

Please read in this document by FCLB.
My areas of concern are in yellow

and my comments and questions are on blue. Bob Braile DC

FCLB PACE

Policies & Procedures

Criteria for Quality Continuing Education

DRAFT
9/20/02



Federation of Chiropractic Licensing Boards

Is PACE a not-for profit?
Or is it a profit arm for
certain interest within
FCLB. Follow the
money! If they do this
then PACE should be
governed by the
approved providers
themselves much like
CCE is governed by
approved Chiropractic
Colleges. They can elect
a commission to create
guidelines, not FCLB.

FCLB PACE

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FCLB PACE Criteria for Quality Continuing Education

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■ **What are the purposes of evaluating and approving providers of continuing education?**

I do not believe there are any studies on this.

- A. To enhance the protection of the public by advancing the quality of chiropractic continuing education, for the benefit of the chiropractic regulatory boards;
- B. To establish the criteria and characteristics of approved chiropractic continuing education experiences;
- C. To provide doctors of chiropractic with a dependable basis for selecting approved continuing education experiences;
- D. To provide a basis for uniform acceptance of continuing education credits among chiropractic regulatory agencies;
- E. To provide feedback of information to CE providers about their programs, and encourage periodic self-evaluation, with a view towards continual improvement and strengthening of continuing education activities.

■ **Which other professions have some type of national or international centralized approval programs for CE?**

Dentists
 Pharmacists
 Accountants
 Optometrists
 Opticians
 Veterinarians
 Veterinary Technicians
 Long Term Care Administrators
 Social Workers

Not MDs?

Nurses
 Nurse specialists in numerous fields
 Counselors
 Psychologists
 Canadian rehabilitation professionals
 Disability management specialists
 Bankers
 Fundraising professionals
...just to name a few!

■ **What is FCLB?**

The Federation of Chiropractic Licensing Boards (FCLB) is a non-profit association of government agencies which license and regulate doctors of chiropractic. Established in 1926, FCLB works to protect the public and to serve our member boards by promoting excellence in chiropractic regulation. Membership includes regulatory boards in the United States, US Territories, Canada, Australia, and Mexico.

■ What is PACE?

Providers of Approved Continuing Education (PACE) is a service of FCLB. Providers of continuing education programs who wish to have programs accepted for CE credit toward license renewal may apply for recognition status with PACE. PACE Recognized Providers agree to comply with the *FCLB PACE Policies & Procedures* and *FCLB PACE Criteria for Quality Continuing Education*. These two documents establish uniform requirements to assist regulatory boards in granting relicensure credit.

■ How does PACE work?

Providers of continuing education may apply to PACE for recognition status.

If accepted, Recognized Providers may use the PACE logo only on their qualifying programs. A PACE Recognized Provider may not use the logo on a course or program that does not meet PACE standards.

PACE Recognized Providers' qualifying programs are registered with FCLB and posted in a searchable database on the FCLB website.

Credits earned by individual doctors in programs which meet PACE requirements are reported to FCLB's ALLDOCS registry, which (among other features) maintains CE records to assist chiropractic regulatory boards and professionals. FCLB issues reports to member boards to help ensure compliance by doctors of chiropractic with relicensure requirements.

Participating providers pay an initial application fee, an annual recognition fee, and a modest fee per program and attendee.

■ What are the PACE requirements?

PACE is governed by two primary authoritative documents:

① *PACE Policies & Procedures*

- developed by the FCLB PACE Committee with ongoing input from Review Team volunteer experts, PACE Recognized Providers, chiropractic regulatory boards, and other stakeholders
- approved by the FCLB Board of Directors and implemented by the FCLB PACE Committee
- reviewed regularly by FCLB to ensure validity and efficacy

The CCE is in enough trouble on its own right now. Neither FCLB nor CCE have postgrad experience as does ACC.

② *Criteria for Quality Continuing Education*

- developed by the Council on Chiropractic Education (CCE) in consultation with FCLB
- helps ensure congruence between pre and post-degree education
- approved by the FCLB Board of Directors and implemented by the FCLB PACE Committee
- reviewed regularly by CCE and FCLB to ensure validity and efficacy

In addition, the *PACE Workbook* is also under development. This document will provide helpful references, resources, and examples to assist CE providers.

■ Why is the Council on Chiropractic Education involved?

