

	PAGE
Small Agency Profile	2
Agency Fiscal Page (Gov Rec)	7
Change Summary	8
Agency Change Items	
⇒ Convert to Dedicated Funding	9
⇒ Animal Chiropractic Fee	10
Agency Revenue Summary Fiscal Page	11
⇒ Designates that this item is a change item	

Agency Purpose

The Minnesota Board of Chiropractic Examiners (MBCE) was established by legislative act on 3-13-1919. Minnesota Statutes 148.01-148.108 and Minnesota Rules 2500 give the board authority to regulate, to license by examination and renewal, and to investigate complaints.

The mission of the MBCE is to protect the public through effective licensure and enforcement of the statutes and rules governing the practice of chiropractic to ensure a standard of competent and ethical practice is in profession.

At a Glance

Credentialing Services (As of 6/30/2010)

- 2819 Licensed Chiropractors (2662 Active; 157 Inactive)
- 644 Acupuncture Registrations
- 663 Professional Firm Registrations
- 53 Independent Examiner Registrations
- 20 Animal Chiropractic Registrations
- 37 Graduate Preceptor Registrations

New Licenses/Registrations FY 2010

- 155 Licensed Chiropractors
- 24 Acupuncture Registrations
- 67 Professional Firm Registrations
- 7 Independent Examiner Registrations
- Eight Animal Chiropractic Registrations
- 17 Graduate Preceptor Registrations

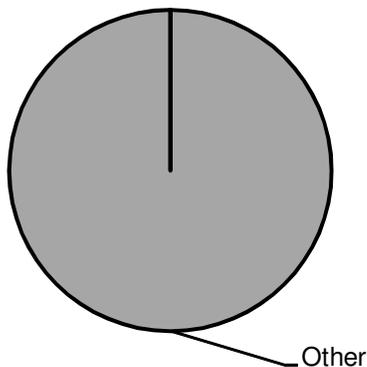
Education Services

- ~45 Continuing Education Sponsors

Discipline Services (Calendar 2009)

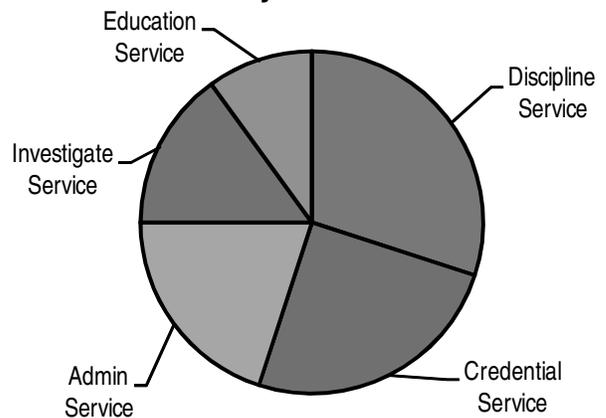
- Process 197 jurisdictional complaints of chiropractors who violate the chiropractic practice act.
- Closed 180 Complaints.
- 27 complaints resulted in Board action. This represents discipline against 14 different doctors as well as Agreements for corrective action with two doctors. (NOTE: This does not include doctors who may have been referred to the Health Professional Services Program, and whose impairments are currently being successfully monitored by this program.

Est. FY 2010-11 Expenditures by Fund



Source: Consolidated Fund Statement.

Est. FY 2010-11 Expenditures by Service



Source: Board expenses allocated to the services provided by the board.

Strategies

The board regulates the practice of chiropractic through the following four core functions:

- license by examination;
- ensure continued competency;
- respond to complaints about chiropractors; and
- enforce the laws governing the practice of chiropractic in Minnesota.

