

Annual Report

Fiscal Year 2021

BOARD OF CHIROPRACTIC EXAMINERS



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

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

**BOARD OF CHIROPRACTIC EXAMINERS
FY 2021 Annual Report**

Table of Contents

Identification of the Board	Page 1
Identification of the Staff	Page 2
Narrative Statement	Page 3
Budget Recommendations	Page 5
Proposed Legislative Recommendations	Page 10
Regulatory Recommendations	Page 12
Goals and Objectives	Page 15
Sunset Audit Recommendations	Page 23

**BOARD OF CHIROPRACTIC EXAMINERS
FY 2021 Annual Report**

Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
Brian Larson, DC, DACBSP Board President	Soldotna, AK	Mar 01, 2017	Mar 01, 2025
John Lloyd, DC Board Vice-President	Anchorage, AK	Mar 01, 2020	Mar 01, 2024
James Morris, DC Board Secretary	Dutch Harbor, AK	Mar 01, 2018	Mar 01, 2022
Tim Kanady Chiropractor	Anchorage, AK	Mar 01, 2021	Mar 01, 2025
Vacant Public member	N/A	Mar 01, 2020	Mar 01, 2024

**BOARD OF CHIROPRACTIC EXAMINERS
FY 2021 Annual Report**

Identification of Staff

Reid Bowman – Licensing Examiner

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2551

Cynthia Spencer – Records & Licensing Supervisor

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-6246

Jasmin Bautista – Investigator

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 269-8026

Jun Maiquis – Regulations Specialist

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2537

BOARD OF CHIROPRACTIC EXAMINERS
FY 2021 Annual Report

Narrative Statement

The Board of Chiropractic Examiners consists of five members appointed by the governor of Alaska. We presently have four licensed chiropractors and one seat for a public member which is currently vacant. We have recently undergone some changes regarding membership; Dr. Tim Kanady now occupies the seat formerly held by Dr. Jonathan Vito, Dr. John Lloyd is now our Vice Chair, and Dr. James Morris remains the board secretary. Dr. Brian E. Larson continues as the Chair of the board. Our regulatory board acts as a governmental body under the authority of Alaska statutes. Its purpose serves a dual role in protecting the public and promoting ethical and responsible practice. Our mission is to protect and foster higher professional standards relative to the chiropractic profession in Alaska, consistent with the best interest of the health, welfare and safety of the Public. We strive to protect the public without creating unnecessary barriers to qualified practitioners.

The board is responsible for establishing minimum educational and competency standards, as well as regulating chiropractic practice within the state. The board continues to propose changes to update regulations as needed. We, as a board, are committed to providing efficient and effective regulatory oversight, guiding our profession into the future. This board has a utilization review committee to review and determine sensibility or appropriateness of care provided and fees charged for services rendered by licensees to patients. While this committee is currently empty, it normally consists of three licensed chiropractors and one public member. We are actively seeking to restore membership to this committee. We encourage members of the public to come forward with complaints about the value of services, without a criminal component, to request a utilization review.

Senate Bill 69, setting forth statutory recognition of Certified Chiropractic Assistants, Interns, and Preceptors was signed into law on May 17th, 2016 and after an extension granted due the COVID pandemic, has been officially adopted for compliance on 2/23/2021.

This board met six times telephonically or via Zoom in 2020 for the purpose of discussing regular board business and to address the concerns surrounding the public health crisis associated with COVID-19. The chair of the board participated weekly with the chairs of other boards regulated under the Division of Commerce to evaluate the status of the COVID-19 pandemic, establish contingency plans, review State response to the needs of Alaska's citizens, and develop ongoing response by each respective board to the orders of the Governor and Legislature. This board also participated in a statewide complementary medicine work group to address concerns related to state mandates surrounding the pandemic. Through these efforts, statutes and regulations coupled with Emergency orders were set forth to the profession, coupled with best-practice guidelines to protect the People of Alaska and maintain ongoing practice of the profession of chiropractic throughout the State while complying with Emergency Orders. For new practitioners to the state, the offsite administration of the State Chiropractic Examination has proven to be beneficial for our new licensees, especially during the pandemic.

Our licensing examiner, Thomas Bay, turned over the reins to our newly hired examiner, Reid Bowman this year. Reid has stepped in with great enthusiasm, assisted by Mr. Bay and Records and Licensing Supervisor Cynthia Spencer, to offset the learning curve, providing outstanding organization and representation to the board and profession. We will continue to manage the operations of the board and look forward to a more open and prosperous 2022.

FY 2021 Narrative Statement (continued)

The on-going state travel ban continued to negatively impact the ability of this board to participate with the Federation of Chiropractic Licensing Boards (FCLB), the Association of Chiropractic Board Administrators (ABCA) and the National Board of Chiropractic Examiners (NBCE). Attendance at these national meetings allows the board and staff to be aware of issues concerning the practice of Chiropractic nationally, internationally, and to participate in programs involving licensing requirements, professional standards, public protection, regulation, and discipline. The income provided by this board to the State likely continues to be sufficient to fund attendance at these meetings and the out-of-state travel expense required for participation from our licensing fees. This cannot be understated--the effectiveness of this board is directly tied to its ability to act, meet, and communicate with national colleagues, to the modest extent allowed in the past.

In 2021, the needs of Alaskans are significantly different regarding their health than 30 years ago when chiropractic statute was last addressed. Dramatically increased health care costs, huge increases in health insurance, most of which continually limit and downgrade available coverages, the ever- exploding opioid epidemic and the onset of the COVID-19 pandemic in March 2020 through current have ravaged the resources of individuals, families, organizations and state government. Chiropractic offers a unique, cost-competitive and effective tool in addressing many of these challenges.