FCLB recognizes that the Council on Chiropractic Education (CCE) has a great depth of experience in reviewing chiropractic educational programs for quality. Although the CCE's traditional role in accreditation has been to focus on the Doctor of Chiropractic Program (DCP), their bylaws allow them to develop accreditation requirements for continuing and graduate chiropractic education programs.

FCLB relies upon the expertise of the CCE in developing the *Criteria for Quality Continuing Education* which are adopted by the FCLB Board of Directors as the criteria for PACE. CCE involvement in establishing the PACE criteria ensures consideration of the educational curriculum of students seeking a Doctor of Chiropractic degree in an accredited program and the postgraduate, post-licensure continuing education elements of licensure renewal. Postgraduate departments in the chiropractic colleges offer or sponsor many of the CE programs offered to licensees for CE credit. CCE involvement not only allows FCLB to utilize the expertise of the CCE, but also provides an integration of pre- and post-licensure education, essential elements to the licensure process and public protection.

A number of jurisdictions also have statutory or regulatory language referring to recognition of continuing education offered by CCE accredited colleges. Although the CCE does not review postgraduate departments as part of the DCP accreditation, CCE experience in establishing uniform educational standards relevant to chiropractic practice is unsurpassed. FCLB appreciates the involvement of CCE in the PACE program.

■ Is it mandatory to be a CE provider recognized by PACE?

No. Participation in PACE is voluntary. But by states recognizing PACE it becomes mandatory

FCLB member chiropractic regulatory boards decide to accept or recognize PACE requirements within their jurisdictions and CE providers elect to apply for PACE recognition.

Chiropractic regulatory boards are legally responsible for approving chiropractic continuing education as part of the licensure renewal process. PACE is designed to assist FCLB member boards in the significant substantive and administrative responsibilities associated with reviewing and approving CE providers and their programs.

In response to a determined need of the membership, FCLB undertook the development and implementation of PACE to lessen administrative burdens on chiropractic regulatory boards, while at the same time providing uniform criteria as a basis for CE approval.

The mission of FCLB member boards is to protect the public. Consistent with this mission and acting through representatives of the member boards, PACE has been developed by FCLB as a voluntary service to chiropractic regulation. As with all FCLB programs, chiropractic regulatory boards are represented and have the opportunity to participate in the development, implementation, and continued improvement of PACE.

FCLB recommends that chiropractic regulatory boards adopt the PACE requirements as the requirements of the board. In addition, and to provide flexibility to the boards and to meet the unique needs of each jurisdiction, boards may approve individual CE programs determined to meet the board's criteria and to be in the public interest.

It is not voluntary if they use their influence to get state Boards to require them or their recommendations. This is a way of producing a service then getting their member organizations to make it a required service.

■ Can a program which is not offered by a PACE provider ever get to use the logo?

Yes. The program must be accepted and offered by a PACE provider and offered under its authority. This means the PACE Recognized Provider takes the responsibility for full compliance with PACE requirements.

For example, a program on whiplash might be developed by a well-qualified instructor, who does not seek full recognition status. A postgraduate education department of a chiropractic college (if it has achieved recognized PACE status) might want to include this class in its array of offerings. The college would be responsible for ensuring that the program complied with PACE criteria. It would also be able to extend appropriate and qualifying administrative support as required by PACE, such as records retention.

So colleges are now to be accredited by FCLB?

■ Who qualifies as a recognized provider?

Any entity or individual may apply. The provider must have been offering continuing education programs for at least one year. Organizations, educational institutions, departments, units or private providers are just some of the categories that may qualify.

If PACE becomes universally required, no new instructors could be approved, one year unapproved?

Recognition will be extended to those who comply with the **FCLB PACE Policies & Procedures** and **FCLB PACE Criteria for Quality Continuing Education**. These include (but are not limited to) submitting and completing an initial application, substantiating compliance with PACE requirements, payment of required fees, registering programs and participants, and proper display of the recognition status (use of the PACE logo and/or approval language). Please refer to the governing documents for details.

Where does all this money go? FCLB is non-profit but someone will make a lot of money with these fees. There must be full payroll disclosure, who is getting paid?

■ How much does it cost?

BOARDS

FCLB member boards pay nothing to participate in the program. PACE reduces the regulatory board's workload and standardizes approval criteria.

