



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Commerce, Community,
and Economic Development**

DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

P.O. Box 110806
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June 17, 2016

Dear licensees and interested parties:

Alaska's professional licensing statutes (AS 08.01.065) require the Division of Corporations, Business and Professional Licensing (CBPL) to "annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to fee collections related to that occupation." Alaska's licensing fee statutes go on to say, "If the review indicates that an occupation's fee collections and regulatory costs are not approximately equal, the department shall calculate fee adjustments and adopt regulations...to implement the adjustments."

The Division has conducted a thorough fee analysis and has determined that fee increases are necessary to comply with the statute listed above: to bring the program sustainably out of deficit and to continue to deliver the current level of service of the chiropractic licensing program. Program expenses have slowly been depleting its surplus for several years, and the program will be in deficit by the end of this fiscal year. The Board of Chiropractic Examiners reviewed the fee analysis at its May 20, 2016, meeting and recommended changes which the Division took under advisement. The proposed fees amounts are enclosed and can also be found on the Board's web page at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofChiropracticExaminers.aspx>.

In 2006, the program licensing fees were \$730 per biennium. In 2008, the fees decreased to \$500 and decreased again in 2010 to the fee amounts in existence today. The proposed increase in fees is still lower than the 2006 license fee. Barring any unforeseen circumstances, this increase will stabilize the program and prevent the need for an even larger increase later.

This fee proposal is entering a public comment period. The division encourages all licensees and interested parties to comment on this proposal through the division's Regulations Specialist, whose contact information is enclosed on the public notice. After the comment period closes and the division reviews all comments received, the division may adopt the regulation as drafted, may amend a proposed fee, or may withdraw the regulations in part or in its whole.

All comments received will be reviewed and taken into consideration prior to adopting the final regulations. The final decision will result in the fee to be implemented during this fall's license renewal.

Follow the instructions enclosed to make written comments during the public comment period. Comments must be addressed to Jun Maiquis, Regulations Specialist, PO Box 110806, Juneau, AK 99811 or RegulationsAndPublicComment@alaska.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Janey Hovenden".

Janey Hovenden
Director

Encl.

**NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR
PROFESSIONS REGULATED BY THE BOARD OF CHIROPRACTIC EXAMINERS IN
THE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT**

BRIEF DESCRIPTION: The Department of Commerce, Community, and Economic Development proposes to change occupational license fees charged to chiropractors.

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 02 of the Alaska Administrative Code, dealing with occupational licensing fees for professions regulated by the Board of Chiropractic Examiners, including the following:

12 AAC 02.150, Board of Chiropractic Examiners, is proposed to be changed to alter the application, license, renewal, permit, examination, specialty designation, courtesy license, continuing education course approval, and delayed renewal penalty fees for chiropractors.

Under AS 08.01.065, the Department must establish fee levels so that the total amount of fees collected for an occupation approximately equals the actual regulatory costs for the occupation. The Department has reviewed the income and expenses for the occupational licensing program for the Board of Chiropractic Examiners and proposes fee changes that reflect, to the extent possible, the actual costs of the activities related to the program.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Department will accept comments by facsimile at (907) 465-2974 and by electronic mail at regulationsandpubliccomment@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/181903>, and using the comment link. **The comments must be received not later than 5:00 p.m. on July 22, 2016.** Comments received after this deadline will not be considered by the Department.

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at jun.maiquis@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Department will aggregate its response to substantially similar questions and make the questions and responses available on the Department's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofChiropracticExaminers.aspx> or on the Alaska Online Public Notice System. The Department may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 or jun.maiquis@alaska.gov not later than July 15, 2016 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Jun Maiquis at the address or phone number above, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/CHI-Fees-2016.pdf>.

After the public comment period ends, the Department will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.062; AS 08.01.065; AS 08.01.100; AS 08.20.180; AS 08.20.185

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.062; AS 08.01.065; AS 08.01.100; AS 08.20.180; AS 08.20.185

Chapter 02. General Occupational Licensing Functions.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 02.150 is amended to read:

12 AAC 02.150. Board of Chiropractic Examiners. (a) The following fees are established for chiropractors:

- (1) application fee for
 - (A) initial license, **\$250** [\$150];
 - (B) locum tenens permit, **\$250** [\$50];
 - (C) any courtesy license, **\$250** [\$50];
- (2) license fee for all or part of the initial biennial license period, **\$600** [\$450];
- (3) biennial license renewal fee, **\$600** [\$450];
- (4) temporary permit fee, **\$150** [\$100];
- (5) examination fee, **\$200** [\$100];
- (6) locum tenens permit fee, **\$150** [\$100];
- (7) inactive license fee, **\$150** [\$100];
- (8) retired status license fee, **\$150** [\$100];
- (9) specialty designation fee, **\$50** [\$25];
- (10) fee for any courtesy license, **\$150** [\$100];
- (11) continuing education course approval fee, **\$125** [\$50];
- (12) continuing education course change approval fee, **\$50** [\$25];
- (13) delayed renewal penalty fee, **\$100** [\$50].

(b) The peer review fee charged to a complainant is \$50. (Eff. 11/20/86, Register 100;

Register _____, _____ 2016 **PROFESSIONAL REGULATIONS**

am 10/1/88, Register 107; am 5/28/93, Register 126; am 10/29/94, Register 132; am 11/15/96, Register 140; am 2/21/97, Register 141; am 11/27/98, Register 148; am 1/14/2001, Register 157; am 6/17/2001, Register 158; am 6/13/2002, Register 162; am 11/15/2002, Register 164; am 8/20/2004, Register 171; am 10/15/2004, Register 172; am 12/12/2008, Register 188; am 1/29/2009, Register 189; am 11/21/2010, Register 196; am 11/28/2010, Register 196; am ___/___/___, Register ___)

Authority: AS 08.01.062 AS 08.01.100 AS 08.20.185
AS 08.01.065 AS 08.20.180