A vast and continual source of substance addiction for Alaskans is dealing with pain from injury, illness and lifestyle. Estimates of as high as 70% of new addicts come from prescription narcotic treatment from primary health care providers. Research clearly demonstrates that chiropractic treatment is at least as effective for short- and long-term care of low back pain and accomplishes that without the use of opioid medication. Headache treatment fills a large part of the remaining recruits into addiction, and again, chiropractic represents a better-than-par opioid free option to help stem the ever-growing inflow. Isolation, the loss of employment, and social isolation imposed in the attempt to control the spread of COVID-19 add huge emotional and psychological burdens, making physical pain and discomfort less tolerable. Chiropractic physicians are able to relieve many physical burdens, freeing other healthcare practitioners to address the psychological needs and improve the individual's ability to cope. The recruitment into addiction has to be quelled before the tide can be turned. Chiropractic physicians need to be placed on research panels, boards and commissions focusing on opioid addiction. Additionally, with the ever-increasing demand for professional health care, chiropractic physicians are uniquely qualified to meet that demand. Only chiropractic physicians can compare (and very well at that) to medical physicians and osteopaths in the depth and extent of training in clinical diagnosis, imaging, neurology, anatomy, physiology and training as primary care physicians. Chiropractic training has expanded specialty training into nearly all areas of health care and needs to be recognized for the truly outstanding care available to the public.

There is a great need to upgrade statutes and regulations to recognize the training, the developments and accomplishments of the chiropractic profession to better meet the needs of Alaskans as a whole, and a general desire by chiropractic physicians to step up to those roles. The need of the people of Alaska for increased access to testing and immunization for COVID-19 and other oncoming infections is real and can be met through changing statute and regulation of chiropractic practice, adding chiropractic physicians to the front line of medical providers prepared to meet this onslaught. Efficiency in the statutory and regulatory process will be needed. Involvement with national organizations such as the NBCE and FCLB will be needed. Chiropractic physicians having a place on councils, boards and commissions for opioid addiction will be needed. This board will continue to strive to protect and benefit the public while remaining vigilant of new trends in chiropractic practice and be proactive in need for regulation while staying current with technology, trends and issues as they develop.

Respectfully Submitted,
Alaska Board of Chiropractic Examiners

**BOARD OF CHIROPRACTIC EXAMINERS
Fiscal Year 2021 Annual Report**

Budget Recommendations for FY 2022

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
7/30/2021	Anchorage	5 (1 vacant)	2
<input checked="" type="checkbox"/> Airfare:			\$400.00
<input checked="" type="checkbox"/> Hotel:			\$360.00
<input checked="" type="checkbox"/> Ground:			\$40.00
<input checked="" type="checkbox"/> Other: Per Diem			\$160.00
Total Estimated Cost:			\$960.00

Board Meeting Date	Location	# Board	# Staff
10/29/2021	Originating from Juneau - Videoconference	5 (1 Vacant)	2
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

Board Meeting Date	Location	# Board	# Staff
2/11/2022	Juneau	5 (1 Vacant)	2
<input checked="" type="checkbox"/> Airfare:			\$3,200.00
<input checked="" type="checkbox"/> Hotel:			\$2,420.00
<input checked="" type="checkbox"/> Ground:			\$200.00
<input checked="" type="checkbox"/> Other: Per Diem			\$900.00
Total Estimated Cost:			\$6,720.00

BOARD OF CHIROPRACTIC EXAMINERS

Fiscal Year 2021 Annual Report

Budget Recommendations for FY 2022 (continued)

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
TBD	Originatin from Juneau - Videoconference	5 (1 Vacant)	2
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

Board Meeting Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

BOARD OF CHIROPRACTIC EXAMINERS

Fiscal Year 2021 Annual Report

Budget Recommendations for FY 2022 (continued)

Travel Required to Perform Examinations

Not applicable

Date	Location	# Board	# Staff
November 2021	TBD – Based off last location (LA, CA)	2	0

Description of meeting and its role in supporting the mission of the Board:

Board members are asked to participate in the National Board of Chiropractic Examiners Part IV Examination as proctors, and also as part of the testing steering committee. The NBCE **will reimburse** for lowest round-trip airfare, hotel, and reasonable ground transportation expenses. Costs are before reimbursement. This will only be an option if board members are allowed to receive the honorarium.

<input checked="" type="checkbox"/> Airfare:	\$950.00
<input checked="" type="checkbox"/> Hotel:	\$1,600.00
<input checked="" type="checkbox"/> Ground:	\$250.00
<input type="checkbox"/> Conference:	\$0.00
<input checked="" type="checkbox"/> Other:	\$594.00

Describe "Other" (break out all sections):

Total Estimated Cost: \$3,394.00

Out-of-State Meetings and Additional In-State Travel (Rank in order of importance)

#1 Rank in Importance or Not Applicable

Date	Location	# Board	# Staff
October 7-10	Whitefish, MT	2	1

Description of meeting and its role in supporting the mission of the Board:

NBCE and FCLB District Meeting: A meeting with other state boards and regulators from the western United States. This is the sole work based meeting for these organizations and is invaluable for the board to network and gain education about present and future concerns and direction for the profession.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$3,220.00	\$0.00	\$0.00	\$3,220.00
<input checked="" type="checkbox"/> Hotel:	\$1,521.00	\$0.00	\$0.00	\$1,521.00
<input checked="" type="checkbox"/> Ground:	\$60.00	\$0.00	\$0.00	\$60.00
<input checked="" type="checkbox"/> Conference:	\$885.00	\$0.00	\$0.00	\$885.00
<input checked="" type="checkbox"/> Other	\$720.00	\$0.00	\$0.00	\$720.00
Describe "Other" (break out all sections):	Meals and per diem			
Net Total:	\$6,406.00	\$0.00	\$0.00	\$6,406.00

**BOARD OF CHIROPRACTIC EXAMINERS
Fiscal Year 2021 Annual Report**

Budget Recommendations for FY 2022 (continued)

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
Membership Dues	FCLB	\$1,292.00

Description of item and its role in supporting the mission of the Board:

This item is the required membership fee for The Federation of Chiropractic Licensing Boards (FCLB). Membership gains the board access to a variety of services and benefits. Chief among these are access to meetings and forums aimed at protecting examining regulatory standards and public protection. Membership also allows access to the Chiropractic Information Network-Board Action Databank (CIN-BAD) system. Access to CIN-BAD allows the board to have access to interjurisdictional license action reports and is essential to performing proper due diligence prior to issuing licenses.