Also, reports are generated for each FCLB member board to document CE credits for individual licensees. This improves the current system of random audits of all practitioners by identifying those who may need to document legal compliance with renewal requirements.

PROVIDERS

A \$1500 initial application fee (of which \$500 is non-refundable) is assessed to process the application and review the provider's compliance with PACE requirements. This includes the first year's recognition fee if the applicant is granted status as a Recognized Provider.

This is clearly a way to get all Boards to be FCLB members as well as entice them to participate in PACE, while getting everyone else to pay for it.

Initial approval is for a maximum of one year. Subsequent reapproval may be granted for up to three years upon successful completion of a reapplication, payment of a \$250 reapplication fee and required annual recognition fees, and demonstration of continued compliance with PACE.

Each program which qualifies for the use of the PACE logo must be registered with FCLB in advance of the course being held. This brief registration form must be accompanied by a \$50 registration fee.

Following completion of the program, a \$10 records fee for each participant must be forwarded to FCLB along with a list of participants to support the costs of maintaining this data in the FCLBALLDOCS database.

■ What is the application process?

An applicant must submit the required fee and a completed application and support materials which describe and document how the provider will comply with the **FCLB PACE Policies & Procedures** and **FCLB PACE Criteria for Quality Continuing Education**. The application also includes such items as contact information, instructor vitae, administrative qualifications, documentation of a needs assessment, previous program offerings, etc. The PACE Committee is charged with determining whether the provider is both willing and able to comply with the program requirements.

If the review team is voluntary, who is getting all that money?

The PACE Committee assigns the application to a Review Team of volunteer experts, who study the material to determine whether compliance can be assured. The Team reports its findings to the PACE Committee, which may remand the application back for further information /review or it may recommend to the FCLB Board of Directors that recognized status be granted or not.

So ultimately, the FCLB Board makes all decisions on who is OK and who is not?

The PACE Committee meets regularly to study the reports of the Review Teams and make its recommendations to the FCLB Board of Directors, which has final authority to grant recognized status. The initial application process will take approximately four months.

■ Is there an appeal process if the provider disagrees with a decision by the FCLB Board of Directors?

Yes. PACE allows for both reconsideration and appeal. Please see the **PACE Policies & Procedures** for details. The Appellate Commission also handles appeals in cases where recognized status might be removed for non-compliance.

It appears they are the judge and jury on all decisions and appeals. No outside help?

■ How are complaints about PACE Recognized Providers handled?

The complaint process is outlined in the **PACE Policies & Procedures**. Signed complaints regarding non-compliance with PACE requirements will be subject to formal review by the PACE Committee. The process ensures a uniform procedure and timely resolution. Complaints outside the domain of the PACE program (such as fee disputes) will not be considered.

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9/20/02

This is an interesting area. Individual Boards have authority to hear complaints, whereas FCLB does not. Yet the ramifications of their decision can affect licensure credit and therefore licensure. This poses interesting legal questions as to double jeopardy and the FCLB not having this type of authority in the first place. A legal opinion should be looked into on this. Also, as is a problem with CCE, what happens when PACE guidelines are in violation of state law? If you removed the regulatory aspect of PACE and just made it an informational clearinghouse for CE records and uniform applications, then this concept might be more acceptable. The regulatory aspect, and lack of oversight of the regulating body (FCLB/PACE) is what makes this a real a concern.

There will be a forward about the committee, history and process here.

FCLB

Providers of Approved Continuing Education - Chiropractic

PACE

Introduction
DRAFT 9/20/02

By what authority do they claim to have the ability to "regulate" the chiropractic profession? Not even state boards have that authority.

The Federation of Chiropractic Licensing Boards (FCLB), the non-profit association of government agencies empowered to regulate the chiropractic profession, is pleased to present the FCLB service entitled Providers of Approved Continuing Education (PACE).

The mission of the FCLB is to protect the public and to serve our member boards by promoting excellence in chiropractic regulation.

Who are they referring to, and was there ever a vote?

To that end, and at the request of our membership and major CE providers, FCLB has worked closely with member boards and program stakeholders to develop a uniform approval process designed to streamline the recognition process for providers seeking board approval for their CE programs. In addition, PACE offers the chiropractic community an efficient mechanism to select their continuing education hours with confidence of compliance with uniform requirements.

