


# Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

AVK
11/24/92

RULE REVIEW CHECKLIST

File No. 1970
DATE RECEIVED 11-23-92
REVIEW DATE 12-2-92
DUE DATE 12-7-92
~~(DIS)~~APPROVED 12-7-92
WITHDRAWN _____

Docket No. 050007 0478
ADOPTED W/O HEARING _____
EMERGENCY RULE _____
TO REVISOR ON 11-24-92
REVISOR (DIS)APPROVED 12-1-92
FILED W/SEC. OF STATE 12-10-92
RETURNED TO AGENCY 12-11-92

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✓ Rule as adopted (4 copies)

✓ Notice to Solicit Outside Information/Opinion (if applicable)
December 2, 1991 Date published in State Register
_____ Comments

_____ Petition for Adoption of a Rule

✓ Board's Authorizing Resolution
May 9, 1991 Date adopted

✓ Proposed Rule
_____ Revisor's Certificate

✓ Notice of Intent to Adopt Rule
148.08 Statutory Authority
_____ Small Business Statement
_____ Expenditure of public money statement
Joel Wulff DC Signature

✓ Statement of Need and Reasonableness (if applicable)
✓ Small Business Statement
✓ Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
Sept 3, 1992 Dated 30/25 days before adoption
_____ Notice attached indicates it is attached
_____ Copy of rule or summary attached

✓ Publication in State Register
September 21, 1992 Date 30/25 days before adoption

✓ 180-day deadline from:
✓ Effective date of law requiring rule (14.12) (both rules) amendments don't apply
✓ end of comment period (§ 14.26) (rules without hearing)
_____ effective date of statutory authority (§ 14.29) (emergency rules)

✓ Resolution Adopting
Oct 29, 1992 Date adopted

✓ Findings of Fact, Conclusions & Order Adopting
October 29, 1992 Date

✓ Written Requests, Submissions or Comments

✓ Declaration of Attorney
Robert Holly Name of SAAG representing agency

Nov 16, 1992 Notice of Submission to Attorney General (if applicable)

Nov 16, 1992 Affidavit of Mailing Notice to Attorney General (if applicable)

STATE OF MINNESOTA

# Office of the Attorney General

TO : JOEL B. WULFF, D.C.
Executive Director
Minnesota Board of Chiropractic Examiners
2700 University Avenue W., #20
St. Paul

DATE : December 10, 1992

FROM : AMY V. KVALSETH
Special Assistant
Attorney General

PHONE : 296-9422

SUBJECT : In the Matter of the Adopted Rule Relating to Record Keeping

The above-referenced rule has been approved as to its legality by the Attorney General on December 7, 1992.

Enclosed is your copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submissions or comments along with any extra copies of documents which you submitted to the Attorney General.

Your next step is to arrange for publication of the Notice of Adoption in the State Register. In a day or two, you should receive from the Revisor's Office three copies of the notice of adoption of your rule. You should submit two copies of the Notice of Adoption to the State Register for publication. A permanent rule without a hearing does not become effective until five days after a notice of adoption is published in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

Enclosures
cc: Robert T. Holley
William Brown, Chief Judge
MaryAnn Hruby

AVK:jj.rules.be4

Board of Chiropractic Examiners

Adopted Permanent Rules Relating to Record Keeping

Rules as Adopted

## RECORD KEEPING

2500.5000 RECORD KEEPING.

In order to justify the need for chiropractic care, a chiropractor must obtain information necessary to generate and maintain documents that indicate the information in items A to H.

A. A description of past conditions and trauma, past treatment received, current treatment being received from other health care providers, a description of the patient's current condition including onset and description of trauma if trauma occurred, and documentation that family history has been evaluated.

B. Examinations performed to determine a preliminary diagnosis based on indicated diagnostic tests, with an indication of all findings of each test performed. When symbols or abbreviations are used, a key that explains their meanings must accompany each file when requested by the patient or a third party.

C. A diagnosis supported by documented subjective and objective findings or clearly qualified as an opinion.

D. A treatment plan that describes the procedures and treatment used for the conditions identified, including approximate frequency of care or description of parameters used to justify future treatment.

E. Daily notes documenting current subjective complaints as described by the patient, any change in objective findings if noted during that visit, a listing of all procedures provided during that visit, and all information that is exchanged and will affect that patient's treatment.

F. A description by the chiropractor or written by the patient each time an incident occurs that results in an



Approved by Revisor

aggravation of the patient's condition or a new developing condition.

G. Results of reexaminations that are performed to justify ongoing care or to evaluate significant changes in a patient's condition, including at least an evaluation of tests that were positive or deviated from results used to indicate normal findings.

H. Results of all examinations performed by other health care providers for the condition being treated by the chiropractor when the chiropractor uses that information in connection with the patient's treatment.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 10 '92



Approved
by Revisor _____

APPROVED AS TO FORM AND LEGALITY

12 - 9 19 92

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY Amy V. Kvalseth
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

DEC 10 1992

Joan Anderson Growe
Secretary of State

4:05 PM

**STATE OF MINNESOTA**
**COUNTY OF RAMSEY**

**BEFORE THE MINNESOTA BOARD OF CHIROPRACTIC EXAMINERS**

**In the Matter of the Adoption of A Rule Relating to Record Keeping**

**STATEMENT OF NEED AND REASONABLENESS**

Pursuant to Minnesota Statutes 14.23 (1990), the Minnesota Board of Chiropractic Examiners (hereinafter "Board") hereby affirmatively presents the need for and facts establishing the reasonableness of proposed Minnesota Rules relating to the above mentioned area in the practice of chiropractic.

In order to adopt the proposed rule, the Board must demonstrate that it has complied with all procedural and substantive requirements for rulemaking. Those requirements are as follows: 1) there is statutory authority to adopt the rules; 2) the rules are needed and are reasonable; 3) all necessary procedural steps have been taken; and 4) any additional requirements imposed by law have been satisfied. This Statement demonstrates that the Board has met these requirements.

