



TO: The Honorable the Members of the Board of Regents

FROM: Sarah S. Benson *Sarah S. Benson*

SUBJECT: Proposed Amendment to Sections 52.14 and 73.1 of the Regulations of the Commissioner of Education Relating to the Requirements for Chiropractic Education Programs and Education Requirements for Licensure as a Chiropractor

DATE: September 2, 2021

AUTHORIZATION(S): *Don McGowan* *Billy...*
SUMMARY

Issue for Decision (Consent)

Should the Board of Regents amend sections 52.14 and 73.1 of the Regulations of the Commissioner of Education relating to the requirements for chiropractic education programs and education requirements for licensure as a chiropractor?

Reason(s) for Consideration

Review of policy.

Proposed Handling

The proposed amendment is being presented to the Full Board for adoption at the September 2021 meeting of the Board of Regents. A copy of the proposed rule is included (Attachment A).

Procedural History

The proposed amendment was presented to the Professional Practice Committee for discussion at the May 2021 meeting of the Board of Regents. A Notice of Proposed Rule Making was published in the State Register on May 26, 2021 for a 60-day public comment period. Following publication in the State Register, the Department received one supportive comment on the proposed amendment. An Assessment of Public Comment is included (Attachment B). No changes to the amendment are

recommended at this time. A Notice of Adoption will be published in the State Register on September 29, 2021. Supporting materials are available upon request from the Secretary to the Board of Regents.

Background Information

Education Law §6554 authorizes the Department to establish educational requirements for the profession of chiropractic. The Council on Chiropractic Education (CCE) is the only agency approved by the United States Department of Education to accredit Doctor of Chiropractic Programs (DCP). Effective January 2014, the (CCE) changed its requirements for student admissions to a DCP. These changes included raising the number of semester hours of undergraduate study to at least 90 semester hours (3 years) with a GPA of not less than 2.75 on a 4.0 scale.

However, currently, sections 52.14 and 73.1(a) of the Commissioner's regulations do not contain a minimum GPA requirement and only require the completion of not less than 60 semester hours of preprofessional postsecondary education, with a minimum of 24 semester hours in life and physical science, which may include, but is not limited to, courses in general biology, human anatomy, physiology, general chemistry, biochemistry, physics, biomechanics and kinesiology, and, of these 24 semester hours, half of such courses must include a laboratory component.

The proposed amendments to sections 52.14 and 73.1(a) of the Commissioner's regulations conform such sections to the above-referenced national education standards by requiring the completion of not less than 90 semester hours of preprofessional postsecondary education, with a GPA of not less than 2.75 on a 4.0 scale or its substantial equivalent as determined by the Department and a minimum of 24 semester hours in life and physical science, which may include, but is not limited to, courses in general biology, human anatomy, physiology, general chemistry, biochemistry, physics, biomechanics and kinesiology, and, of these 24 semester hours, half of such courses must include a laboratory component.

Additionally, the proposed amendment to section 73.1(a) of the Commissioner's regulations provides applicants, who lack not more than 30 semester hours of the required 90 semester hours of preprofessional postsecondary education, to satisfy this requirement by providing evidence acceptable to the Department of either completing an internship acceptable to the Department, or graduate study acceptable to the Department, after earning a degree in chiropractic.

By conforming sections 52.14 and 73.1(a) of the Commissioner's regulations to the national education standards, the proposed amendments will also increase the rigor of the preprofessional postsecondary education requirements in the profession of chiropractic in this State, which should enhance public protection and improve the quality of chiropractic services.

Related Regents Items

October 2018: [Update on the Profession of Chiropractic](http://www.regents.nysed.gov/common/regents/files/1018ppcd2.pdf)
(<http://www.regents.nysed.gov/common/regents/files/1018ppcd2.pdf>)

October 2019: [Proposed Amendment to Sections 52.14 and 73.1 of the Regulations of the Commissioner of Education Relating to the Requirements for Chiropractic Education Programs and Education Requirements for Licensure as a Chiropractor](https://www.regents.nysed.gov/common/regents/files/1019ppcd1.pdf)
(<https://www.regents.nysed.gov/common/regents/files/1019ppcd1.pdf>)