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

BOARD OF CHIROPRACTIC EXAMINERS

Fiscal Year 2021 Annual Report

Budget Recommendations for FY 2022 (continued)

Other Items with a Fiscal Impact

Cost Per Event: \$0.00

Not Applicable

Number of Events: 0

Product or Service	Provider	Total Cost
		\$0.00

Description of item and its role in supporting the mission of the Board:

Other Items with a Fiscal Impact

Cost Per Event: \$0.00

Not Applicable

Number of Events: 0

Product or Service	Provider	Total Cost
		\$0.00

Description of item and its role in supporting the mission of the Board:

Summary of FY 2022 Fiscal Requests

Board Meetings and Teleconferences:	\$7,680.00
Travel for Exams:	\$3,394.00
Out-of-State and Additional In-State Travel:	\$6,406.00
Dues, Memberships, Resources, Training:	\$1,292.00
Total Potential Third-Party Offsets:	-\$0.00
Other:	\$0.00
Total Requested:	\$18,772.00

BOARD OF CHIROPRACTIC EXAMINERS

Fiscal Year 2021 Annual Report

Legislation Recommendations Proposed Legislation for FY 2022

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

The following statutory changes are proposed by the Alaska Board of Chiropractic Examiners:

Substance Abuse Assistance to Professionals

AS 08.01.050(d) currently reads:

d) At the request of one of the following boards, the department may contract with public agencies and private professional organizations to provide assistance and treatment to persons licensed by the board who abuse alcohol, other drugs, or other substances:

- (1) Board of Social Work Examiners;
- (2) Board of Dental Examiners;
- (3) Board of Dispensing Opticians;
- (4) State Medical Board;
- (5) Board of Nursing;
- (6) Board of Examiners in Optometry;
- (7) Board of Pharmacy;
- (8) State Physical Therapy and Occupational Therapy Board;
- (9) Board of Professional Counselors;
- (10) Board of Psychologist and Psychological Associate Examiners;
- (11) Board of Veterinary Examiners; and
- (12) Board of Marital and Family Therapy.

We respectfully request to Add (13) Board of Chiropractic Examiners;

AS 08.20.230. Practice of chiropractic. The practice of chiropractic

(1) Addresses ramification of health and disease **[add] of the “whole” person**, with a special emphasis of biomechanical analysis, interpretation and treatment of the structural and functional integrity of skeletal joint structures, and the physiological efficiency of the nervous system as these matters relate to **[delete]** subluxation complex **[add] (joint dysfunction;)** and

(2) Involves the diagnosis, analysis, or formulation of a chiropractic diagnostic impression regarding the chiropractic conditions of the patient to determine the appropriate method of chiropractic treatment **[add] or referral.**

Rewrite to:

AS 08.20.900(3) Definition of “Chiropractic” to be amended to read:

(3) “Chiropractic is the primary-care clinical science of human health and disease that treats the “whole person”; chiropractic focuses on detection, correction and prevention of joint dysfunction and all biomechanical conditions, **without invasive surgery or opioid or narcotic drugs**, employing physiological therapeutics (physiotherapies) and ancillary methodology to enhance the body’s recuperative power. The primary vehicle of chiropractic core methodology is the chiropractic adjustment; however, chiropractic practice also includes the diagnosis, treatment or referral of all conditions and diseases of the “whole person”, and with proper education and training, the use of ancillary methodology.

BOARD OF CHIROPRACTIC EXAMINERS

Fiscal Year 2021 Annual Report

Legislation Recommendations Proposed Legislation for FY 2022 (continued)

Clarify/modify “Ancillary Methodology” (AS 08.20.900(1) to read:

“Ancillary methodology” means employing within the scope of chiropractic practice, with appropriate training and education, those methods, procedures, modalities, devices, and measures commonly used by trained and licensed health care providers, and includes **[add] but is not limited to:**

- (A) Physiologic therapeutics and physiotherapies;
- (B) Counselling on dietary regimen, sanitary procedures,
- (C) Use and interpretation of all diagnostic imaging;**
- (D) Use and interpretation of all clinical labs;**
- (E) Use of hypodermic and solid needles for drawing labs, administering prescription medications and nutritional substances or contrast agents, dry needling, acupuncture, electromyography, and similar techniques and procedures;**
- (F) All diagnostic and therapeutic techniques and procedures (excepting those prohibited under AS 08.20.100(c) as directly referring to AS 14.30.125, treating the “whole” patient.**

Further define “Chiropractic Examination” (AS 08.20.900(8) to read:

“Chiropractic Examination” means an examination of a patient conducted by a person licensed under this chapter, or by a chiropractic clinical assistant or chiropractic intern under the supervision of a person licensed under this chapter, for the **[delete] (express)** purpose of ascertaining whether symptoms of **[delete](subluxation complex) [add] (joint dysfunction)** exist and consisting of an analysis of the patient’s health history, current health status, results of diagnostic procedures, including x-ray and other diagnostic imaging devices, and postural, thermal, physical, neuro-physical, and spinal examinations that focuses on the discovery of (A) The existence and etiology of relationships of skeletal joint structures; and (B) Interference with normal nerve transmission and expression;

(C) [add] “Chiropractic Examination” diagnoses conditions and diseases of the “whole” person, and guides treatment or referral.

Professional Designation AS 08.20.155 Add (b). “A person obtaining a chiropractic specialty designation, in addition to chiropractic core methodologies, may practice all ancillary methodologies except invasive surgery, or procedures deeper than superficial tissues or requiring general regional anesthesia. This privilege includes, with appropriate training and education, administration and prescription of non-opioid legend drugs specified in AS 08.20.155(b) for treatment of conditions related to the practitioner's specialty. Prescription drugs shall be limited to non-narcotic analgesics, antibiotics, antifungals, antivirals, antihistamines, anti-inflammatories, hormones/bioidentical hormones, amide anesthetics, epinephrine, and substances defined as nutrition in regulation.”

BOARD OF CHIROPRACTIC EXAMINERS

Fiscal Year 2021 Annual Report

Regulation Recommendations Proposed Legislation for FY 2022

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

Proposed follow-up Regulation Chapter 12 Alaska Administrative Code

Add New Sections to 12 AAC 16:

A chiropractic specialist practicing ancillary therapies directly related to their specialty must demonstrate the following:

- (A) At least 5 years continuous practice in Alaska as a chiropractic physician;
- (B) Must have completed one or more of the recognized Diplomate programs (or equivalent training, i.e., Master's Degree) and be recognized by the certifying agency as a member in good standing;
- (C) Must have completed a minimum of ninety clinical and didactic contact course hours in pharmacology, pharmacognosy, medication administration and toxicology certified by an examination from an institution of higher education approved by the board;
- (D) Must complete continuing education on a biennial basis related to the areas of specialty-related Ancillary Methodology, as well as obtain continuing education required to maintain their Diplomate status with their certifying agency;

A chiropractic physician administering nutritional substances via injection must have completed:

- (A) A minimum of two (2) years practice in Alaska as a chiropractic physician;
- (B) A minimum of ninety clinical and didactic contact course hours in pharmacology, pharmacognosy, medication administration and toxicology certified by an examination from an institution of higher education approved by the board;
- (C) And must complete continuing education on a biennial basis related to the administration of nutritional substances as approved by the board.