## 1. STATUTORY AUTHORITY

The statutory authority of the board to adopt this rule is as follows:

Minnesota Statutes, 148.08, subdivision 3 (1990), authorizes the Board to promulgate rules necessary to administer section 148.01 to 148.105. In particular, the Board wishes to promulgate rules that will define, clarify, or establish Board policies in regard to the above-mentioned areas in the practice of chiropractic.

**2. STATEMENT OF NEED AND REASONABLENESS**

Minnesota Statute 148.10 Subd. 1 (18) requires doctors of chiropractic to keep records justifying the treatment provided to their patients. What information is specifically required to be in the record to justify care is not listed either in statute or rules of the state. The establishment of specific standards by rule is necessary to protect the public's interest by clearly defining what a chiropractor must document to justify care and provide an appropriate record of treatment which can be used to evaluate the necessity of services received by patients. These treatment records are used by all health care professionals to assess any treatment a patient may have previously received. By ensuring that these minimal standards are complied with the patients health is protected when they receive treatment in the future. This standard in law will also ensure that regulatory agencies, the courts and all interested parties are provided a uniform base of information which will allow all parties to objectively and fairly evaluate the need for care which is provided by the doctor and received by the patient. A standard is clearly needed and reasonable.

Complete History To properly evaluate a patient's condition, it is necessary to list the contributing factors. Accurate diagnosis is dependent on the knowledge of past injuries, trauma, or any recurrent type of condition or presence of a hereditary type of condition in the family, which may have resulted in changed physiology or permanent injury. This requirement is needed and reasonable. Previous treatment may have had a long lasting effect on the physiology of the patient,

which will affect both the appropriate present diagnosis and the appropriate treatment. Past treatment, when either effective or ineffective, may direct a practitioner in the evaluation of need for and the type of current treatment. The determination of need for treatment in diagnostic texts indicate that the information listed under this section of the rule may all be factors which contribute to the formulation of a diagnosis. The diagnosis is of questionable value unless this information is obtained. Documenting this information provides others reviewing records the opportunity to accurately evaluate and comment on the diagnosis rendered by the practitioner who is generating the record. Requiring the documentation of this information establishes a standard which protects the public's interest. Therefore, this is reasonable and necessary.

Examinations Minnesota Statutes requires doctors of chiropractic to diagnose their patient's condition in order to determine "...the presence or absence of a chiropractic condition." (MS 148.01) in their patients. To determine the diagnosis a doctor must discover what objective signs the patient displays. Objective signs are elicited via examinations. The diagnostic process requires that both the presence and absence of signs be noted and used to rule in and rule out conditions when a test is performed during the course of an examination. A sign is either present, which is a positive test, or not present, which is a negative test. A combination of positive and negative test results elicited during examinations is information used to rule in and rule out specific diagnosis. In order to justify care given and the diagnosis stated, the examinations performed, as

well as the results of all tests done during the examination, must be documented. Therefore this rule is reasonable and necessary.

Many doctors utilize examination forms with symbols and abbreviations not taught in accredited chiropractic colleges. When these documents are reviewed by other parties, the symbols and abbreviations are ambiguous or even meaningless. When such symbols or abbreviations are used, a key which explains their meaning, in terms taught in accredited chiropractic colleges, will allow individuals reviewing the records an opportunity to understand the records. Understanding the records is necessary when determining whether the records justify care provided. Therefore this rule is reasonable and necessary.

MS 144.335 establishes a mechanism for copies of health records to be provided upon request of the patient. If a key is required to understand the health records itself, then a key must be provided with the copies when sent to the individuals reviewing the copies of the record. This provision makes the responsibility of enclosing a key with the copies clear and is therefore reasonable and necessary.

Diagnosis The description of the patient's condition is the diagnosis. Without a diagnosed condition, no treatment is justified. In order to evaluate compliance with the statutory requirement for recorded justification of treatment, a diagnosis must be contained in the patient record. To evaluate the accuracy of the diagnosis, as well as the necessity of the treatment which is based on the diagnosis, the diagnosis must be supported by both the objective and subjective findings found

within the patient record. Therefore, this rule is necessary and reasonable.

Treatment Plan Many different methods and frequencies of care may be used for any condition. In order to justify care that is provided, a doctor must have a plan for what will be provided. This is to include a description of procedures and therapies provided, as well as an estimate of how frequently and how long the patient will need care. This plan establishes the intent of the doctor and therefore is an integral part of the justification for care. This record of what the intended care is allows the treating doctor and health care professionals who treat the patient in the future to evaluate patient compliance, effectiveness of the care provided and the overall case management provided by the practitioner. When the file is reviewed, that justification must be confirmed by others. Therefore, inclusion in the rule is reasonable and necessary.

Parameters used to justify future care differ with each technique and each condition. In order to evaluate the justification of any one parameter it must be clearly stated. Therefore this rule is reasonable and necessary.

Daily Notes At a minimum a patient's current subjective information must be noted each time a patient is seen. This information alerts a doctor to unexpected changes in a patient's condition and also confirms that continued improvement is or is not occurring at an expected rate. Documenting these findings allows the doctor to justify care for that day as well as future care. This information is the basis for re-evaluation, continued care and referral decisions as well as confirmation that care is

justified. Without documented subjective information, care is not justified. Therefore, this rule is reasonable and necessary.

A listing of what services were actually provided on any given day is necessary for both documentation and evaluation of the justification of treatment provided. Therefore this is reasonable and necessary.

Brief History If a patient experiences a trauma or unexpected change in signs or symptoms, the doctor must reevaluate the working diagnosis and treatment being rendered. A description of the incident resulting in trauma or description of what occurred that resulted in a change of signs or symptoms is necessary to evaluate the patient and change or verify the diagnosis. Documentation of this information allows the parties reviewing the records to accurately evaluate the diagnosis and treatment rendered. The accurate and objective evaluation of this information is necessary to protect the public, and therefore, this rule is reasonable and necessary.

