

STATE OF MINNESOTA

BEFORE THE MINNESOTA

COUNTY OF RAMSEY

BOARD OF CHIROPRACTIC EXAMINERS

In the Matter of a  
Proposed Rule of the  
Board of Chiropractic  
Examiners Relating to  
Graduate Preceptorship  
Program Minn. Rule 2500.2500  
to 2500.2530

STATEMENT OF NEED AND REASONABLENESS

Pursuant to Minn. Stat. 14.23 (1988), the Minnesota Board of Chiropractic Examiners (hereinafter "Board") hereby affirmatively presents the need for and facts establishing the reasonableness of proposed Minnesota Rules 2500.2500 to 2500.2530, relating to Graduate Preceptorship Program.

In order to adopt the proposed rule, the Board must demonstrate that it has complied with all procedural and substantive requirements for rulemaking. Those requirements are as follows: 1) there is statutory authority to adopt the rules; 2) the rules are needed and are reasonable; 3) all necessary procedural steps have been taken; and 4) any additional requirements imposed by law have been satisfied. This Statement demonstrates that the Board has met these requirements.

**1. STATUTORY AUTHORITY**

The statutory authority of the Board to adopt these rules is as follows:

Minnesota Statute 148.08, Subd. 3 (1988), authorizes the Board to promulgate rules necessary to administer sections 148.01 to 148.105.

**2. STATEMENT OF NEED AND REASONABLENESS**

Applicants for a license to practice chiropractic in the

State of Minnesota must currently wait 30 to 90 days to take the licensing exam. If one or more portions of that exam is not passed the applicant may not retake that portion for 180 more days. During these time lapses graduates currently have no avenue for continued learning of chiropractic skills.

The proposed rule provides a means for applicants to continue learning the skills of their profession in a controlled clinical setting with the guidance of a practicing Doctor of Chiropractic who is registered and overseen by the Board of Chiropractic Examiners. The current undergraduate preceptorship program operating in this state has proven to be a valuable learning experience for those involved in it. The Graduate Preceptorship Program is a natural extension of that established program.

The Intern(s) involved in this proposed program will be practicing Chiropractic under the direct supervision of a Board approved Preceptor. They will be provided an opportunity to increase their knowledge and improve their skills while waiting for the opportunity to become licensed Doctors of Chiropractic.

The table below indicates the amount of estimated revenue anticipated from the proposed registration and annual renewal fees.

Fee Title	Proposed Fee	No. Paying Fee	Estimated Revenue
Registration	\$100	80	\$8,000
Annual Renewal	\$100	60	\$6,000

The Board believes its proposed establishment of registration and

annual renewal fees is needed and reasonable in order to ensure that qualified Doctors of Chiropractic are involved in the Graduate Preceptorship Program and to monitor interns in a controlled clinical setting.

### 3. COMPLIANCE WITH PROCEDURAL RULEMAKING REQUIREMENTS

Minnesota Statutes, sections 14.05-14.12 and 14.22-14.28, specify certain procedures which must be followed when an agency adopts or amends rules. Procedures applicable to all rules, Minnesota Statutes, sections 14.05-14.12, have been complied with by the Board as noted below.

The Board proposes adoption of this rule as a noncontroversial rule in accordance with sections 14.22 to 14.28, except that no public hearing is presently planned and need not be held unless 25 or more persons submit a written request for a hearing within the 30-day comment period.

The adoption of these rules will not require the expenditure of public money by local public bodies, nor do the rules have any impact on agricultural land. **See** Minn. Stat. 14.11. The adoption of these rules could have a negligible effect on small businesses as discussed below. **See** Minn. Stat. 14.115.

Pursuant to Minnesota Statutes, section 14.23, the Board has prepared this Statement of Need and Reasonableness which is available to the public.

The Board will publish a Notice of Intent to Amend the Rules Without a Public Hearing in the **State Register** and mail copies of the notice and proposed amendment to persons registered with Minnesota Board of Chiropractic Examiners pursuant to Minnesota Statutes, section 14.14, subdivision 1a. The notice will

include the following information: a) that the public has 30 days in which to submit comments on the proposed amendment and giving information pertaining to the manner in which persons may comment; b) that no public hearing will be held unless 25 or more persons submit a written request for a public hearing on the rule within a 30-day comment period; c) that the rule may be modified if modifications are supported by data and the views submitted; and d) that notice of the date of submission of the proposed amendment to the Attorney General for review will be mailed to any person requesting to receive the notice, and giving information on how to request the notice.

The Board will submit the proposed amendment and notice as published, the amendment as proposed for adoption, any written comments which have been received, and this Statement of Need and Reasonableness to the Attorney General for approval of the amendment as to legality and form.

These rules will become effective five working days after publication of a notice of adoption in the **State Register**.

#### **4. ADDITIONAL REQUIREMENTS**

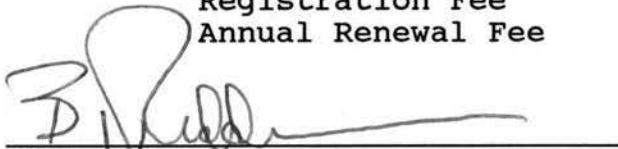
**Approval of the Commissioner of Finance.** Pursuant to Minnesota Statutes, section 16A.128, subdivision 1, if a fee is to be fixed by rule, the Commissioner of Finance must approve the fee, and the Commissioner's approval must be in the Statement of Need and Reasonableness. The Commissioner's approval of the proposed fee is set forth below.


APPROVAL is granted for the following fees:

Graduate Preceptorship Program:

Registration Fee  
Annual Renewal Fee

\$100  
\$100

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Title

7-9-90  
\_\_\_\_\_  
Date

Department of Finance

**Small Business Considerations.** In preparing to propose these amendments, the Board considered the methods for reducing the impact of the amendments on small business as set forth in Minnesota Statutes, section 14.115, subdivision 2 (1988). The Board noted that the suggested methods for reducing the impact of the rules on small business concern compliance and reporting requirements and performance standards. Since the proposed rule relates to the Graduate Preceptorship Program would appear to be no impact or significant effect on small business.

Nevertheless, any small business which believes they may be affected by the proposed rule will have opportunity to participate in the rulemaking procedure. Further, a notice of the proposed rulemaking will be mailed to the Minnesota Chiropractic Association, an organization which will likely represent small businesses affected by the amendments.

Dated: July 16, 1990

STATE OF MINNESOTA  
BOARD OF CHIROPRACTIC EXAMINERS

  
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Executive Director