12 AAC 16.910 is Amended to read:

12 AAC 16.910. Administering nutritional substances. (a) A chiropractic physician may administer a nutritional substance intended for oral, topical, or transdermal use. (b) A chiropractic physician who has completed board approved post-graduate training in nutrition may administer a nutritional substance by oral, topical, transdermal, injection, or intravenous drip. A chiropractic specialist may administer all non-opioid pharmaceutical drugs and nutrition in direct relationship to their specific specialty.

Authority: AS 08.20.100 AS 08.20.900.

Chiropractic practice from the beginning has held the use of vitamins, minerals, herbs, homeopathic and generally held "nutrition" (AS08.20.900(12)(B)) as an essential therapy supplementing chiropractic core methodology and foundational philosophy of healing without the use of prescription drugs. This is consistent to this day and is a primary component that differentiates chiropractic practice from conventional health care. However, with advancements in research, particularly research in the efficacy of these "nutritional" substances confusion arises, especially in communicating about what is nutrition and what is a prescription drug.

BOARD OF CHIROPRACTIC EXAMINERS
Fiscal Year 2021 Annual Report

Regulation Recommendations Proposed Legislation for FY 2022 (continued)

12 AAC 16.990(a) is Amended by adding a new section:

(9) “nutrition or nutritional substance” means a vitamin, mineral, plant or extract, herb or extract, homeopathic, glandular or whole tissue or extract, sugar, amino acid product, enzyme, or saline, intended for use in the diagnosis, treatment, or prevention of disease in humans; nutritional substances include food grade and pharmaceutical grade substances that can be purchased by professionals without a federal Drug Enforcement Administration registration.

Authority: AS 08.20.100 AS 08.20.900.

12 AAC 16.990(b)(1) is Amended by adding a new section:

(C) a “prescription drug” does not include a nutritional substance as defined in (9) of this section;

12 AAC 16.990(b)(2) Repeal and Replace (2)(A) and (B):

(A) “surgery” means the permanent structural alteration of the human body by alteration of living tissues for the purpose of diagnostic, therapeutic or aesthetic treatment of the human condition;

(B) Surgery does not include removing superficial foreign bodies from the human body, venipuncture, suturing, injections, dry needling or removal of dead tissue.

Authority: AS 08.20.055 AS 08.20.900

Regulation for Modifying Current Definition of Surgery;

12 AAC 16.990 Definitions (b) (2) “Surgery.”

(A) means the use of a scalpel, sharp cutting instrument, laser, electrical current, or other device to incise or remove living tissue; (B) does not include venipuncture or the removal of foreign objects from external tissue. (Current language.)

The American College of Surgeons definition:

Surgery is performed for the purpose of structurally altering the human body by incision or destruction of tissues and is part of the practice of medicine. Surgery also is the diagnostic or therapeutic treatment of conditions or disease processes by any instruments causing localized alteration or transportation of live human tissue, which include lasers, ultrasound, ionizing radiation, scalpels, probes, and needles. The tissue can be cut, burned, vaporized, frozen, sutured, probed, or manipulated by closed reduction for major dislocations and fractures, or otherwise altered by any mechanical, thermal, light-based, electromagnetic, or chemical means. Injection of diagnostic or therapeutic substances into body cavities, internal organs, joints, sensory organs, and the central nervous system is also considered to be surgery. (this does not include administration by nursing personnel of some injections, such as subcutaneous, intramuscular, and intravenous when ordered by a physician). All these surgical procedures are invasive, including those that are performed with lasers, and the risks of any surgical intervention are not eliminated by using a light knife or laser in place of a metal knife or scalpel. Patient safety and quality of care are paramount, and the College therefore believes that patients should be assured that individuals who perform these types of surgery are licensed physicians (defined as Doctor of Medicine or osteopathy) who meet appropriate professional standards. Adopted by American Medical Association House of Delegates, 2007.

BOARD OF CHIROPRACTIC EXAMINERS
Fiscal Year 2021 Annual Report

Regulation Recommendations Proposed Legislation for FY 2022 (continued)

Consistent within states that have adopted a definition of surgery are definitions that stipulate that surgery “irreversibly transforms human tissue”, is a procedure performed for the purpose of intentionally structurally altering the human body.

“Surgery” means the structural alteration of the human body by the incision of or cutting into the tissue for the purpose of diagnostic or therapeutic treatment...but does not include: procedures for the removal of superficial foreign bodies from the human body, punctures, injections, dry needling, acupuncture, or removal of dead tissue.

(Virginia, 2012, Title 54.1-2400.01.1).

In Alaska, the only professional boards to have a standing definition of surgery in codified regulation is Chiropractic and Naturopathy. The current definition of “2) "surgery" (A) means the use of a scalpel, sharp cutting instrument, laser, electrical current, or other device to incise or remove living tissue;”.

When this constitutes the total verbiage of the definition, literal interpretation overrides any intent. Confusion arises with the following line “(B) does not include venipuncture or removal of foreign objects from external tissue.” Interpretation from the Alaska Department of Law (Minutes, February 1, 2019 meeting of the Alaska Board of Chiropractic Examiners) states that a hypodermic needle “incises” tissue to perform its various tasks, and therefore injection, drawing blood, or piercing the body with a needle (i.e. suture or dry needling) is surgery. This is used as justification to not allow injection of nutrients within the scope of chiropractic practice, as well as precludes closure of superficial laceration with suture if appropriately trained. All definitions of surgery given by the American College of Surgeons or other states adopting definitions include the deliberate intent to alter, change or destroy living tissue through surgical procedures. Injecting a medication into subcutaneous, IM, IV or intraarticular cannot be construed to deliberately alter the penetrated tissue. In fact, by using a very sharp cutting needle, tissue integrity is best maintained. Intent is the functional determinant here. The definition adopted by Virginia is an accurate and fair definition.