To meet these four core functions the MBCE operates under the following five key service strategies while protecting the public and providing services in an efficient and cost-effective manner with a focus on public accessibility and self-service:

- maintains an integrated database of licensee information, registrations, discipline, and complaints;
- publishes information regarding licensed chiropractors on the web, including licensure information, disciplinary orders, and rulemaking efforts;
- conducts regular board meetings where citizens have input into the review of operations and rulemaking efforts;
- responds to public requests for information on chiropractors, continuing education sponsors, and licensee's status; and
- manages funds soundly.

The Board accomplishes its core public safety and regulatory mission of doctors of chiropractic by:

- Administering minimum educational, and examination requirements for initial licensure as a doctor of chiropractic and administering requirements and processes for renewal of licensure;
- Enforcing standards of ethical practice; and responding to inquiries, complaints and or reports regarding applicants, or licensees;
- Investigating complaints of alleged violations of statutes, holding educational and disciplinary conferences, and taking legal action when appropriate against licensees who fail to meet minimum standards of practice or who may otherwise constitute a harm to the public as a result of improper/unethical practice;
- Approving continuing education providers; and
- Providing information about licensure and standards of practice, through professional education outreach efforts, the Board's website, online license verification services, and telephone, mail or email inquiries.

Operations

The seven-member board, appointed by the governor, meets five times a year with additional meetings scheduled to handle disciplinary matters when necessary. The board operates through the following committees: executive; rules; three complaint panels; and any additional committees formed to guide policy-making. Each committee meets on a pre-scheduled basis, and notices are published/posted in accordance with the open meeting laws.

The board's office is staffed with 4.75 full-time employees who on a daily basis work to:

- license applicants;
- approve registrations for: acupuncture, animal chiropractic, professional firm, graduate preceptorship, and independent examiner;
- renew the licenses/registrations described above;
- manage funds received;
- manage continuing education; and
- investigate and resolve complaints.

The board makes nearly all of the information it gathers available to the public at no cost via publication on its website.

The Board provides core public safety services through the regulatory oversight of doctors of chiropractic, as noted in the strategies listed above, to ensure both high standards of chiropractic practice and excellent customer service. Services are provided to the general public, consumers of chiropractic services, applicants and licensees, students and faculty in chiropractic academic programs, other state and local agencies, state and national professional chiropractic associations and finally the national testing organization as well as the Federation of Chiropractic Licensing Boards.

Board Structure and Duties: The Board meets approximately five times per year and consists of five actively licensed doctors of chiropractic and two public members appointed by the Governor, to serve four-year terms. In addition, various Board committees meet regularly. The Board manages professional licensing and renewals, oversees the agency budget, acts to resolve complaints against chiropractors, and directs a staff of 4.75 FTE.

Licensing/Credentialing Services: The purpose of regulation through licensing is to set and enforce standards of competence and ethical practice, and to ensure that persons licensed as doctors of chiropractic meet educational, examination, and continuing education standards. Staff process applications, verify compliance with statutory requirements, provide assistance and information to a variety of customers, and work in collaboration with other agencies at the state, federal, and national levels.

Discipline/Complaint Resolution Services: Staff, Board Members, and the Office of the Attorney General work collaboratively to review, investigate, and take action, as appropriate, in alleged complaint cases against licensed doctors of chiropractic. When a licensee is determined to have engaged in conduct which is a violation of the statutes or rules the Board is empowered to enforce, an appearance before Board Members may occur. Licensee's may enter into an agreement for corrective action with the Board's complaint panel, or may become subject to disciplinary action, with such final action determined by the full Board. Either of these two remedies is public once completed. In addition, staff provide informational services to a variety of customers regarding the Board's statutory requirements and standards of practice, including how to file a complaint and the complaint resolution process. The Board also works with the Health Professionals Services Program (HPSP), the state's diversion program for regulated professionals who are impaired, as an additional method to ensure public protection.