Re-examination The goal of treatment is to restore health in patients. As treatment progresses, the condition of the patient changes. In order to continue to monitor a patient's condition, modify the diagnosis and thereby justify care as required by the statute, reexamination is required. If there is any sudden unexpected change in a patient condition a re-examination is required to establish a new diagnosis or verify that the existing diagnosis continues to be accurate. These re-examinations provide the objective information necessary to arrive at the diagnosis of the patient.

During the re-examination, tests which were positive must be re-checked to verify that they are still positive or establish that they are no longer positive. Positive tests which remain positive indicate that a diagnosis continues to be accurate. A positive test which becomes negative with treatment indicates that treatment is assisting in the improvement. This information justifies care and is therefore reasonable and necessary to include in this rule.

Other Examinations When the results of examinations performed by health care professionals other than the treating chiropractor are used to justify care being provided by the treating chiropractor, those results must be included in the records produced by the treating chiropractor. This data does not clearly relate to the care being provided by the treating chiropractor until it is incorporated in the records of that practitioner. As stated above, results of all tests and evaluations are used to verify the accuracy of the diagnosis provided, substantiate the value of treatment being provided and therefore justify the care being provided. Therefore this rule is reasonable and necessary to protect the interests of the public.

Following is a bibliography of materials used to support the requirements established within the rule:

Anderson, D.C., Jimmy G. "Workers Compensation" MCA Journal, August 1986, pp. 36-7.

Glisson, D.C., James E. "The Case for Documentation" The ACA Journal of Chiropractic, (March 1985), 68-71.

Gundersen, D.C., Bruce V. "The Case History" Orthopedic Brief, Council on Chiropractic Orthopedics, American Chiropractic Association, Inc., April-May 1989.

Gundersen, D.C., Bruce V. "The Diagnostic Work-Up" Orthopedic Brief, Council on Chiropractic Orthopedics, American Chiropractic Association, Inc., June-July 1989.

Haldeman, D.C., Scott "Importance of Record Keeping in Evaluation of Chiropractic Results" The ACA Journal of Chiropractic, IX, (September 1975), 108-14.

Pamer, D.C., David C. "The Case History" The ACA Journal of Chiropractic, IX, (September 1975), 115-6.

Priest, D.C., Gregory C. "The Regional Physical Examination: An Overview" ACA Journal of Chiropractic, 21, No. 10, (October 1987), 67-9.

Rake, D.C., F.A.C.O., George E., comp. " The Responsibilities of the Chiropractic Profession Where Third-Party Payors Are Involved" In Orthopedic and Neurologic Tests, American College of Chiropractic Orthopedists, Revised 1988.

Sawyer, D.C., Charles E. A Practical Approach to Integrated Chiropractic Health Care: Applying the Problem-Oriented Method in the Clinical Care and Education of the Chiropractic Patient, Mimeographed, Bloomington, Minnesota.

**3. COMPLIANCE WITH PROCEDURAL RULEMAKING REQUIREMENTS**

Minnesota Statutes, sections 14.05 to 14.12 and 14.22 to 14.28, specify certain procedures which must be followed when an agency adopts or amends rules. Procedures applicable to all rules, Minnesota Statutes, sections 14.05 to 14.12, have been complied with by the Board as noted below.

The Board proposes adoption of this rule as a noncontroversial rule in accordance with section 14.22 to 14.28, except that no public hearing is presently planned and need not be held unless 25 or more persons submit a written request for a hearing within the 30-day comment period.

The adoption of this rule will not require the expenditure of public money by local public bodies, nor does the rule have any impact on agricultural land. **See** Minn. Stat. 14.11.

Pursuant to Minnesota Statutes, section 14.23, the Board has prepared this Statement of Need and Reasonableness which is available to the public.

The Board will publish a Notice of Intent to Adopt Rules without a Public Hearing in the **State Register** and mail copies of the notice and proposed amendments to persons registered with the Board pursuant to Minnesota Statutes, section 14.14, subdivision 1a. The notice will include the following information: a) that the public has 30 days in which to submit comments on the proposed amendment and giving information pertaining to the manner in which persons may comment; b) that no public hearing will be held unless 25 or more persons submit a written request for a public hearing on the rule within the 30-day comment period; c) that the rule may be modified if modifications are supported by the date and views submitted; and d) that notice of the date of submission of the proposed amendment to the Attorney General for review will be mailed to any person requesting to receive the notice, and giving information on how to request the notice.

The Board will submit the proposed rule and notice as published, the rule as proposed for adoption, any written comments which have been received, and this Statement of Need and Reasonableness to the Attorney General for approval of the amendment as to legality and form.

This rule will become effective five working days after publication of a notice of adoption in the **State Register.**

**4. ADDITIONAL REQUIREMENTS**

**Small Business Considerations.** In preparing to propose this rule, the Board considered the methods for reducing the impact of the rules on small business as set forth in Minnesota Statutes, section 14.115, subdivision 2 (1990). The Board noted that the suggested rule changes better define requirements already established by statute. Therefore, the Board believes this rule will not have an economic impact.

Nevertheless, any small business which believes they may be affected by the proposed rule will have opportunity to participate in the rulemaking procedure. Further, a notice of the proposed rulemaking will be mailed to the Minnesota Chiropractic Association, an organization which will likely represent small businesses affected by the rule.

STATE OF MINNESOTA
BOARD OF CHIROPRACTIC EXAMINERS

Joel B. Wulff, DC
Executive Director

8-14-92
Date

Stat Authority 148.08

The board of chiropractic examiners shall promulgate rules necessary to administer sections 148.01 to 148.105.

Note did Notice of Submission to AG on Nov 16 - didn't submit rules to AG until Nov 23 - talked to Mary and Bob Holly - harmless error - at least 8 day comment period didn't expire prior to submission to AG.