BOARD OF CHIROPRACTIC EXAMINERS
Fiscal Year 2021 Annual Report

Goals and Objectives

Part I

FY 2021's goals and objectives, and how they were met:

Goal 1: *Carry out assigned duties of the board:*

- **Objective 1: Conduct a minimum of three board meetings this year with different regional locations in the state to allow for public attendance and meeting transparency.** The board met 6 times in FY 2021 all by teleconference: 4 times for regularly scheduled board meetings, and twice for special reasons. The board administered jurisprudence exams remotely and were able to review and approve applications in a generally timely manner. The board reviewed all investigative memorandums.
- **Objective 2: Continue timely processing of applications and licensing of chiropractic physicians.** With the complications of budget restrictions further impaired by COVID-19, the staff did an amazing job keeping current and abreast of needs related to licensing. Systematic review of relicense individuals, and on occasion, with board approval, making special arrangements due to loss of forms for new licensees to complete the process in a timely manner.
- **Objective 3: Continue to monitor investigative reports, monitor disciplinary actions, and provide professional direction to division investigative staff regarding disciplinary actions, probation matters, criminal history record information, and chiropractic practice;** This last year has seen a significant upturn in both the number and severity of disciplinary matters in the state. Significant time has been required of board members to address questions from city and state investigators, relay information to Division investigators to act as Primary liaisons with these parties and testify in Grand Juries as to the particulars of State Chiropractic law and regulation, particularly ethics and boundaries.
- **Objective 4: Utilize the National Board of Chiropractic Examiners (NBCE) Special Purposes Examination for Chiropractic (SPEC) and Ethics & Boundaries examination (E&B) in memorandum of agreements;** This is in the final steps of completion to be a live service available nationally.
- **Objective 5: Continue to review and process continuing education credit approval in a timely manner.** With the advent of COVID-19, all live continuing education nationwide was cancelled, and it became necessary for the board to reduce the total combined education for the year to one-half of the total, all available online.
- **Objective 6: Continue to administer the jurisprudence examination as part of licensure. Consider utilizing NBCE services to administer the jurisprudence examination at certified testing centers in Alaska and nationwide, saving time and expense for applicants, and relieving the Department of Commerce of the responsibility of hosting those tests at a state office four times a year.** Jurisprudence examination is still an integral part of licensing. The process of utilizing the NBCE to make that available four times per year across the nation at appropriate testing centers is in its final stages.

Goal 2: *Provide information regarding board activities to the profession and the public:*

- **Objective 1: Inform licensees of any pending regulation changes in the customary manner.** All communication with licensees is made through the board website, and in cases that will alter standing laws and practices, each will be notified through direct email or mail.
- **Objective 2: Provide a public comment period during each meeting. This is scheduled per public meeting law for each board meeting.** Each meeting conducted through this last year began with a roll call specifically requesting the presence of any public member besides the invited board members and state personnel, and time was specifically scheduled in each agenda, and again a call issued, for public members. Several members of the public took advantage of this opportunity.

BOARD OF CHIROPRACTIC EXAMINERS
Fiscal Year 2021 Annual Report

Goals and Objectives (continued)

Part I (continued)

FY 2021's goals and objectives, and how they were met:

- **Objective 3: Address concerns presented by licensees and the public at each meeting.** See above. Additionally, any correspondence received by licensees or public members was reviewed by this board and appropriately acted upon and notice of all outcomes returned to those individuals.
- **Objective 4: Provide copies of agendas and/or minutes of the meetings to all who request them.** Such was accomplished by the licensing examiner and was posted in advance on the board website.
- **Objective 5: Continue to work with other licensing boards, at both the district and national level.** Due to continuing budget restrictions with the COVID-19 pandemic restrictions added, all travel and in-person interaction with this board was terminated. Without the ability to travel for national and district meetings, this becomes very difficult. The Fall '20 District FCLB/NCBE meeting was cancelled, and the Spring '21 national meeting was restricted to online attendance. Given the national meeting (by agenda) was strictly political office changes, no members of this board attended though the opportunity existed for online participation.

This board, which operates well within its budget must have the opportunity for the volunteers who serve on the board and state personnel to interact with district and national level boards and personnel, to best serve the needs of the board in keeping current, obtaining training, and being alert and attentive to the commission to protect the public.

- **Objective 6: Continue to address the reporting requirements for domestic violence and sexual assault;** Board members will continue to be educated on the requirements of Alaska law considering this requirement. Several cases regarding such activity by practitioners have been addressed by this board, and action taken by the state.
- **Objective 7: Seek and support efforts to educate the governor, state legislators, and the public regarding the benefit of chiropractic care as a health care option, and the particular opportunities to efficiently recover from work injuries (Workers Comp), and deal with pain without opiate prescriptions;** This is the responsibility of members of the board, the ACS, and individual practitioners to discuss with lawmakers, staff, patients and the public at every opportunity the safety, efficacy, and particularly the success of chiropractic in maintaining and restoring health and function, especially without the use of opiates. This is an ongoing obligation of all practitioners of this profession.
- **Objective 8: Raise awareness regarding public health, emergency training, hazardous material, and OSHA requirements;** See description 7 above.
- **Objective 9: Ensure current information is available on the board website through regular updates by staff and regular monitoring by board members.** All bulletins, regulation updates, practice guidelines and public notices are posted to the web site by the licensing examiner and other Department. of Commerce personnel and reviewed regularly by board members for accuracy and completeness. Reid Bowman, current licensing examiner and previous examiner Thomas Bay have done a marvelous job of staying current with this information.

