



# Tennessee Board of Chiropractic Examiners Newsletter



Volume I, Issue I

Spring 2019

**Inside this issue:**

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

## MESSAGE FROM THE CHAIR Cole Hosenfeld, DC, DACBSP

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2019 has been a busy year for the board as we have sought to clarify policy and provide clear guidance to the states licensees. The board and its administrative team have been working diligently to increase efficiency throughout its processes. The addition of CE Broker to help maintain CEU's for licensees has been one positive example of this process. We have heard many positive comments about its ease of use. There have been an increased number of expired licenses and faulty CEU attainment which have resulted in fines and agreed orders/citations.

Remember, these infractions will follow your license as they are on your record. We encourage you to make a special note of your license expiration and renew the license online at least 30 days ahead of expiration. In addition, please make sure to review the board's policy, "Policy on Continuing Education and Compliance" to submit approved CEU certificates during the appropriate time frame to help eliminate errors, mistakes and fines. The board has noticed a disproportionate number of Chiropractic Physicians licenses to Chiropractic Therapy Assistants/Chiropractic Xray Technologists. Our concern is the appearance that some doctors may have unlicensed personnel performing xray, rehabilitative or therapeutic services to patients. We encourage you to review your office for compliance and to comply with statute and the rules and regulations of the state of Tennessee as it is illegal to perform these services without a license. The board has created an efficient pathway to certification for these assistants.

The Tennessee Chiropractic Association (TCA) provides a distance learning course with internship hours and testing that qualifies for submission to the state. Please make a point to review the rules and regulations on the board of examiners website and contact the TCA (tnchiro.com) for specifics to their course structure. Thank you for caring and providing quality healthcare to the citizens of Tennessee.

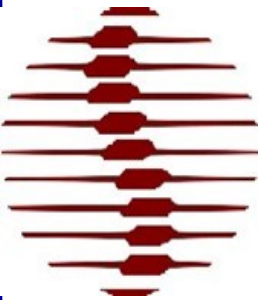
### PROFESSIONAL PRIVILEGE TAX

Tennessee Code Annotated §67-4-1701, et seq., requires the payment of an annual professional privilege tax for licensed Chiropractic Physicians. Failure to pay your professional privilege tax constitutes grounds for suspension of your license to practice in Tennessee. If you fail to pay your professional privilege tax, the Department of Health will file formal charges against you seeking the suspension of your license pursuant to T.C.A. §67-4-1702 and T.C.A. §63-4-101, et seq.

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

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

## **ABOUT THE BOARD OF CHIROPRACTIC EXAMINERS**



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

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

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

### **Applying for a License and Maintaining Your License**

The Department has added the ability for license applicants to apply online for an initial license. Applicants can sign up to create an online account at: <https://apps.tn.gov/hlrs/>. Licensees are responsible for renewing their licenses on time and keeping the Board apprised of changes affecting location and name, as this facilitates timely notification from the administrative office. Renewal notices are mailed or emailed from the Board's administrative office, at least forty-five (45) days prior to the expiration of the license to the current address on record. In order to enhance the license renewal application process, beginning on March 9, 2018, the Board transitioned to a new online renewal system. All Chiropractic Physicians will be asked to update their required practitioner profile as part of the renewal process. In addition to renewing a professional license, licensees are able to submit applications to change addresses, change names, and request duplicate certificates or wall licenses. Licenses can be renewed on-line sixty (60) days prior to expiration at <https://apps.tn.gov/hlrs/>. It is a violation of the law and of the Board's rules to practice on an expired license. In the future, you can expect to conduct more application processing online as the Department continues to expand and improve the online experience for our professional licensees.