STATE OF MINNESOTA

# Office of the Attorney General

TO : PATRICIA S. NOLTE
Legal Assistant
Public Finance Division

DATE : November 23, 1992

FROM : ROBERT T. HOLLEY RTH
Special Assistant
Attorney General

PHONE : 297-5938

SUBJECT : Proposed Rules of the Board of
Chiropractic Examiners on Record Keeping

Attached for review and approval pursuant to Minn. Rules pt. 2010.0300 are proposed record keeping rules and related documents of the Minnesota Board of Chiropractic Examiners. Should there be questions about this submission, please contact me or Lori A. Campbell at the Board office at 642-0591.

Attachments
cc: Lori Campbell
kks.FK9

Rec'd 11/23 2:30 CL

of the annual response and reimbursement fees (surcharges) for the Agricultural Chemical Response and Reimbursement Account (ACRRA) will remain at the same amounts for 1992 as was determined and collected for 1991, in order to maintain the statutory-required ACRRA balance.

[NOTE: As a consequence of a 1991 Minnesota law change, the surcharge for Licensed Lawn Service Applicators for 1991 was reduced from $100 to $50.]

Therefore, the ACRRA surcharges to be imposed by the MDA for 1992 will be the following:

• For pesticides registered under MS Chapter 18B.26: a surcharge equal to 0.2 percent of sales of pesticides in the state as well as sales of pesticides for use in the state, during the period January 1, 1992 through December 31, 1992.

• For fertilizers, soil amendments, and plant amendments inspection fees, under MS Chapter 18C.4254: twenty (20) cents per ton.

• For sites licensed under MS Chapter 18B.31—Pesticide Dealers; and for sites licensed under MS Chapter 18C.415 and 18C.425—where a fertilizer, plant amendment, or soil amendment is distributed: $300 per site.

• For Structural Pest Control Applicator business license, under MS Chapter 18B.32: $100 per license.

• For Commercial Pesticide Applicator license, under MS Chapter 18B.33: $40 per license.

• For Non-Commercial Pesticide Applicator license, under MS Chapter 18B.34: $40 per license.

• For Licensed Lawn Service Applicator, under MS Chapter 18B and 18C: $50 per license.

The MDA has made the determination that maintaining the amounts of surcharges for 1992 at the levels previously set for 1991 is reasonable and necessary for the following reasons:

1) The ACRRA, by statute, must maintain an unencumbered balance of $1,000,000;

2) The ACRRA balance, after the addition of 1991 surcharges collected from November, 1991 to March, 1992, is projected to be more than $1,000,000 and less than $2,000,000;

3) Reimbursements or payments expected to be ordered by the ACRRA Board during the next year are estimated to be $500,000 to $1,000,000;

4) ACRRA surcharges for 1992, as detailed above, will not be collected until the period November, 1992 to March, 1993; and,

5) The Commissioner of the MDA, and the ACRRA Board, have been informed by persons required by statute to pay ACRRA surcharges that notification of determination of surcharge amounts is best managed, most acceptable and least objectionable to those affected if such determination and disclosure is made as soon as possible and no later than the end of any respective calendar year.

Persons needing further information may contact the MDA at (612) 297-3490.

# Board of Chiropractic Examiners

## Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing the Practice of Chiropractic

**NOTICE IS HEREBY GIVEN** that the Minnesota Board of Chiropractic Examiners is seeking information or opinions from sources outside the agency in preparing to propose the adoption and amendments to the following proposed rules:

1. *Biennial Continuing Education Requirements*

    • The board proposes to require chiropractors to obtain 40 hours of continuing education every two years.

2. *Record Keeping Standards*

    • The board proposes to set minimum record keeping standards required to justify care.

3. *Advertising by means of Testimonials*

    • The board proposes to amend the existing rule restricting the use of testimonial, to allow certain forms of testimonials.

The adoption of these rules is authorized by *Minnesota Statutes*, section 148.08, which permits the agency to promulgate rules in order to administer sections 148.01 to 148.105.

The Minnesota Board of Chiropractic Examiners requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Joel B. Wulff, DC
Executive Director
Minnesota Board of Chiropractic Examiners
2700 University Avenue West, Suite 20
St. Paul, MN 55114

Oral statements will be received during regular business hours over the telephone at (612) 642-0591 and in person at the above address.

All statements of information and opinions shall be accepted until January 3, 1992. Any written material received by the Minnesota Board of Chiropractic Examiners shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 20 November 1991

Joel B. Wulff, DC
Executive Director

# Comprehensive Health Association

## Notice of Meeting of the Legislative and Public Policy Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association (MCHA), Legislative and Public Policy Committee will be held at 9:00 a.m. on Thursday, December 12, 1991 at Prudential Insurance Company of America, 3701 South Wayzata Boulevard, Minneapolis, Minnesota, in the Board room on the 8th floor.

For additional information please call Lynn Gruber at (612) 593-9609.

# Ethical Practices Board

## Notice of 1992 Campaign Expenditure Limits

In accordance with *Minnesota Statutes* §§ 10A.25 and 10A.255, the following are nonelection year campaign expenditure limits in 1992, by office sought or held: Governor and Lt. Governor, $406,673; Attorney General, $67,779; Secretary of State, State Treasurer, State Auditor (each), $33,890; State Senator, $10,168; and State Representative, $5,084. In 1992 election year campaign expenditure limits for the offices of State Senator and State Representative will be calculated and published by June 15, 1992, under *Minnesota Statute* § 10A.255.

# Department of Health

## Interagency Long Term Care Finance Committee

## Notice of Meeting of Interagency Long Term Care Finance Committee

The Interagency Long Term Care Planning Committee shall meet on Thursday, December 5th, 1991 at 1:00 p.m. in the Chesley Room, first floor, Minnesota Department of Health, 717 S.E. Delaware Street, Minneapolis to take comments and discuss applications for exceptions to the nursing home moratorium.

