

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation No. 201 KAR 21:042

Contact Person: Clayton Patrick
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(1) Provide a brief summary of:

(a) What this administrative regulation does:

KRS 312.019(9) authorizes the Kentucky Board of Chiropractic Examiners to promulgate administrative regulations consistent with KRS Chapter 312, regulating the practice of chiropractic. This administrative regulation establishes requirements relating to continuing education.

(b) The necessity of this administrative regulation: This administrative regulation is required by KRS 312.019.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 312.019(9) authorizes the Kentucky Board of Chiropractic Examiners to promulgate administrative regulations consistent with KRS Chapter 312, regulating the practice of chiropractic. This administrative regulation establishes requirements relating to continuing education.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation assists in the effective administration of KRS Chapter 312 by carrying out the legislative mandate for the board to establish regulations for the practice of chiropractic.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment will clarify the standards for continuing education and make a technical correction to reference a new form and delete obsolete forms.

(b) The necessity of the amendment to this administrative regulation: The amendment is necessary to clarify the standards for continuing education and make technical corrections to reference a new form and delete obsolete forms.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 312.019(9) authorizes the Kentucky Board of Chiropractic Examiners to promulgate administrative regulations consistent with KRS Chapter 312, regulating the practice of chiropractic. This administrative regulation sets standards for continuing education and makes a technical correction to reference a new form and delete obsolete forms.

(d) How the amendment will assist in the effective administration of the statutes: See 2(c) above.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This amendment to the administrative regulation will have no affect other than to clarify established standards for continuing education and reference a new form and delete obsolete forms.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: No additional actions will be needed.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): No cost.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The change combines two existing forms into one form which will reduce confusion by providers and any delay in approval.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: None. This administrative regulation does not create a cost for the administrative body

(b) On a continuing basis: None. This administrative regulation does not create a cost for the administrative body

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The Kentucky Board of Chiropractic Examiners is self-funded through the fees paid by licensees. No additional funding is necessary for the implementation and enforcement of this administrative regulation.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increases in fees or funding is necessary to implement the amendment to this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This regulation does not establish any fees.

(9) TIERING: Is tiering applied? (Explain why or why not): Tiering is not applicable because similarly situated licensees are treated similarly under this administrative regulation.

FISCAL NOTE

Regulation No. 201 KAR 21:042

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(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Board of Chiropractic Examiners.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 312.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fires, or school districts) for the first year? This regulation will not generate revenue for state or local government.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? None.

(c) How much will it cost to administer this program for the first year? There are no additional costs to administer this program.

(d) How much will it cost to administer this program for subsequent years? There will be no additional cost to the agency.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year? None.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years? None.

(c) How much will it cost the regulated entities for the first year? This regulation should add no additional cost to the licensed chiropractor in obtaining continuing education and may reduce the costs associated with time and travel to the event.

(d) How much will it cost the regulated entities for subsequent years? The cost of obtaining required continuing education only, which cannot now be determined.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-): None

Expenditures (+/-): None

Other Explanation:

(5) Explain whether this administrative regulation will have a major economic impact, as defined below. "Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)]. This administrative regulation will not have a major economic impact.

SUMMARY OF MATERIALS INCORPORATED BY REFERENCE
201 KAR 21:042

"PACE Pre-Check Expedited Course Submission for Kentucky form", (2020) is the form the KBCE and its Continuing Education Committee require to be used for program consideration which sets forth the criteria for approving any online program for continuing education credit and which must be submitted 60 days prior to the date of a program.

"Kentucky Board of Chiropractic Examiners Continuing Education Application", September 2022, is the form the KBCE and its Continuing Education Committee require to be used for program consideration which sets forth the criteria for approving any program for continuing education credit and which must be submitted 60 days prior to the date of a program.

SUMMARY OF CHANGES TO MATERIALS INCORPORATED BY REFERENCE
201 KAR 21:042

The "PACE Pre-Check Expedited Course Submission for Kentucky form", (2020) and the "Kentucky Board of Chiropractic Examiners Continuing Education Application", September 2022, were combined into one form for both live and online continuing education program use in an effort to reduce confusion among providers as to which form to use. The confusion often caused a delay in approval. The content for both forms is essentially the same, only combined into one form, reformatted, and renamed "Application for Continuing Education", DPL-KBCE-05, March 2023.