Online Services: the board maintains a very robust web site which includes: information on Board structure, meetings, and policies; licensing information, applications and renewal forms for nearly all licenses/registrations; information on continuing education programs and sponsors; access to specific statutes and rules directly impacting the profession; information on current emerging issues impacting the profession; information on access to the Health Professional Services Program, and links to many other related sites, and online license renewal. The Chiropractic Board was the first among the Health Related Licensing Boards to provide online license renewal capability. The board renewed well in excess of 4000 licenses and registrations last fiscal year, and generally appreciates approximately a 90%+ online application renewal rate.

Administrative Services Unit: The Health-Licensing Boards (HLBs), including the Board of Chiropractic Examiners, are co-located, and collaborate through the Administrative Services Unit (ASU) to reduce duplication of services and expenses, and to create greater efficiencies. ASU provides the centralized functions of accounting and finance, purchasing, payroll, human resources, contracts, and IT services to all HLBs. ASU is supervised by the HLB Executive Directors Forum through a Management Committee. This highly effective, award winning collaborative program is in its 18th year, and has become a model for an efficient management solution which is being looked at by other agencies as well as other states.

Key Activity Goals & Measures

The MBCE works to meet the Minnesota Milestone of access to government information 24x7x365 through its self-service website. The MBCE works to protect the public from access to impaired practitioners by prompt investigation of complaints and resolution of disciplinary matters through educational conferences, corrective action agreements, board orders and/or contested case proceedings as deemed required based on the severity of the infractions reported. The MBCE collaborates with other licensing boards and state agencies to create an efficient state government. Some of the key measures of Board activity include:

- Public protection – the board's website offers several services to the public including viewing disciplinary orders, access to information on complaint process and obtaining forms and information regarding how to file a complaint, and viewing individual licensee disciplinary history. The website averages greater than 83,000 requests per month, resulting in nearly three million hits in three years. Of this, the most active month registered in excess of 173,000 hits, which are coming from all over the world. Statistics show 99 jurisdictional domains have accessed the website including Latvia, Moldavia, The Netherlands, and the Cocos (Keeling) Islands. Finally, the statistics also show that the single largest hit center on the website (beyond the front

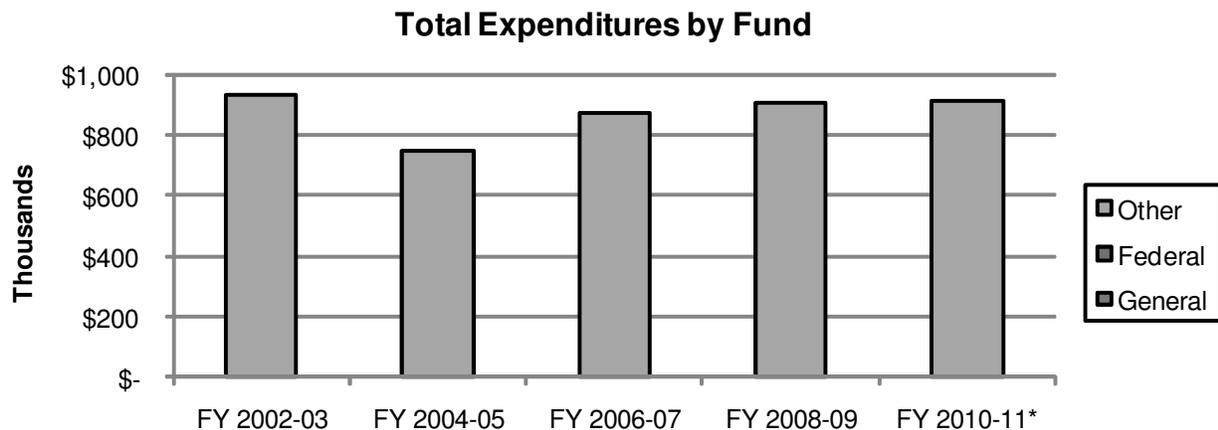
page) is the disciplinary page where the disciplinary orders are listed and available for review. This indicates a clear public protection interest.