In order to comply with the legalities of maintaining decision-making authority within the regulatory boards, FCLB and its PACE Committee recommend that member boards adopt the criteria of PACE as part of the criteria of the board. Thereafter, a member board can, with confidence, rely upon the PACE recognition as determining compliance with the defined criteria.

This may well represent anti-trust issues, or at least an authority problem.

Chiropractic regulatory boards may also assess providers and/or programs directly to determine compliance with criteria determined by the board. However, the FCLB PACE program is designed to provide uniformity to the criteria and to alleviate the administrative burdens placed upon boards by this burdensome process. It is also believed that this uniformity of criteria and process will diminish the likelihood of litigation over adverse decisions.

Evaluating applicants and approved CE providers is an ongoing process. Once Recognized Provider status is awarded, FCLB continues to assess compliance with PACE requirements as a service to its member boards in furtherance of its public protection mission.

HOW PACE WORKS

The quality control for continuing education programs centers on the *Criteria for Quality Continuing Education* developed by the Council on Chiropractic Education (CCE) and approved by the FCLB. These criteria are subject to regular review and modification by CCE and FCLB, taking advantage of the academic and regulatory perspectives of both organizations. This process also ensures that educational programs for the practicing DC are congruent with continuously developing standards for the pre-degree curricula.

The *Criteria for Quality Continuing Education* are adopted by the FCLB Board of Directors and applied by the FCLB PACE Committee.

| | | |
|-------------------------|-----------|---|
| CCE Board of Directors | Develops* | Criteria for Quality Continuing Education |
| FCLB Board of Directors | Adopts | |

An Appellate Commission is also established to address appeals which may result from changes in recognition status.

| | | |
|-------------------------------|---------------------------------------|--|
| FCLB Board of Directors | Final Approval Authority | <ul style="list-style-type: none"> • Recognition Status • Removal of Status or Probation |
| PACE Committee | Recommending Authority | |
| Will be a political selection | | <ul style="list-style-type: none"> • Complaints |
| Review Team Pool | Investigative & Application Authority | <ul style="list-style-type: none"> • Changes to PACE Policies and Procedures |
| Will be a political selection | | |

PACE evaluates providers for program quality in 8 areas which include 27 criteria. Only CE providers that meet the *FCLB PACE Criteria for Quality Continuing Education* and comply with *FCLB PACE Policies and Procedures* are granted PACE approval and are authorized to use the PACE logo and/or approval statement on their publications. Once approved, CE providers are held responsible for continued compliance with those same standards or recognition may be removed. Yet they do charge per program and attendee.

PACE does not approve specific courses or the credit hours that recognized providers offer, but does review program materials as part of the provider application process and also maintains oversight over programs which bear the PACE logo.

Any individual or entity may apply for PACE approval. Applicants pay an initial fee which includes the non-refundable application fee and first year's recognition fee (which is refunded if recognized status is not awarded), a modest fee per program, and attendee records fees.

A registry of CE credits for attendees to PACE recognized programs will be maintained in the FCLB ALLDOCS database as a service to both member boards and attendees.

For more information, please contact PACE through the FCLB offices:

Federation of Chiropractic Licensing Boards

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On the web: www.fclb.org / e-mail PACE@fclb.org

■ PURPOSES

The PACE program of the Federation of Chiropractic Licensing Boards shall have the following purposes:

- Show me one study that confirms this – it does not exist.
- A. To enhance the protection of the public by advancing the quality of chiropractic continuing education, for the benefit of the chiropractic regulatory boards;
 - B. To establish the criteria and characteristics of approved chiropractic continuing education experiences;
 - C. To provide doctors of chiropractic with a dependable basis for selecting approved continuing education experiences; This gives FCLB regulatory authority they have never had before. The schools already do this.
 - D. To provide a basis for uniform acceptance of continuing education credits among chiropractic regulatory agencies; The only good point of PACE, but this can be done without the regulatory aspect.
 - E. To provide feedback of information to CE providers about their programs, and encourage periodic self-evaluation, with a view towards continual improvement and strengthening of continuing education activities. Schools already do this.

In addition, PACE will provide chiropractic regulatory boards with valuable and, otherwise costly or inaccessible information and services on a shared basis. This can be accomplished by a good computer program and tracking company. Whereas standardized application is good. The new regulation and power this gives to FCLB is dangerous.