# Department of Human Services

## Division for Persons with Developmental Disabilities

## Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendment of *Minnesota Rules,* Parts 9525.0180 to 9525.0190, Governing Services to Persons with Mental Retardation or Related Conditions

**NOTICE IS HEREBY GIVEN** that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose the amendment of the rule governing services to persons with mental retardation or a related condition. The amendment of the rule is authorized by *Minnesota Statutes,* section 252.27, subdivision 1a, which contains the

**CERTIFICATE OF BOARD OF CHIROPRACTIC EXAMINERS**
**AUTHORIZING RESOLUTION**

**RULES RELATING TO THE PRACTICE OF CHIROPRACTIC**
**File Number 1878**

I, Wilma E. Behm, DC, do hereby certify that I am a member and the President of the Minnesota Board of Chiropractic Examiners, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board duly and properly called and held on the 9th day of May, 1991, that a quorum was present at the meeting, that a majority of those present voted for the resolution and that the resolution is set forth in the minutes of the meeting and has not been rescinded or modified:

> RESOLVED, that the Executive Director of the Minnesota Board of Chiropractic Examiners, be and hereby is granted the authority and directed to sign and publish in the State Register an order and notice of intent to adopt rules without a public hearing for the purpose of adopting rules relating to the Practice of Chiropractic and to proceed with a hearing if the statutorily required number of persons request a hearing in response to notice; and to cancel the hearing and proceed by noncontroversial rulemaking if less than the statutorily required number of persons request a hearing. The Executive Director is also granted the authority and directed to perform any and all acts incidental thereto, including but not limited to, signing a Notice of Hearing, requesting the assignment of an administrative law judge, giving the notice of the rulemaking proceeding to all persons who have registered their names with the Board for the purpose, acting as the Board's representative at all hearings, and complying with all applicable provisions of the Minnesota Administrative Procedure Act, rules of the Office of Administrative Hearings, and rules of the Attorney General.

**IN WITNESS WHEREOF**, I have hereunto subscribe my name this 9th day of May, 1991.

STATE OF MINNESOTA
BOARD OF CHIROPRACTIC EXAMINERS

Attest Board Member

Wilma E. Behm, DC, President

Board of Chiropractic Examiners

Proposed Permanent Rules Relating to Record Keeping

Rules as Proposed

RECORD KEEPING

2500.5000 RECORD KEEPING.

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F. A description by the chiropractor or written by the patient each time an incident occurs that results in an



Approved by Revisor

aggravation of the patient's condition or a new developing condition.

G. Results of reexaminations that are performed to justify ongoing care or to evaluate significant changes in a patient's condition, including at least an evaluation of tests that were positive or deviated from results used to indicate normal findings.

H. Results of all examinations performed by other health care providers for the condition being treated by the chiropractor.



Approved
by Revisor _____

# Office of the Revisor of Statutes

## Administrative Rules

**TITLE:** Proposed Permanent Rules Relating to Record Keeping

**AGENCY:** Board of Chiropractic Examiners

**MINNESOTA RULES:** Chapter 2500

The attached rules are approved for
publication in the State Register

Carla M. Riehle
Assistant Revisor

In the Matter of the Proposed Adoption of the Rule of the Minnesota Board of Chiropractic Examiners Governing Record Keeping

AFFIDAVIT OF MAILING THE STATEMENT OF NEED AND REASONABLENESS TO THE LEGISLATIVE COMMISSION TO REVIEW ADMINISTRATIVE RULES

STATE OF MINNESOTA

COUNTY OF RAMSEY

Debra J. Lanoux, being sworn says:

That on the 21st day of September, 1992, when the Statement of Need and Reasonableness became available to the public, I mailed the Statement of Need and Reasonableness to the Legislative Commission to Review Administrative Rules by depositing in the State of Minnesota Interoffice Mail System a copy thereof.

Debra J. Lanoux
Clerk Typist II

Subscribed and sworn to
before me this 6th day of
October, 1992

Lori A. Campbell
Administrative Secretary

STATE OF MINNESOTA
COUNTY OF RAMSEY

BEFORE THE MINNESOTA
BOARD OF CHIROPRACTIC EXAMINERS

In the Matter of the
Proposed Adoption of
the Rule Governing
Record Keeping

NOTICE OF INTENT
TO ADOPT A RULE
WITHOUT A PUBLIC
HEARING

(1) **NOTICE IS HEREBY GIVEN** that the Minnesota Board of Chiropractic Examiners (hereinafter "Board") intends to adopt the above-entitled rule without a public hearing unless 25 or more persons submit written requests for a public hearing. The Board has determined that the proposed rule will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes section 14.22 to 14.28 (1990).

(2) Interested persons shall have 30 days from the date this notice is published in the State Register to submit comments in support of or in opposition to the proposed rule. The 30 days will expire on October 21, 1992 at 4:30 p.m. Comment is encouraged. (3) Each comment should identify the portion of the proposed rule and any change proposed to the rule by the comment.

(8) The proposed rule may be modified if the modifications are supported by the data and views submitted to the Board and do not result in a substantial change in the proposed language.

In addition to submitting comments, interested persons may request in writing during the 30-day comment period that a hearing be held on the proposed rule. (6) Any person requesting a hearing should state his or her name, address, and telephone number and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any changes they

want made on the proposed rule or a portion thereof by October 21, 1992 at 4:30 p.m. If a hearing is required, it will be held in accordance with the provisions of Minnesota Statutes section 14.131 to 14.20 (1990) and the hearing notice provided below.

(5) Written comments or written requests for a public hearing should be submitted to:

Joel B. Wulff, D.C., Executive Director
Minnesota Board of Chiropractic Examiners
2700 University Ave W, #20
St. Paul, MN 55114-1089
(612) 642-0591

The statutory authority to adopt the rule is contained in Minnesota Statutes sections 148.08.

If adopted, the proposed rule would establish record keeping guidelines for doctors of chiropractic.

(11) The proposed rule is published below and a free copy of the rule may be obtained from the Board by writing or telephoning the Board at the address or the telephone number listed above.

(11) **A STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and may be obtained from the Board by writing or telephoning the Board at the address and telephone number listed above.