- Online services – the board maintains a web site as described above.
- Public information – the board website, newsletters, presentations, public outreach, brochures, and real people answering the phone during business hours.
- Currently the board has more than 90% of its licensees using the online renewal service. In addition, in the last year, the Board has been on an aggressive project of requesting and updating the email addresses of licensees, and is currently at a 94% compliance rate (only 183 licensee's either don't have or have refused to provide their email addresses to the Board. Having these email addresses makes it much easier to quickly notify the entire profession of important information with the simple push of a button, rather than standard US mail. Of course, such notification can now be accomplished at no cost, thereby substantially reducing costs to the Board.

Budget Trends Section

The board is responsible for collecting sufficient revenue to cover both direct and indirect expenditures. The board is estimated to collect \$1.457 million in FY 2010-11, which is deposited as non-dedicated revenue into the state government special revenue fund.

From this fund, the board receives a direct appropriation to pay for agency activities such as salaries, rent, costs for disciplinary/contested cases and operating expenditures. It also pays statewide indirect costs through an open appropriation. In FY 2010-11, total expenditures for these purposes are estimated at \$912,000. The chart below shows funding trends over the last five biennia for the direct and open appropriation.



**FY 2010-11 is estimated, not actual*

Source data for the previous chart is the Minnesota Accounting and Procurement System (MAPS) as of 07/31/10.

Board fees are also responsible for covering a prorated share of support functions provided outside of the Board itself. These include legal support (Attorney General), statewide e-licensing system development and operations (Office of Enterprise Technology), centralized administrative support (Health Boards Administrative Services Unit) and funding for services to health professionals (Health Professionals Services Program). In FY 2010-11, some of the health boards' reserves in the state government special revenue fund were also transferred to the general fund. The table below displays direct and open appropriation expenditures, external support costs (prorated share), and the general fund transfers (prorated share) estimated in FY 2010-11.

	FY 2010-11 (in thousands)
Board's Direct and Open Appropriations	\$ 912
Board's External Support Costs and Transfers (prorated Share)	
• Attorney General support	352
• E-licensing support	59
• Central administrative service unit	46
• Health professional service program	29
• General fund transfer	84
	Total 1,482
Fees Collected by Board	\$1,457
Prorated Surplus/(Deficit)	(25)

In most years, Board fee revenues exceed direct expenditures and external support costs, and as directed by law, the surplus is used to maintain a reserve in the state government special revenue fund. It should be noted here that the FY 2010-11 transfers to the General Fund, along with unanticipated increases in the support costs discussed above, have resulted in the Board's fee revenue not covering its prorated costs and transfers.

External Factors Impacting Agency Operations

The number of licensees regulated by the Board continues to rise, as do the number of complaints and the complexity of the cases. The Board has not had to raise fees for 18 years (since early 1993) as a result of sound fiscal management, and creative solutions for reducing costs; however, the Board anticipates that it may need to increase fees in the upcoming biennium.

Contact

Board of Chiropractic Examiners
2829 University Avenue Southeast, Suite 300
Minneapolis, Minnesota 55414-3220

The website at: <http://www.mn-chiroboard.state.mn.us/> gives visitors easy access to useful information about chiropractors. Types of information available through the website include: regulatory news and updates, rules and Minnesota statutes, public notices and forms.

Larry A. Spicer, D.C., Executive Director
Email: larry.spicer@state.mn.us
Phone: (651) 201-2850
Fax: (651) 201-2852
TDD: (612) 297-5353 or 1-800-627-3529