Goal 3: *Continue affiliation with the Alaska Chiropractic Society (ACS) to work cooperatively in the best interest of the public and the profession:*

BOARD OF CHIROPRACTIC EXAMINERS
Fiscal Year 2021 Annual Report

Goals and Objectives (continued)

Part I (continued)

FY 2021's goals and objectives, and how they were met:

- **Objective 1: Encourage regular Alaska Chiropractic Society (ACS) participation at board meetings.** The Executive Director of the ACS, Sheri Ryan, was present online at all meetings of the board through this last year. On a frequent basis, Ms. Ryan was in touch with the chair of the board or the licensing examiner for interpretation of laws and statutes, or to report information regarding performances of practitioners. This is a very strong and positive relationship that should be cultured to continue and strengthen.
- **Objective 2: Support the Alaska Chiropractic Society in its efforts to provide information to the profession and the public.** The board has been quick to respond with interpretation of laws and regulations and to give whatever support is possible to the ACS.
- **Objective 3: Support the Alaska Chiropractic Society in pursuit of statutory changes or additions that expand the scope of chiropractic practice to provide better portal-of-entry service for the public and for those who wish to utilize their chiropractic physician efficiently as their primary care physician.** The board responds appropriately as it can. A request was made this last year for support from the ACS Legislative Committee for a legislative proposal to revise and modernize state chiropractic statute to enable the board as advised by the Department of Law to be able to modify or create new regulation related to chiropractic scope of practice. The ACS Legislative Committee is working to unify the general membership and bring their influence to bear on such an effort. This will be an ongoing endeavor given the current structure and agenda of the Alaska Legislature.

Goal 4: Assess and evaluate regulations:

- **Objective 1: Continue to assess and evaluate continuing education requirements for quality, relevance, and application of scientific chiropractic research and practice.** This is an ongoing function of the board.
- **Objective 2: Continue to assess and evaluate radiological safety, professional ethics and boundaries, public health, and emergency training.** This is an ongoing function of the board and will focus on developing a matrix of disciplinary measures consistent with those put forward by other boards, i.e., medical, nursing and dentistry. Consistency among response among all professionals is critically important
- **Objective 3: Proactively make recommendations through regulation and recommend changes to statute to anticipate changes in the health industry.** Refer to statutory and regulatory legislative proposal.

Goal 5: Assess and evaluate the review process available through the Utilization Review Committee (URC):

- **Objective 1: Direct appropriate inquiries to the committee for review and recommendations.** The URC is a committee composed of four members, three chiropractic physicians and one public member. The review and make recommendations in complaints dealing with appropriateness/frequency of treatment and cost of care. Use of the URC is occasional, but invaluable when needed.
- **Objective 2: Keep the committee roster fully staffed with three chiropractic physicians and one public member at all times.** Currently that committee has timed out during this last year and is in need of replacing all members. This is a priority of the board to remedy.
- **Objective 3: Maintain a list of alternate committee members to fill vacancies or recusals as needed.** Given COVID-19 and whatever other reasons, this list is also vacant. This is a priority of the board to remedy for the coming year.

BOARD OF CHIROPRACTIC EXAMINERS
Fiscal Year 2021 Annual Report

Goals and Objectives (continued)

Part I (continued)

FY 2021's goals and objectives, and how they were met:

Goal 6: *Continue affiliation and improve interaction with the Federation of Chiropractic Licensing Boards (FCLB), The National Board of Chiropractic Examiners (NBCE), the Association of Chiropractic Board Administrators (ACBA), and the Council on Chiropractic Education (CCE) as well as the Council on Licensure, Enforcement, and Regulation (CLEAR) and the Federation of Association of Regulatory Boards (FARB):*

- **Objective 1: Provide attendance of a board member and the examiner to the district and annual meetings of the FCLB and NBCE, to provide input and obtain information at both national and state levels regarding the practice of chiropractic in Alaska.** This was not accomplished due to COVID-19 this year.
- **Objective 2: Continue working with the FCLB on maintaining a listing of Alaskan chiropractic physicians on the National Database (CIN-BAD).** This continues as outlined.
- **Objective 3: Promote attendance of board members, past and present, to the semi-annual NBCE Part IV Examinations and Part IV Examination Review Committee meetings of the NBCE to provide input and obtain information on the Exams required for chiropractic licensure in Alaska and other states.** While it was generally accepted "fact" that prior governors had banned the receipt of the professional honorarium offered by the NBCE as well as covering the personal travel and time these doctors invest without compensation from the State or NBCE to participate in this NBCE Part 4 testing process, a memorandum forwarded to the chair of this board by Director Sara Chambers late in Spring 2021 appears to demonstrate exactly the opposite. The Opinion dated April 19, 2012, indicates that such is an appropriate action of board members, that the honorarium rendered does not exceed the maximum amount allowed as gifts under ethics law, and is a cost born by the NBCE, not the State of Alaska,
- **Objective 4: Promote the attendance of board members and the licensing examiner at the annual meetings of the ACBA and the FCLB to provide input and obtain information at both national and state levels, regarding matters impacting regulation and licensure of Alaskan chiropractic physicians.** Again, due to COVID-19, such attendance was not allowed during FY2020.

Goal 7: *The board will endeavor, through the legislative process, to add the Board of Chiropractic Examiners to relevant centralized and non-centralized statutes that enhance the profession and its administrative efficiency:*

- **Objective 1: The board will pursue inclusion in AS 08.01.050(d) for the purpose of providing licensed chiropractic physicians the resources needed to address abuse of alcohol, drugs or other substances that are granted to all other professional boards.** This element was foremost on the Legislative Proposal that was sent to several leaders of the Alaska Senate and House that was authored by Drs. Larson and Morris, board members working as a subcommittee appointed by the board. Unfortunately, the proposal was dropped by the original recipient due to sickness and staffing shortage secondarily to COVID-19, and other legislators did not have time to prepare and introduce it this session as the session was in progress and not sufficient time for passing through the process.
- **Objective 2: The board will pursue authority under AS 08.20 to create an additional scope of practice status for chiropractic physicians who pursue additional training and certifications to utilize non-narcotic drugs, ancillary therapies and procedures beyond chiropractic core methodology and commonly used by other Alaskan health care professionals and specialists.** This also was a portion of the legislative proposal set forth by the board. The board with assistance of the ACS will continue to seek sponsorship and pre-filing with the 33rd Alaska Legislature in FY 21-22.