(13) Promulgation of the proposed rule will not result in the expenditure of public monies by public bodies nor have an impact on agricultural land. It is the position, and the Board's evaluation of the applicability of the methods contained in

Minnesota Statutes section 14.115, subdivision 2 (1990) for (14) reducing the impact of the proposed rule on small businesses, should it be determined that the Board is governed by section 14.115, are addressed in the Statement of Need and Reasonableness.

(9) Upon adoption of the proposed rule without a public hearing, the rule as proposed, this notice, the Statement of Need and Reasonableness, all written comments received, the rule as adopted, and a statement explaining any difference between the rule as proposed and as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General or who wish to receive a copy of the rule as adopted should submit a written request to the Board at the address listed above.

Joel B. Wulff, D.C.
Executive Director

9-3-92
Date

**In the Matter of the Proposed Adoption of the Rule of the State Board of Chiropractic Examiners Governing Record Keeping**

**AFFIDAVIT OF MAILING THE NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING AND CERTIFICATE OF MAILING LIST**

**STATE OF MINNESOTA**

**COUNTY OF RAMSEY**

**Lori A. Campbell,** being sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statutes, section 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the State Board of Chiropractic Examiners rulemaking mailing list is accurate, complete, and current as of this 3rd day of September, 1992.

That on the 3rd day of September, 1992, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Adopt a Rule Without a Public Hearing by depositing in the United States mail, a copy thereof and a copy of the proposed rule, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Lori A. Campbell
Lori A. Campbell
Administrative Secretary

Subscribed and sworn to before me
this 3rd day of September, 1992.

Debra J. Simonson

aff.rul

securities on deposit with the state of Minnesota in an amount equal to the bonding or insurance requirements of *Minnesota Statutes*, section 386.66.

Subp. 2. **When filed.** The affidavits required by subpart 1 shall be filed with the board as follows:

A. in the case of applicants for initial licensure prior to the issuance of a license by the board; and

B. in the case of licensees, within 30 days of notification by the board of the adoption of this part and thereafter with the application for license renewal.

# Board of Chiropractic Examiners

## Proposed Permanent Rules Relating to Record Keeping

### Notice of Intent to Adopt a Rule Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the Minnesota Board of Chiropractor Examiners (hereinafter "Board") intends to adopt the above-entitled rule without a public hearing unless 25 or more persons submit written requests for a public hearing. The Board has determined that the proposed rule will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes* section 14.22 to14.28 (1990).

Interested persons shall have 30 days from the date this notice is published in the *State Register* to submit comments in support of or in opposition to the proposed rule. The 30 days will expire on October 21, 1992 at 4:30 p.m. Comment is encouraged. Each comment should identify the portion of the proposed rule and any change proposed to the rule by the comment. The proposed rule may be modified if the modifications are supported by the data and views submitted to the Board and do not result in a substantial change in the proposed language.

In addition to submitting comments, interested persons may request in writing during the 30-day comment period that a hearing be held on the proposed rule. Any person requesting a hearing should state his or her name, address, and telephone number and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any changes they want made on the proposed rule or a portion thereof by October 21; 1992 at 4:30 p.m. If a hearing is required, it will be held in accordance with the provisions of *Minnesota Statutes* section 14.131 to 14.20 (1990) and the hearing notice provided below.

Written comments or written requests for a public hearing should be submitted to:

Joel B. Wulff, D.C., Executive Director
Minnesota Board of Chiropractic Examiners
2700 University Ave. W, #20
St. Paul, MN 55114-1089
(612) 642-0591

The statutory authority to adopt the rule is contained in *Minnesota Statutes* sections 148.08.

If adopted, the proposed rule would establish record keeping guidelines for doctors of chiropractic.

The proposed rule is published below and a free copy of the rule may be obtained from the Board by writing or telephoning the Board at the address or the telephone number listed above.

**A STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and may be obtained from the Board by writing or telephoning the Board at the address and telephone number listed above.

Promulgation of the proposed rule will not result in the expenditure of public monies by public bodies nor have an impact on agricultural land. It is the position, and the Board's evaluation of the applicability of the methods contained in *Minnesota Statutes* section 14.115, subdivision 2 (1990) for reducing the impact of the proposed rule on small businesses, should it be determined that the Board is governed by section 14.115, are addressed in the Statement of Need and Reasonableness.

Upon adoption of the proposed rule without a public hearing, the rule as proposed, this notice, the Statement of Need and Reasonableness, all written comments received, the rule as adopted, and a statement explaining any difference between the rule as

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

proposed and as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General or who wish to receive a copy of the rule as adopted should submit a written request to the Board at the address listed above.

Dated: 3 September 1992

Joel B. Wulff, D.C.
Executive Director

**Rules as Proposed**

RECORD KEEPING

**2500.5000 RECORD KEEPING.**

In order to justify the need for chiropractic care, a chiropractor must obtain information necessary to generate and maintain documents that indicate the information in items A to H.

A. A description of past conditions and trauma, past treatment received, current treatment being received from other health care providers, a description of the patient's current condition including onset and description of trauma if trauma occurred, and documentation that family history has been evaluated.

B. Examinations performed to determine a preliminary diagnosis based on indicated diagnostic tests, with an indication of all findings of each test performed. When symbols or abbreviations are used, a key that explains their meanings must accompany each file when requested by the patient or a third party.

C. A diagnosis supported by documented subjective and objective findings or clearly qualified as an opinion.

D. A treatment plan that describes the procedures and treatment used for the conditions identified, including approximate frequency of care or description of parameters used to justify future treatment.

E. Daily notes documenting current subjective complaints as described by the patient, any change in objective findings if noted during that visit, a listing of all procedures provided during that visit, and all information that is exchanged and will affect that patient's treatment.

F. A description by the chiropractor or written by the patient each time an incident occurs that results in an aggravation of the patient's condition or a new developing condition.