<i>Dollars in Thousands</i>					
	Current		Governor Recomm.		Biennium
	FY2010	FY2011	FY2012	FY2013	2012-13
<u>Direct Appropriations by Fund</u>					
State Government Spec Revenue					
Current Appropriation	447	447	447	447	894
Recommended	447	447	0	0	0
Change		0	(447)	(447)	(894)
% Biennial Change from 2010-11					-100%
<u>Expenditures by Fund</u>					
Direct Appropriations					
State Government Spec Revenue	410	584	0	0	0
Open Appropriations					
State Government Spec Revenue	2	6	0	0	0
Statutory Appropriations					
State Government Spec Revenue	0	0	723	731	1,454
Total	412	590	723	731	1,454
<u>Expenditures by Category</u>					
Total Compensation	310	318	319	326	645
Other Operating Expenses	102	272	404	405	809
Total	412	590	723	731	1,454
<u>Expenditures by Program</u>					
Chiropractors, Board Of	412	590	723	731	1,454
Total	412	590	723	731	1,454
Full-Time Equivalentents (FTE)	4.8	4.8	4.8	4.8	

CHIROPRACTORS BOARD

Change Summary

<i>Dollars in Thousands</i>				
	FY2011	Governor's Recomm.		Biennium
		FY2012	FY2013	2012-13
<i>Fund: STATE GOVERNMENT SPEC REVENUE</i>				
FY 2011 Appropriations	447	447	447	894
Subtotal - Forecast Base	447	447	447	894
Change Items				
Convert to Dedicated Funding	0	(447)	(447)	(894)
Total Governor's Recommendations	447	0	0	0
<i>Fund: STATE GOVERNMENT SPEC REVENUE</i>				
Planned Open Spending	6	9	9	18
Change Items				
Convert To Dedicated Funding	0	(9)	(9)	(18)
Total Governor's Recommendations	6	0	0	0
<i>Fund: STATE GOVERNMENT SPEC REVENUE</i>				
Planned Statutory Spending	0	0	0	0
Change Items				
Convert to Dedicated Funding	0	717	725	1,442
Animal Chiropractic Fee	0	6	6	12
Total Governor's Recommendations	0	723	731	1,454
<i>Revenue Change Items</i>				
<i>Fund: STATE GOVERNMENT SPEC REVENUE</i>				
Change Items				
Animal Chiropractic Fee	0	6	6	12

CHIROPRACTORS BOARD

Change Item: Convert to Dedicated Funding

Fiscal Impact (\$000s)	FY 2012	FY 2013	FY 2014	FY 2015
Health Related Boards (171)				
Direct Appropriated Account				
Expenditures	\$ (447)	\$ (447)	\$ (447)	\$ (447)
Non-Dedicated Revenues	(717)	(725)	(725)	(725)
Open Appropriated Account				
Expenditures	(9)	(9)	(9)	(9)
Dedicated Account				
Expenditures	717	725	725	725
Dedicated Revenues	717	725	725	725
Transfer In	69	0	0	0
Net Fiscal Impact	\$330	\$269	\$269	\$269

Recommendation

The Governor recommends changing the way appropriations are made to the health related licensing boards that operate in the state government special revenue fund. Under this proposal, the boards' funding would be converted from direct appropriations to dedicated appropriations, giving each board spending authority equal to its fee revenue and any accumulated balance. The net effect of this change is the difference between the board's current base appropriations and projected revenues.

Rationale

This proposal places ownership in the boards' 183 appointed members to be efficient and cost effective in setting their spending levels, while providing continued legislative oversight in the setting of the boards' fees. It encourages the boards to find efficiencies and ensures the fees paid by each occupation are dedicated to the boards' mission to protect the public and ensure that Minnesota citizens receive quality care by qualified licensed health professionals. The establishment of the dedicated appropriation will improve the boards' management of resources and transparency for licensees.

The health related licensing boards are fee-supported organizations that receive no general fund dollars. The boards currently collect and deposit fees as non-dedicated special revenue into the health related boards account in the state government special revenue fund (171). The legislature then provides a direct appropriation from these revenues to each board for its operating expenses. Unlike agencies that receive direct appropriations from the general fund, the boards must ensure that licensing fees are collected to recover each board's direct and indirect expenditures to maintain the solvency of the state government special revenue fund. For this reason, the health boards already operate much like agencies with dedicated appropriations—except that they must seek appropriation authority to gain access to their existing fee revenue.