February 2020: [Proposed Amendment to Sections 52.14 and 73.1 of the Regulations of the Commissioner of Education Relating to the Requirements for Chiropractic Education Programs and Education Requirements for Licensure as a Chiropractor](https://www.regents.nysed.gov/common/regents/files/220brca8.pdf)
(<https://www.regents.nysed.gov/common/regents/files/220brca8.pdf>)

May 2021: [Proposed Amendment to Sections 52.14 and 73.1 of the Regulations of the Commissioner of Education Relating to the Requirements for Chiropractic Education Programs and Education Requirements for Licensure as a Chiropractor](https://www.regents.nysed.gov/common/regents/files/521ppcd1.pdf)
<https://www.regents.nysed.gov/common/regents/files/521ppcd1.pdf>

Recommendation

It is recommended that the Board of Regents take the following action:

VOTED: That section 52.14 and subdivision (a) of section 73.1 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 29, 2021

Timetable for Implementation

If adopted at the September 2021 meeting of the Board of Regents, the proposed amendment will become effective September 29, 2021.

Attachment A

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 6504, 6507, 6551, and 6554 of the Education Law.

1. Section 52.14 of the Regulations of the Commissioner of Education is amended to read as follows:

Section 52.14. Chiropractic.

Admission requirements to a college of chiropractic shall include the following preprofessional education: [60] 90 semester hours of college study, with a GPA of not less than 2.75 on a 4.0 scale or its substantial equivalent as determined by the department and a minimum of 24 semester hours in life and physical science courses, which may include, but not be limited to, courses in general biology, human anatomy, physiology, general chemistry, biochemistry, physics, biomechanics and kinesiology[, and, of these 24 semester hours, at]. At least half of [such hours] these courses shall include a laboratory component.

2. Subdivision (a) of section 73.1 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) To meet the professional education requirement, the applicant shall present evidence of the completion of not less than [60] 90 semester hours of preprofessional postsecondary education, with a GPA of not less than 2.75 on a 4.0 scale or its substantial equivalent as determined by the department and a minimum of 24 semester hours in life and physical science courses, which may include, but is not [be] limited to, courses in general biology, human anatomy, physiology, general chemistry, biochemistry, physics, biomechanics and kinesiology[, and, of these 24 semester hours, at]. At least half of [such hours] these courses shall include a laboratory component[,

and]. The applicant shall also present evidence of a program of chiropractic education consisting of either:

(1) the completion of a program of chiropractic education of not less than four academic years, or the equivalent thereof, registered by the department or accredited by an accrediting organization acceptable to the department; or

(2) the completion of not less than four academic years of chiropractic education satisfactory to the department, culminating in a degree, diploma or certificate in chiropractic recognized by the appropriate civil authorities of the country in which the school is located as acceptable for entry into practice in such country. To satisfy the professional study requirements pursuant to this paragraph, the applicant shall also complete not less than two academic years of study satisfactory to the department in a registered or accredited chiropractic school program, including such subjects as may be necessary for certification by such program that the candidate is prepared to enter the New York State chiropractic licensing examination.

(b) An applicant who lacks not more than 30 semester hours of the preprofessional postsecondary education required in subdivision (a) of this section may satisfy such requirement by providing evidence acceptable to the department of the following experience completed after earning a degree in chiropractic:

(1) an internship acceptable to the department; or

(2) graduate study acceptable to the department.

[(b)] (c) Courses failed in a school of chiropractic, for which credit has been granted toward meeting the requirements of another school of chiropractic may not be counted toward meeting the requirements of this Part.

[(c)] (d) A program of chiropractic education shall be considered completed upon certification of completion by the school in which such program was taken and proof that the applicant has been awarded the appropriate chiropractic degree, diploma or certificate.

Attachment B

ASSESSMENT OF PUBLIC COMMENT

Since publication of the Notice of Proposed Rule Making in the State Register on May 26, 2021, the State Education Department received the following comment on the proposed amendment.

1. COMMENT: A comment was submitted jointly by the Presidents of two New York statewide chiropractic organizations on behalf their respective members. The comment expressed support for the amendment, as it reflects the requirements put forth by the Council of Chiropractic Education and legislation to modernize the chiropractic scope of practice. The comment expressed support of the Department's efforts to update standards to reflect the current educational requirements for the chiropractic profession.

DEPARTMENT RESPONSE: The comment is supportive, therefore no changes to the proposed rule are necessary.