G. Results of reexaminations that are performed to justify ongoing care or to evaluate significant changes in a patient's condition, including at least an evaluation of tests that were positive or deviated from results used to indicate normal findings.

H. Results of all examinations performed by other health care providers for the condition being treated by the chiropractor.

# Department of Labor and Industry

## Proposed Permanent Rules Relating to Occupational Safety and Health; Employee Right-to-Know Standards

**NOTICE IS HEREBY GIVEN** that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA) proposes to adopt the following revisions to the Department of Labor and Industry, Occupational Safety and Health Rules, as authorized under *Minnesota Statutes* 182.655 (1990). This notice proposes the adoption of amendments and modifications to the Employee Right-to-Know Standard (*Minnesota Rules* Chapter 5206). Adoption of these amendments is necessary to bring the current standard into conformance with the 1989 Legislative changes and to make the Employee Right-to-Know Standard more compatible with the newly adopted Federal OSHA Standards governing Occupational Exposure to Bloodborne Pathogens (29 CFR 1910.1030), Occupational Exposure to Hazardous Chemicals in Laboratories (29 CFR 1910.1450), and Hazard Communication (29 CFR 1910.1200).

All interested or affected persons have 30 days from the date this notice is published in the *State Register* to submit, in writing, data and views on the proposed amendments and additions to the rules. Comments in support of or in opposition to the proposed amendments are encouraged. Each comment should identify the portion of the proposed amendment addressed, the reason for the comment, and any change proposed. The proposed amendments and additions may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change.

Any person may file with the Commissioner written objections to the proposed standard stating the grounds for these objections and may request a public hearing. A public hearing will be held if 25 or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period. Requests for hearing must include the name and address of the person

Minnesota Board of Chiropractic Examiners

2700 University Avenue West, Suite 20, St. Paul, Minnesota 55114-1089 Telephone: (612) 642-0591

CERTIFICATE OF THE

MINNESOTA BOARD OF CHIROPRACTIC EXAMINERS

RESOLUTION ADOPTING THE RULE

I, H. R. Parks, D.C., do hereby certify that I am a member and the president of the Minnesota Board of Chiropractic Examiners (herein "Board") duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board, duly and properly called and held on the 29th day of October, 1992, that a quorum was present, and that a majority of those present voted for the resolution which has not been rescinded or modified.

"RESOLVED, that the rule relating to Record Keeping is approved and adopted, pursuant to authority vested in the Board by Minnesota Statutes 148.08, Subd. 3, the executive director of the Board, is authorized to sign the findings of fact, conclusions, and order adopting the rule and further is authorized to modify the rule if necessary to obtain the approval of the rule by the attorney general, and to perform the necessary acts to provide that the rule shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 29th day of October, 1992.

H. R. Parks, D.C.
President

Attest by one other Board member



AN EQUAL OPPORTUNITY EMPLOYER

**STATE OF MINNESOTA**

**BOARD OF CHIROPRACTIC EXAMINERS**

| | |
|---|---|
| In the Matter of the Proposed Adoption of the Rule of the Minnesota Board of Chiropractic Examiners Governing Record Keeping | FINDINGS OF FACT, CONCLUSION, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING |

**FINDINGS**

1. Notice of the Board's intent to adopt the above-entitled rule was published in the State Register on September 21, 1992 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on September 3, 1992.

2. The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

3. All of the notice and procedural requirements in Minnesota Statutes, Chapter 14, and other applicable law have been complied with.

4. All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. The 30-day comment period expired on October 21, 1992 at 4:30 p.m.

5. The agency received two (2) letters of comments and submission on the rule. The agency received two (2) requests for notice of submission to the attorney general. The agency received no requests for a public hearing.

One change was made between the rule as proposed and the rule as adopted. That change is additional verbiage in Item H. The additional verbiage is more specific, thereby avoiding the possibility of this rule effecting patient care. The Board does not believe this constitutes a substantial change.

It was determined that a) classes of persons other than those originally noticed were not affected by the change; b) the change does not introduce significant new subject matter; and c) the change does not make a major substantive change not raised by the proposed rule as originally noticed in such a way as to invite reaction.

Suggestions made by Dr. James R. Brandt were not incorporated because one suggested change had already been made, and the suggestion to include the word "timeframe" was deemed unduly restrictive.

Suggestions made by Minnesota Department of Labor and Industry (DLI) representatives were not incorporated for the following reasons:

Section A. The Board feels that it is imperative to get at least cursory information on conditions patients have been treated for in the past and that this requirement is not unrealistic.

Section B. The suggested grammatical change was considered and not adopted in favor of the existing language. The interpretation of the language regarding the key was not accurate in that the rule requires keys to accompany all copies of files.

Section D. It was determined that the definition of treatment plan used in the rule is adequately descriptive at this time and that the suggested change exceeds current community standards.

Section E. The verbiage used is appropriately broad and will require that practitioners keep records of all correspondence regarding patients treatment. Further clarification may allow for exclusion of some information.

Section G. The suggested changes do not take into account the rule's use of the verbiage "evaluate significant changes in a patient's condition." This verbiage addresses the expressed concerns.

6. The statement of need and reasonableness together with these findings, establish and justify the rational basis for the need for and reasonableness of the rule.

## CONCLUSIONS

1. The Minnesota Board of Chiropractic Examiners duly acquired and has jurisdiction over this proceeding.

2. The Board published and served timely and adequate notice of intent to adopt the rule without a public hearing.

3. All relevant legal and procedural requirements of statute and rule have been complied with.

4. The rule is needed and reasonable. (8)

NOW, THEREFORE, IT IS ORDERED that the rule identified as Record Keeping is adopted this 29th day of October, 1992, pursuant to authority vested in the Board by Minnesota Statutes, section 148.08, subd. 2.

