years or a part-time program of more than 300 hours of education and clinical practice.

Consistent with the constitutionally protected commercial free speech rights of its licensees, the Board intends this rulemaking to prohibit false or misleading advertising of chiropractic specialties and credentials, specifically prohibiting advertising those credentials that do not demonstrate any genuine advanced knowledge, training or skill. Because these credentials would not accurately inform the public about lawful activity and are more likely to deceive the public than to inform it, the Board may properly prohibit its licensees from advertising these credentials. *See, Commonwealth of Pa., Bureau of Professional and Occupational Affairs v. State Bd. of Physical Therapy*, 556 Pa. 268, 728 A.2d 340 (1999).

#### *Description of the Proposed Amendments*

The proposed rulemaking would amend § 5.31(c)(5) to provide that advertising is fraudulent, false, deceptive or misleading, and therefore grounds for disciplinary action, if the advertising represents that the licensee holds certification “or otherwise is a specialist” in a chiropractic specialty “unless the licensee holds certification or diplomate status in that specialty from a specialty board recognized by the American Board of Chiropractic Specialties,” rather than simply holding a certification in such a specialty. The rulemaking would also delete as unnecessary the definition of “chiropractic specialty” in § 5.1.

#### *Fiscal Impact and Paperwork Requirements*

The proposed amendments will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The amendments will impose no additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

#### *Sunset Date*

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on February 9, 2017, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate

Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

*Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Regulatory Unit Counsel for the Department of State, State Board of Chiropractic by mail at P.O. Box 69523, Harrisburg, PA 17105-9523 or by email at RA-STRegulatoryCounsel@pa.gov, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Please reference No. 16A-4312 (chiropractic specialties), when submitting comments.

J. Gerard Halloran, DC  
Chairperson

## ANNEX A

### TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

#### PART I. DEPARTMENT OF STATE

#### Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

#### CHAPTER 5. STATE BOARD OF CHIROPRACTIC

\* \* \* \* \*

#### Subchapter A. GENERAL PROVISIONS

##### § 5.1. Definitions.

The following words and terms when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

\* \* \* \* \*

[*Chiropractic specialty* – A specialized area of chiropractic in which a licensee has achieved certification or diplomate status through a program approved by an approved chiropractic college that has established valid standards acceptable to the Board for the achievement of certification or diplomate status.]

\* \* \* \* \*

#### Subchapter C. BUSINESS ASPECTS OF PRACTICE

##### § 5.31. Professional advertising.

\* \* \* \* \*

(c) Advertising which is false, fraudulent, deceptive or misleading will be considered unprofessional conduct and may provide the basis for disciplinary action against the advertising licensee. An advertisement shall be deemed by the Board to be fraudulent, false, deceptive or misleading if it does one of the following:

\* \* \* \* \*

(5) Contains a representation that the licensee holds certification or otherwise is a specialist in a chiropractic specialty [when the licensee does not hold certification in that specialty] unless the licensee holds certification or diplomate status in that specialty from a specialty board recognized by the American Board of Chiropractic Specialties.

\* \* \* \* \*



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF CHIROPRACTIC

Post Office Box 2649  
Harrisburg, Pennsylvania 17105-2649  
(717) 783-7155

February 9, 2018

The Honorable George D. Bedwick, Chairman  
INDEPENDENT REGULATORY REVIEW COMMISSION  
14<sup>th</sup> Floor, Harristown 2, 333 Market Street  
Harrisburg, Pennsylvania 17101

Re: Proposed Regulation  
State Board of Chiropractic  
16A-4312: Chiropractic Specialties

Dear Chairman Bedwick:

Enclosed is a copy of a proposed rulemaking package of the State Board of Chiropractic pertaining to Chiropractic Specialties.

The Board will be pleased to provide whatever information the Commission may require during the course of its review of the rulemaking.

Sincerely,

A handwritten signature in black ink that reads "J. Gerald Halloran, D.C.".

J. Gerald Halloran, D.C., Chairperson  
State Board of Chiropractic

JEM/KEM:jlt

Enclosure

cc: Ian J. Harlow, Commissioner of  
Professional and Occupational Affairs  
Kalonji Johnson, Director of Policy, Department of State  
Cynthia Montgomery, Regulatory Counsel  
Department of State  
Kerry E. Maloney, Counsel  
State Board of Chiropractic  
State Board of Chiropractic

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE  
REGULATORY REVIEW ACT**

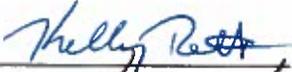
**I.D. NUMBER:** 16A-4312  
**SUBJECT:** Chiropractic Specialties  
**AGENCY:** DEPARTMENT OF STATE  
 Bureau of Professional and Occupational Affairs  
 State Board of Chiropractic

**TYPE OF REGULATION**

- Proposed Regulation
- Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Disapproved Regulation
  - a. With Revisions
  - b. Without Revisions

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 IRRC  
 2018 FEB -9 A 10:49

**FILING OF REGULATION**

<u>DATE</u>	<u>SIGNATURE</u>	<u>DESIGNATION</u>
		<i>HOUSE COMMITTEE ON PROFESSIONAL LICENSURE</i>
2/9/18		MAJORITY CHAIR <u>Mark T. Mustio</u>
2/9/18		MINORITY CHAIR <u>Harry Readshaw</u>
		<i>SENATE COMMITTEE ON CONSUMER PROTECTION &amp; PROFESSIONAL LICENSURE</i>
2/9/18		MAJORITY CHAIR <u>Robert M. Tomlinson</u>
2/9/18		MINORITY CHAIR <u>Lisa Boscola</u>
2/9/18		<i>INDEPENDENT REGULATORY REVIEW COMMISSION</i>
		<i>ATTORNEY GENERAL (for Final Omitted only)</i>
2/9/18		<i>LEGISLATIVE REFERENCE BUREAU (for Proposed only)</i>