This proposal changes the boards' non-dedicated revenue to dedicated revenue within the same fund and provides each board with a dedicated appropriation from the board's revenue. Additionally, the current accumulated fund balance within the health related boards account will be transferred to individual boards based on each board's contribution to the balance. M.S. 16A.1283 requires that all fee increases be approved by the legislature, so even with a dedicated funding arrangement, the boards must still seek legislative action to increase spending beyond current law fee revenues.

Key Goals and Measures

Minnesota Milestone: Government in Minnesota will be cost-efficient, and services will be designed to meet the needs of the people who use them. Minnesotans expect their state and local governments to spend money carefully and effectively.

Measures:

- Transparency of fees and expenditures
- The level of service provided to licensees and Minnesota citizens.

Statutory Change: Minnesota Statutes Chapter 148

CHIROPRACTORS BOARD

Change Item: Animal Chiropractic Fee

Fiscal Impact (\$000s)	FY 2012	FY 2013	FY 2014	FY 2015
Health Related Boards Fund (171)				
Dedicated Account				
Expenditures	\$6	\$6	\$6	\$6
Dedicated Revenues	6	6	6	6
Net Fiscal Impact	\$0	\$0	\$0	\$0

Recommendation

The Governor recommends establishing a new fee for the Animal Chiropractic registration maintained by the Board of Chiropractic Examiners. The fee will generate an estimated \$6,000 of revenue in FY 2012 and \$6,000 in FY 2013. The new fee will allow the Board to cover the costs of maintaining the Animal Chiropractic registration and associated regulation.

Rationale

The Animal Chiropractic registration was established under M.S. 148.01. Since that time, the regulation of these registrations has increased by 600% and is expected to increase exponentially. However, the Board does not receive any fees associated with this registration.

Fees charged by the Minnesota Board of Chiropractic Examiners have not been changed since 1993 despite rising regulatory costs. The proposed fee is a small change as the additional revenue is 1% of total revenue received in the licensing program over the biennium.

The Board would implement the Animal Chiropractic fees for the 2012 renewal season, which begins November, 2011.

Key Goals and Measures

The mission of the Minnesota Board of Chiropractic Examiners is to protect the public through effective licensure and enforcement of the statutes and rules governing the practice of chiropractic to ensure a standard of competent and ethical practice in the profession.

Providing the requested fees will allow the Board to perform its functions of licensing chiropractors and disciplining licensees whose behavior is a violation of the law and is a risk to the public and the animals that they own. As indicated below, the Board has seen a steady increase in its number of Animal Chiropractic registrations.

Year	Animal Chiropractic Registrations at end of FY	Status of Numbers
FY2013	30	projected
FY2012	28	projected
FY2011	24	projected
FY 2010	20	actual
FY 2009	12	actual
FY 2008	0	actual
FY 2007	0	actual

Key measures include: maintaining a revenue neutral fund balance in the future; retain appropriate staff to manage applications and renewals for animal chiropractors, update our current licensing database and renewal system to include the animal chiropractic registration.

CHIROPRACTORS BOARD

Agency Revenue Summary

Dollars in Thousands

	Actual FY2010	Budgeted FY2011	Governor's Recomm. FY2012 FY2013		Biennium 2012-13
<u>Non Dedicated Revenue:</u>					
Departmental Earnings:					
State Government Spec Revenue	776	715	0	0	0
Other Revenues:					
State Government Spec Revenue	(58)	0	0	0	0
Total Non-Dedicated Receipts	718	715	0	0	0
<u>Dedicated Receipts:</u>					
Departmental Earnings:					
State Government Spec Revenue	0	0	723	731	1,454
Total Dedicated Receipts	0	0	723	731	1,454
Agency Total Revenue	718	715	723	731	1,454