(9)

Joel B. Wulff, D.C.
Executive Director

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

October 9, 1992

Joel B. Wulff, D.C., Executive Director
Minnesota Board of Chiropractic Examiners
2700 University Ave. W., #20
St. Paul, MN 55114-1089

Dear Dr. Wulff:

The Rehabilitation and Medical Affairs Unit of the Department of Labor and Industry wishes to comment on the proposed rules 2500.5000 "Record Keeping". We are not asking for a public hearing. We do hope however, that our comments are incorporated into the final version.

Section A. It is unrealistic to get a history on all conditions. It may be more appropriate to get a history on conditions that are relevant to the current condition for which the patient is seeking treatment.

Section B. We suggest striking the first sentence and substituting the following. "Physical examination and indicated diagnostic tests and findings must be documented." The second sentence in B indicates that a key for symbols and abbreviations need only accompany a file when requested. We think it is appropriate to submit a key for symbols and abbreviations at all times, not just when requested. If a payer has to take the time to request the key for the symbols and abbreviations, there is a delay in payment of the medical bill.

Section D. We suggest you include an identification of treatment goals, preferably stated in functional terms. This information is very helpful to the patient and to the payer.

Section E, line 32-33. What is the meaning of "all information that is exchanged and will effect the patient's treatment"? This sentence needs further clarification.

Section G. Re-examination should be performed to evaluate effectiveness of care and to make appropriate modifications in the plan. It is not to "justify ongoing care".

We hope these comments have been useful for you. If the rules are modified, please send us a copy of the final version. If you have

An Equal Opportunity Employer

any questions please call Gloria Gebhard at 296-2411 or Sandy Keogh at 297-7134.

Sincerely,

WORKERS' COMPENSATION DIVISION
REHABILITATION AND MEDICAL AFFAIRS

David Sherwood-Gabrielson

David Sherwood-Gabrielson, Director

Gloria Gebhard

Gloria Gebhard
Medical Policy Analyst

Sandra Keogh

Sandy Keogh
Medical Policy Analyst

RECEIVED
OCT 19 1992
MINNESOTA BOARD OF
Chiropractic Examiners

**COON RAPIDS CHIROPRACTIC OFFICE**

DR. JAMES R. BRANDT

330 NORTHDALE BLVD.
COON RAPIDS, MINNESOTA 55448

TELEPHONE 755-4300

FILE

Diplomate
American Board
of Chiropractic
Orthopedists

Fellow
Academy
of Chiropractic
Orthopedists

September 25, 1992

Minnesota Board of Chiropractic Examiners
2700 University Avenue West - #220
St. Paul, Minnesota 55114-1089

RE: Notice of Intent to Adopt a Rule - Recordkeeping

Ladies and Gentleman:

I have reviewed your proposed rules regarding Recordkeeping and I applaud your efforts in this area. There is one suggestion that I would like to see in the recordkeeping rules and that is a clarification of Item D under Record-keeping. In that paragraph, "time frame" as well as "frequency of care" would be an appropriate and clarifying point.

Thank you for your consideration of this suggestion.

Sincerely yours,

J. R. Brandt, D.C., FACO

cc: File

RECEIVED
SEP - 1992
BOARD OF

STATE OF MINNESOTA

MINNESOTA BOARD OF CHIROPRACTIC EXAMINERS

| | |
|---|---|
| In the Matter of the Proposed Adoption of the Rule of the Minnesota Board of Chiropractic Examiners Governing Record Keeping | NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO THE ATTORNEY GENERAL |

Pursuant to your request and in accordance with Minnesota Statutes, section 14.26:

PLEASE TAKE NOTICE that the above-captioned rule as adopted will be submitted to the Office of the Attorney General on the date of this notice, November 16, 1992, for review as to legality and form to the extent form relates to legality. The proposed rule, the rule as adopted, all the notices, the Statement of Need and Reasonableness, all written comments and requests for a hearing received, and other required documents also have been submitted to the Attorney General.

The proposed rule which was published in the State Register and made available to the public on September 21, 1992, has been modified. A copy of the rule as modified and the findings of fact, conclusions, and order are enclosed with this notice.

The rule must be approved or disapproved by the Attorney General within 14 calendar days of the date of submission to the Attorney General. You may submit written comments to the Attorney General on the legality of the rule. Any written comments must be submitted by 4:30 p.m., November 24, 1992, (which is eight calendar days of the date of submission of the rule to the Attorney General). Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The Attorney General standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the Attorney General decision upon written request to the Attorney General. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
Public Finance Division
525 Park Street, Suite 500
Saint Paul, Minnesota 55103
Telephone Number: (612) 297-2040
Fax Number: (612) 297-2576

Any written comments submitted to the Attorney General must be submitted simultaneously to:

Joel B. Wulff, D.C., Executive Director
Minnesota Board of Chiropractic Examiners
2700 University Avenue W, #20
St. Paul, MN 55114-1089
Telephone Number: (612) 642-0591
Fax Number: (612) 643-3535

Lori A. Campbell
Lori A. Campbell
Administrative Secretary

Dated: November 13, 1992

In the Matter of the Proposed Adoption of the Rule of the Minnesota Board of Chiropractic Examiners Governing Record Keeping

AFFIDAVIT OF MAILING THE NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO THE ATTORNEY GENERAL

STATE OF MINNESOTA

COUNTY OF RAMSEY

Lori A. Campbell, being sworn says:

That on the 16th day of November, 1992, in the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the Notice of Submission to the Attorney General by depositing in the United States mail, a copy thereof, with postage prepaid, to all persons and associations who requested notice that the rule in the above-entitled matter has been submitted to the Attorney General.

Lori A. Campbell
Lori A. Campbell
Administrative Secretary

Subscribed and sworn to before me this 16th day of November, 1992.

Debra J. Lanoux
Debra J. Lanoux
Clerk Typist II

In the Matter of the Adoption
of the Rule of the Minnesota
Board of Chiropractic Examiners
Governing Record Keeping

DECLARATION
OF COUNSEL

I, Robert T. Holley, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rule, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0478.

Robert T. Holley
Special Assistant
Attorney General

Dated: 11/23/92

declare.rul