### **COMPLAINTS, DISCIPLINARY ACTIONS & PEER ASSISTANCE**

#### **Complaints**

If you believe a practitioner's performance or behavior is not acceptable, you may file a complaint through Health Related Boards, Office of Investigations. For information on filing a complaint, please visit: <https://www.tn.gov/health/health-program-areas/health-professional-boards/report-a-concern.html>

You may contact the Complaint Divisions of the Department of Health at 1-800-852-2187 to request a complaint form or download one here: <https://www.tn.gov/content/dam/tn/health/documents/PH-3466.pdf>

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

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

#### **Disciplinary Actions**

A listing of monthly disciplinary actions taken by the Board of Chiropractic Examiners can be found here: <https://www.tn.gov/health/health-professionals/health-professionals-boards-disciplinary-actions.html>

#### **Peer Assistance**

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

**Physician's Health Program**  
1777 Tyne Boulevard  
Nashville, TN, 37215  
Phone: 615-665-2156

## Meetings of the Board

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

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## LIVE-STREAM MEETINGS

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

## BOARD MEETING SCHEDULE FOR 2019 & 2020

JANUARY 24, 2019 – 9:00 AM CST  
 APRIL 19, 2019 – 9:00 AM CST  
 JULY 18, 2019 – 9:00 AM CST  
 OCTOBER 17, 2019 – 9:00 AM CST  
 JANUARY 23, 2020 – 9:00 AM CST  
 APRIL 16, 2020 – 9:00 AM CST  
 JULY 16, 2020 – 9:00 AM CST  
 OCTOBER 15, 2020 – 9:00 AM CST

### NEW BOARD UPDATES

**UNLESS OTHERWISE NOTED,**

**ALL MEETINGS WILL BE HELD AT THE FOLLOWING LOCATION:  
 665 MAINSTREAM DRIVE, POPLAR CONFERENCE ROOM, GROUND FLOOR,  
 NASHVILLE, TN 37243.**

## NATIONAL CONFERENCES

**Federation of Chiropractic Licensing Boards (FCLB)  
 93rd Annual Educational Conference  
 San Diego, CA  
 May 1-5, 2019**

**FCLB Regional District V Meeting  
 Jersey City, NJ, October 3-6, 2019**



## **BOARD MEMBER COMPOSITION**

Cole Hosenfeld, DC, Chair  
Strawberry Plains, TN

Curtis Damien, Vice-Chair  
Drummonds, TN

Jason Hulme, DC, Secretary  
Hendersonville, TN

Joseph Amato, DC  
Kingsport, TN

Dale Blackwelder, DC  
Savannah, TN

Vacant, Citizen Member

Vacant, Citizen Member

## **Contacting the Administrative Office:**

Tennessee Board of Chiropractic Examiners

665 Mainstream Drive, 2<sup>nd</sup> Floor

Nashville, TN 37243

Phone: (615) 741-3807 Local or (800) 778-4123 Nationwide

Fax: (615) 253-8724 or (615) 401-7682.

E-Mail: [Unit2HRB.Health@tn.gov](mailto:Unit2HRB.Health@tn.gov)

### **Administrative Staff**

<b>Michael Sobowale</b>	<b>Director</b>
<b>Mary V. Webb</b>	<b>Board Manager</b>
<b>Sabrina Craig-Boyd</b>	<b>Administrator</b>

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## **Accessing the Board's Website**

In address bar type: <http://tn.gov/health>

Click on link titled: "Health Professionals"

Choose: Health Related Boards,

Click on link for: "Chiropractic Examiners"

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

### **Resources and Useful Links:**

[Tennessee Board of Chiropractic Examiners Home](#)  
[Licensure and Education Information](#)  
[Complaints, Disciplinary Actions and Peer Assistance](#)

[Applications, Publications and Information](#)

[Statutes, Rules and Policies](#)

[Federal Licensing Boards of Chiropractic \(FLBC\)](#)

[Tennessee Chiropractic Association \(TCA\)](#)

## **LATEST LEGISLATIVE UPDATES**

### **Public Chapter 611**

This law requires an agency holding a public hearing as part of its rulemaking process, to make copies of the rule available in “redline form” to people attending the hearing. This took effect on July 1, 2018.

### **Public Chapter 744**

This statute allows a licensing entity the discretion to not suspend/deny/revoke a license in cases where the licensee has defaulted or become delinquent on student loans if a medical hardship significantly contributed to the default or delinquency. This act took effect on January 1, 2019.

### **Public Chapter 745 and Public Chapter 793**

These public chapters work together to create and implement the “Fresh Start Act.” Licensing authorities are prohibited from denying an application or renewal for a license/certificate/registration due to a prior criminal conviction that does not directly relate to the applicable occupation. Lays out the requirements on the licensing authorities as well as the exceptions to the law (ex: rebuttable presumption regarding A and B level felonies). These acts took effect on July 1, 2018.

