

**NOTICE OF INTENT TO REPEAL A RULE OF THE GEORGIA  
BOARD OF CHIROPRACTIC EXAMINERS,  
RULE 100-7-.08 PRIVATE REVIEW AGENT REQUIREMENTS.,  
AND NOTICE OF PUBLIC HEARING.**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Chiropractic Examiners, (hereinafter "Board") proposes to repeal Rule 100-7-.08, *Private Review Agents Requirements* (hereinafter "proposed amendment").

This notice, together with an exact copy of the proposed amendment and a synopsis of the proposed amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the new chapter and rule, and a synopsis of the new chapter and rule may be reviewed during normal business hours of 8:00 a.m. to 5:30 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Board of Chiropractic Examiners web page at <http://www.sos.ga.gov/plb/chiropractic>. Copies may also be requested by contacting the Georgia Board of Chiropractic Examiners office at 478-207-2440.

A public hearing is scheduled to begin at 10:00 a.m. on November 19, 2009 at the Professional Licensing Boards Division, 237 Coliseum Dr., Macon, GA 31217 to provide the public an opportunity to comment upon and provide input into the repeal of the rule. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before November 12, 2009. Written comments should be addressed to Randall Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Chiropractic Examiners, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 866/888-1304.

The proposed amendment will be considered for adoption by the Georgia Board of Chiropractic Examiners at its meeting scheduled to begin at 10:05 a.m. on November 19, 2009, at the Professional Licensing Boards Division, 237 Coliseum Dr., Macon, GA 31217. According to the Department of Law, State of Georgia, the Georgia Board of Chiropractic Examiners has the authority to add this new rule pursuant to authority contained in O.C.G.A. §§43-1-25 and 43-9-6. At its meeting on September 24, 2009 meeting, the Board voted that the formulation and adoption of this new rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. O.C.G.A. §§43-1-25 and 43-9-6.

Also, at its meeting on September 24, 2009 the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§43-1-25 and 43-9-6 to adopt or implement differing actions for businesses as listed at O.C.G.A. §50-13-4(a)(3)(A), (B), (C) and (D). The formulation and amendment of this rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of chiropractic. For further information, contact the Board office at 478-207-2440.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 19<sup>th</sup> day of October, 2009.



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Randall D. Vaughn  
Division Director  
Professional Licensing Boards

Posted: October 19, 2009

**SYNOPSIS OF THE PROPOSED RULE AMENDMENTS OF  
THE GEORGIA BOARD OF CHIROPRACTIC EXAMINERS  
RULE 100-7-.08 PRIVATE REVIEW AGENT REQUIREMENTS.,**

Purpose: Repeals the rule as it is being replaced by Rule 100-17-.01.

Main Features: None.

**SYNOPSIS OF THE PROPOSED RULE AMENDMENTS OF  
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RULE 100-7-.08 PRIVATE REVIEW AGENT REQUIREMENTS.,**

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

**100-7-.08 Review Agent**

- (1) For purposes of this rule "Review Agent" means any person rendering a professional chiropractic written or verbal opinion, which has the capacity or intent of affecting the frequency, duration, necessity, or outcome of chiropractic treatment or patient care and who is being compensated by a 3<sup>rd</sup> party payer or other contractual parties.
- (2) Chiropractic care shall include offering or rendering a professional chiropractic written or verbal opinion, which has the capacity or intent of affecting the frequency, duration, necessity, or outcome of chiropractic treatment or patient care. Any person practicing as a Review Agent in Georgia must:
- (a) notify the Georgia Board of Chiropractic Examiners of his/her intent to act as a review agent. Such notification must include the individual's Georgia license number.
  - (b) possess a valid Georgia chiropractic license;
  - (c) have completed a certification program totaling a minimum of 100 hours in performing utilization peer review;
  - (d) if rendering an opinion on the appropriateness of physiotherapy modalities, must have the certification listed as a secondary license type on their Georgia license;
  - (e) identify themselves by name, degree designation, location of practice, and Georgia chiropractic license number;
  - (f) have established not less than five (5) years of active private clinical practice in Georgia immediately prior to rendering such opinion; and
  - (g) have earned a minimum of seventy percent (70%) of chiropractic related income from the active treatment of patients in Georgia in each of the previous five (5) years.
- (3) Licensed chiropractors conducting peer review on behalf of a Georgia professional association, as approved by the board by policy, are exempt from this rule.

Authority O.C.G.A. §§ 43-1-25 and 43-9-6.