BOARD OF CHIROPRACTIC EXAMINERS
Fiscal Year 2021 Annual Report

Goals and Objectives

Part II

FY 2022's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

Goal 1: *Carry out assigned duties of the board:*

- **Objective 1: Conduct a minimum of three board meetings this year with different regional locations in the state to allow for public attendance and meeting transparency.** Currently the board has four regular board meetings scheduled, of which we are requesting funding to attend two in-person meetings to be held early this next fiscal year and one scheduled for the second week of February 2022 to be available in person to the Alaska Legislature. The other regular meetings will be via Zoom. There will be a need for meetings held in response to disciplinary matters or other investigative/administrative needs. These will be held via Zoom, telephonically or in urgent matters, via email, as needed.
- **Objective 2: Continue timely processing of applications and licensing of chiropractic physicians.** With the imminent onset of jurisprudence and SPECT testing online, much of the application process will come on a first-come basis and will be processed as application is made. This represents a significant savings in time and resources.
- **Objective 3: Continue to monitor investigative reports, monitor disciplinary actions, and provide professional direction to division investigative staff regarding disciplinary actions, probation matters, criminal history record information, and chiropractic practice;** Given the significant increase last year in both the number and severity of disciplinary matters in the state, this will be a significant activity of the board. To this point, the board has never revoked a license. This may well play a part in the increase of number and severity. The purpose of sentencing for criminal offenses is to first, stop the crime being committed; secondly, to assist in rehabilitating the offender, and third, to prevent others from committing the same offense. The laxity in board sentences may well play into current increases. Therefore, the board will focus efforts on developing and instituting a matrix of disciplinary measures patterned after the Boards of Medicine and Nursing, and as currently being prepared by the Board of Dentistry. This will standardize disciplinary action of the board and bring consistency among the professions of the state. The current "norms" sit significantly below those established guidelines.
- **Objective 4: Utilize the National Board of Chiropractic Examiners (NBCE) Special Purposes Examination for Chiropractic (SPEC) and Ethics & Boundaries examination (E&B) in memorandum of agreements.** This is in the final steps of completion to be a live service available nationally. This can be a very valuable tool in assessing preparation to return to professional service as a part of rehabilitation of offenses.
- **Objective 5: Continue to review and process continuing education credit approval in a timely manner.** With COVID-19 restrictions and mandates being lifted, likely we will return to 32-hours of regular in-person and online continuing education. Careful consideration will be given to the current appropriateness of Ethics & Boundaries training.
- **Objective 6: Continue to administer the jurisprudence examination as part of licensure.** Jurisprudence examination is still an integral part of licensing but appears to be one of the most violated areas of chiropractic practice. Utilizing the NBCE to make that available four times per year across the nation at appropriate testing centers will be a valuable asset to new applicants. Careful consideration of Boundaries & Ethics will be reviewed by the board for relicensing.

BOARD OF CHIROPRACTIC EXAMINERS
Fiscal Year 2021 Annual Report

Goals and Objectives (continued)

Part II (continued)

FY 2022's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

Goal 2: *Provide information regarding board activities to the profession and the public:*

- **Objective 1: Inform licensees of any pending regulation changes in the customary manner.** All communication with licensees is made through the board website, and in cases that will alter standing laws and practices, each will be notified through direct email or mail. This will continue.
- **Objective 2: Provide a public comment period during each meeting. This is scheduled per public meeting law for each board meeting.** Care will be given to make sure public comment period is scheduled on each meeting agenda. All additional meetings will be properly public noticed.
- **Objective 3: Address concerns presented by licensees and the public at each meeting.** See above. Additionally, any correspondence received by licensees or public members will be immediately addressed by the board or designee, and outcomes returned to those individuals.
- **Objective 4: Provide copies of agendas and/or minutes of the meetings to all who request them.** Such was accomplished by the licensing examiner and was posted in advance on the board website. This practice will continue.
- **Objective 5: Continue to work with other licensing boards, at both the district and national level.** Specific request has been made to meet with District FCLB/NBCE in October 2021 in Whitefish, Montana and with the National Boards in the Spring of 2022. In addition to such boards, the Chairs of all professional boards under the State of Alaska, Department of Commerce have met weekly through 2020 and biweekly through 2021 to date since the onset of COVID-19 in the spring of 2020. This has been to develop contingency plans for worst case scenarios, review and implement emergency regulations, and coordinate efforts among boards to be united in effort. In addition, all board members were invited to participate in an Interdisciplinary Physical Medicine compact to develop specific instructions and recommendations to the chiropractic practitioner community in coordination with massage therapy, physical therapy and other related disciplines for compliance with Emergency Regulations from the Governor and Legislature. This was successfully completed; Chiropractic was the first submitting profession.
- **Objective 6: Continue to address the reporting requirements for domestic violence and sexual assault;** Board members will continue to be educated on the requirements of Alaska law considering this requirement. Bringing the information to the forefront of attention of practitioners is a priority.
- **Objective 7: Seek and support efforts to educate the governor, state legislators, and the public regarding the benefit of chiropractic care as a health care option, and the particular opportunities to efficiently recover from work injuries (Workers Comp), and deal with pain without opiate prescriptions;** A large part of this is forwarded in the Legislative Proposal from this last year and carried forward for sponsorship for this coming 33rd Legislature. This will also remain a priority for the ACS.
- **Objective 8: Raise awareness regarding public health, emergency training, hazardous material, and OSHA requirements.**
- **Objective 9: Ensure current information is available on the board website through regular updates by staff and regular monitoring by board members.**

BOARD OF CHIROPRACTIC EXAMINERS

Fiscal Year 2021 Annual Report

Goals and Objectives (continued)

Part II (continued)

FY 2022's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

Goal 3: *Continue affiliation with the Alaska Chiropractic Society (ACS) to work cooperatively in the best interest of the public and the profession:*

- **Objective 1: Encourage regular Alaska Chiropractic Society (ACS) participation at board meetings.** The board will continue to appraise ACS of the scheduling of board meetings and movements of the board. Time will continue to be budgeted into meeting agendas for updates on ACS activities and needs, and we will continue to receive calls as necessary for clarifications. This is a very strong and positive relationship that should be cultured to continue and strengthen.
- **Objective 2: Support the Alaska Chiropractic Society in its efforts to provide information to the profession and the public.** The board has been quick to respond with interpretation of laws and regulations and to give whatever support is possible to the ACS. This will continue.
- **Objective 3: Support the Alaska Chiropractic Society in pursuit of statutory changes or additions that expand the scope of chiropractic practice to provide better portal-of-entry service for the public and for those who wish to utilize their chiropractic physician efficiently as their primary care physician.** The prepared Legislative Proposal will continue to be worked on and sponsorship sought for the 33rd Legislative session. Much of the previously stated goal lies herein, specifically to resolve the conflict of interests between needs of patients and desires of licensees, and to be able to provide update regulation to accomplish this while resolving the conflict with outdated statute.