### **Public Chapter 954**

This legislation requires the initial licensure fee for low-income persons to be waived. Low income individuals per the statute are defined as persons who are enrolled in a state or federal public assistance program including but not limited to TANF, Medicaid, and SNAP. All licensing authorities are required to promulgate rules to effectuate the purposes of this act.

This act took effect on January 1, 2019.

### **Public Chapter 754**

This chapter prevents any board, commission, committee, etc. created by statute from promulgating rules, issuing statements, or issuing intra-agency memoranda that infringe on an entity member’s freedom of speech. This act took effect on April 18, 2018.

## **IMPORTANT REMINDERS**

### **Electronic Notifications Opt-In**

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

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

### **Updating Your Practitioner Profile**

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

To make changes to or update the Practitioner Profile online, please visit: <https://lars.tn.gov/datamart/mainMenu.do>  
Changes may be submitted on the form to the Board’s Administrative Office at:

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

### **Submission of CE Completion Certificates**

In order to simplify the license renewal process, the Board has partnered with CE Broker as their official CE tracking system. Licensees began electronically submitting CE completion certificates to CE Broker beginning June 1, 2018 after signing up for a free basic account provided by the Board. Effective January 1, 2019, the Board stopped accepting CE completion certificates that are directly submitted to the board’s office. All CE completion certificates should be submitted to CE Broker.

Additional information about the Board’s partnership with CE Broker and establishing a free basic account can be obtained on the board’s website at: <https://www.tn.gov/health/health-program-areas/health-professional-boards/chiro-board/chiro-board/about.html>

### **Obtaining Chiropractic Acupuncture Certification**

Pursuant to board rules, a licensed chiropractic physician who practices or intends to practice acupuncture shall, prior to commencing such practice, complete two hundred and fifty (250) classroom hours of an acupuncture course accredited by an agency or entity acceptable to the Board. Such Chiropractic Physician shall also pass the National Board of Chiropractic Examiners (NBCE) Acupuncture Exam.

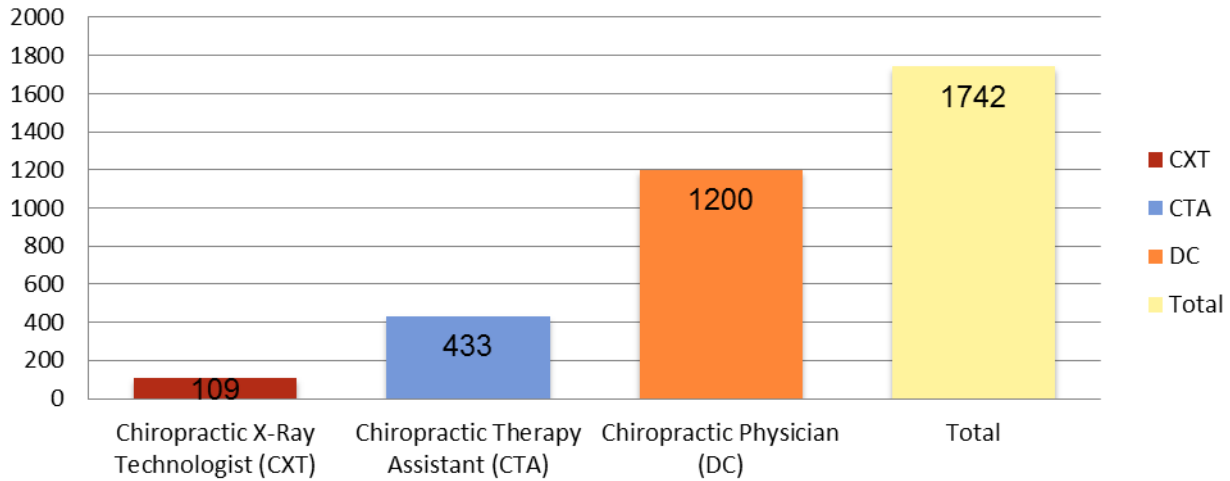
Chiropractic Physicians with Acupuncture Certification can verify their acupuncture certification status by visiting the website: <https://apps.health.tn.gov/Licensure/Default.aspx> Failure of a chiropractic physician to apply for certification prior to practicing Acupuncture may result in licensee being found non-compliant and subject to further discipline by the Board.

### **New Department of Revenue Tax Filing Website**

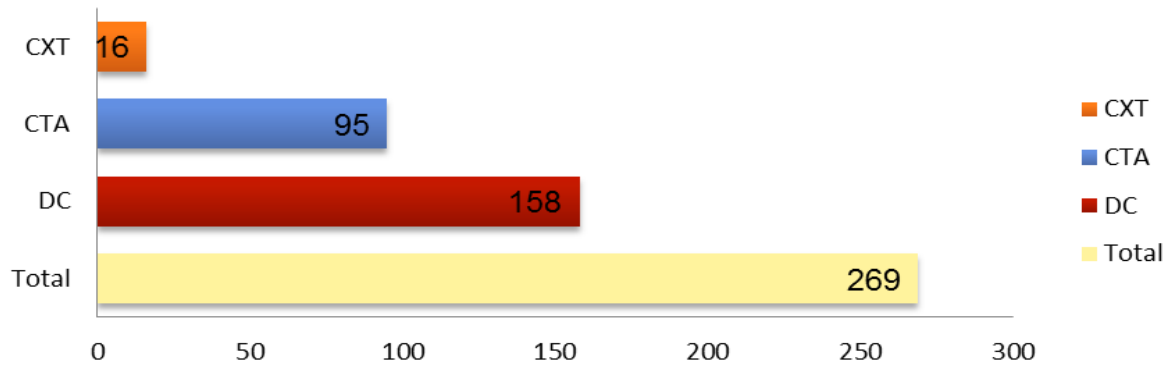
The Department of Revenue has launched a new tax filing website called Tennessee Taxpayer Access Point, or TNPAP, for paying your professional privilege tax. To learn more or to submit questions you may have about this new tax filing website, please visit [www.tntapinfo.com](http://www.tntapinfo.com).

# Statistical Data

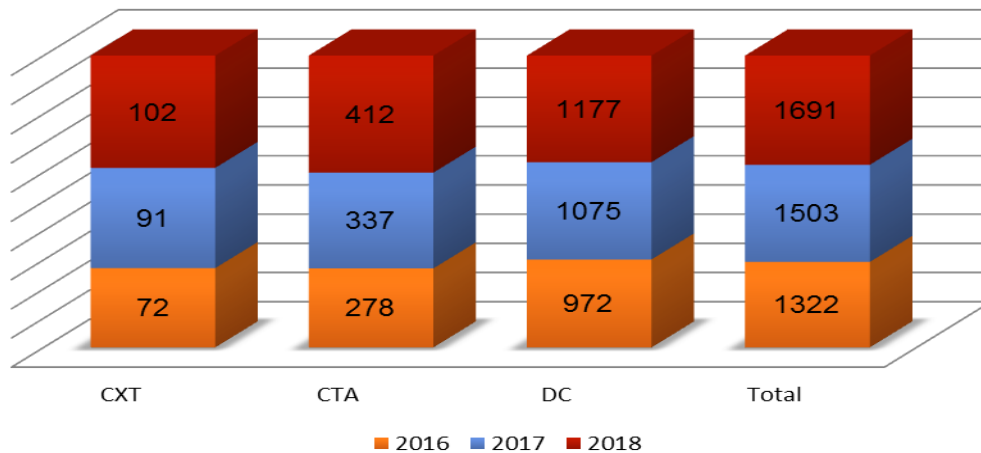
**Total Number of Licenses as of 3/31/19**



**# Applications Received from 1/1/18 to 12/31/18**



**Number of Licenses by Profession and Year**



## **QUESTIONS AND ANSWERS**

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

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

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

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

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

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

**Q: Can I renew my license online?**

**A:** Certainly! License renewals may be processed up to sixty (60) days prior to the license expiration date. Please visit <https://lars.tn.gov/datamart/mainMenu.do> and log in with your account information to renew your license online. Remember, you must first create an account before you are able to renew your license online.

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

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

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

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

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

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

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

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

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