Goal 4: *Assess and evaluate regulations:*

- **Objective 1: Continue to assess and evaluate continuing education requirements for quality, relevance, and application of scientific chiropractic research and practice.** Thanks to Dr. Risch, a former board member, who religiously reviews every application for credits for continuing education and gives his input to the board for guidance. We will evaluate the use of such assignments and either continue or terminate such as recommended by the Department. of Law.
- **Objective 2: Continue to assess and evaluate radiological safety, professional ethics and boundaries, public health, and emergency training.** Radiology, advanced imaging, and radiologic safety continue to be a priority of continuing education. A full 25% of continuing education is focused on these topics. In addition, we have a very active Office of Radiologic Safety operating as a regulator for the State of Alaska, assuring radiation units comply with current rules and practice, which has been missing for some time. Kudos to them!
- **Objective 3: Proactively make recommendations through regulation and recommend changes to statute to anticipate changes in the health industry.** This board is very active in this aspect as is demonstrated by the current Legislative Proposal seeking support for the 33rd Alaska Legislature.

Goal 5: *Assess and evaluate the review process available through the Utilization Review Committee (URC):*

- **Objective 1: Direct appropriate inquiries to the committee for review and recommendations.** At the forefront of board efforts is the refilling of this committee. All members timed out this last year. While a call has been put out for new members, it must be followed through and completed, as this is a great burden the committee can lift from board responsibility.
- **Objective 2: Keep the committee roster fully staffed with three chiropractic physicians and one public member at all times.** Currently that committee has timed out during this last year and is in need of replacing all members. This is a priority of the board to remedy.

BOARD OF CHIROPRACTIC EXAMINERS

Fiscal Year 2021 Annual Report

Goals and Objectives (continued)

Part II (continued)

FY 2022's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

- **Objective 3: Maintain a list of alternate committee members to fill vacancies or recusals as needed.** Given COVID-19 and whatever other reasons, this list is also vacant. This is a priority of the board to remedy for the coming year.

Goal 6: *Continue affiliation and improve interaction with the Federation of Chiropractic Licensing board (FCLB), The National Board of Chiropractic Examiners (NBCE), the Association of Chiropractic Board Administrators (ACBA), and the Council on Chiropractic Education (CCE) as well as the Council on Licensure, Enforcement, and Regulation (CLEAR) and the Federation of Association of Regulatory Boards (FARB:)*

- **Objective 1: Provide attendance of one to two board members and the examiner to the district and annual meetings of the FCLB and NBCE, to provide input and obtain information at both national and state levels regarding the practice of chiropractic in Alaska.** With easing of COVID restrictions, if funding is approved by the State, attendance at the District FCLB meeting in Whitefish, Montana, becomes a distinct possibility. This meeting is of the greatest benefit to board and state personnel.
- **Objective 2: Continue working with the FCLB on maintaining a listing of Alaskan chiropractic physicians on the National Database (CIN-BAD).** This continues as outlined.
- **Objective 3: Promote attendance of board members, past and present, to the semi-annual NBCE Part IV Examinations and Part IV Examination Review Committee meetings of the NBCE to provide input and obtain information on the Exams required for chiropractic licensure in Alaska and other states.** While it was generally accepted "fact" that prior governors had banned the receipt of the professional honorarium offered by the NBCE as well as covering the personal travel and time these doctors invest without compensation from the State or NBCE to participate in this NBCE Part 4 testing process, a memorandum forwarded to the chair of this board by Director Sara Chambers late in Spring 2021 appears to demonstrate exactly the opposite. The opinion dated April 19, 2012, indicates that such is an appropriate action of board members, that the honorarium rendered does not exceed the maximum amount allowed as gifts under ethics law, and is a cost born by the NBCE, not the State of Alaska, therefore is not forbidden under ethical behavior laws or other considerations from the State. This will be reviewed, and the details implemented by the board this coming year for those wishing/willing to attend.

Goal 7: *The board will endeavor, through the legislative process, to add the Board of Chiropractic Examiners to relevant centralized and non-centralized statutes that enhance the profession and its administrative efficiency:*

- **Objective 1: The board will pursue inclusion in AS 08.01.050(d) for the purpose of providing licensed chiropractic physicians the resources needed to address abuse of alcohol, drugs or other substances that are granted to all other professional boards.** This element is foremost on the Legislative Proposal authored by Drs. Larson and Morris, board members working as a subcommittee appointed by the board. Efforts of board members and ACS will work diligently to find a sponsor and co-sponsors for this action in the 33rd Alaska Legislature.
- **Objective 2: The board will pursue authority under AS 08.20 to create an additional scope of practice status for chiropractic physicians who pursue additional training and certifications to utilize non-narcotic drugs, ancillary therapies and procedures beyond chiropractic core methodology (and labeled by statute as Ancillary Methodology) and commonly used by other Alaskan health care professionals and specialists.** This also is a portion of the legislative proposal set forth by the board. The board with assistance of the ACS will continue to seek sponsorship and pre-filing with the 33rd Alaska Legislature in FY 21-22.

BOARD OF CHIROPRACTIC EXAMINERS
Fiscal Year 2021 Annual Report

Sunset Audit Recommendations

Date of Last Legislative Audit: July 24, 2013
Board Sunset Date: June 30, 2022

Audit Recommendation:	The Office of the Governor should make Board appointments in compliance with statutory requirements.
Action Taken:	As this recommendation was for the Office of the Governor, neither the Board nor Division have the authority to take any action. There is currently one board seat open, which was recently vacated due to a conflict of interest by the public member.
Next Steps:	Await Gubernatorial appointment of a new public member.
Date Completed:	March 1, 2016

Audit Recommendation:	The Division of Corporations, Business and Professional Licensing’s Director should continue efforts to improve the investigative case management system’s integrity and confidentiality.
Action Taken:	Negotiated the GLS contract in 2016 and will continue to use the system through 2020, under the current contract, with process improvements. The Division supervisors, staff and the investigations unit participate in annual training. Additionally, the Director updated the policy and procedures for handling affirmative responses to professional fitness questions in 2011, and with the assistance of the Chief Investigator, further clarified the business process in 2016.
Next Steps:	We are working with GLS to refine data fields to more accurately capture the information required.
Date Completed:	2016