■ VOLUNTARY NATURE OF THE PROGRAM

Provider participation in PACE shall be voluntary, but if recognition status is awarded, PACE Recognized Providers agree to be bound by the *FCLB PACE Policies & Procedures* and *FCLB PACE Criteria for Quality Continuing Education*. In order to maintain the integrity of the program, FCLB reserves the right to continually modify the program in what it believes to be the best interests of chiropractic regulation and public protection.

It seems once they have you, they own you.

■ PROGRAM AUTHORITY

Chiropractic regulatory boards are legally responsible for approving continuing education credits as part of the licensure renewal process. PACE is designed to assist FCLB member boards in the significant substantive and administrative responsibilities associated with reviewing and approving CE providers and their programs.

Boards shall be encouraged to adopt the PACE requirements and, in addition, may approve individually CE programs they determine to be in the public interest in their jurisdictions in accordance with their own criteria.

The FCLB Board of Directors shall be the final approving authority for decisions involving PACE, except where the Appellate Commission is specifically empowered.

■ CONFIDENTIALITY

Without prior written consent by the applicant, the application for recognized status and its contents shall remain confidential, pursuant to exceptions outlined in this section.

FCLB shall make public, or upon request disclose, the current status of all applicants, including the following information:

- the fact that a provider has applied for status and determination is pending;
- the eventual decision regarding the application (that PACE Recognized Provider status has been denied or awarded, and the length and effective date of recognition)
- the current status of those who have earned PACE Recognized Provider status, including, but not limited to:
 - continuation of PACE Recognized Provider status
 - issuance of Cautionary Notice
 - removal of status
 - requests for reconsideration or appeal

Without prior written consent by the PACE Recognized Provider, details of complaints involving such provider shall remain confidential within FCLB, pursuant to exceptions outlined in this section. If a complaint results in adverse action against a PACE Recognized Provider for applicant, including removal of status, such decision shall be made public along with the specific PACE requirement(s) with which non-compliance has been determined.

Exceptions to PACE confidentiality provisions shall be made if FCLB determines that:

- a PACE Recognized Provider or applicant has made false or misleading statements regarding its PACE recognition;
- FCLB is legally advised or required to disclose such information;
- other agencies by which the PACE Recognized Provider or applicant has been approved (or whose approval the PACE Recognized Provider or applicant is seeking) have requested information;
- the release of information is in the best interest of its member boards or the public.

This last one can negate anything they've said above. Who determines "best interest"?

■ AUTHORITATIVE DOCUMENTS

PACE shall rely upon the following documents in considering CE provider applications:

1. The *FCLB PACE Criteria for Qualify Continuing Education*, developed by the Council on Chiropractic Education, which serves as the quality standards which are necessary for effective chiropractic continuing education.
2. The *FCLB PACE Policies & Procedures*, which serves as the rationale and procedural standards necessary for effective administration of the PACE program.

Revisions to the authoritative documents

Even though CCE makes the criteria, FCLB has final approval authority.

Formal revisions of the *FCLB PACE Policies & Procedures* or *FCLB PACE Criteria for Quality Continuing Education* in whole or in part shall be submitted to the FCLB Board of Directors for comment and possible modification. Before adoption, the final draft shall then be

published for comment by organizations and bodies having an interest in chiropractic continuing education. The draft shall be made available to the interested public as well.

But no vote or authority to veto bad ideas or directions.

The process for revisions to the *FCLB PACE Criteria for Quality Continuing Education* shall be determined by FCLB in conjunction with the Council on Chiropractic Education. The revised document shall be adopted by the FCLB Board of Directors prior to implementation.

Again, FCLB has total control and authority.

■ SCOPE OF RECOGNITION

FCLB PACE Recognition status is granted by FCLB based on an applicant's demonstration of compliance with PACE requirements. The Review Team, empaneled by the PACE Committee, reviews all applications and reports to the PACE Committee, which makes recommendations to the FCLB Board of Directors. (See Process for Initial Application and Process for Renewal Application for details.)

To apply for recognition, the CE provider/sponsor shall submit a complete *Application for Recognition*, a form which relates to each of the requirements addressed in the *FCLB PACE Policies & Procedures* and *FCLB PACE Criteria for Quality Continuing Education*. The *Application*, together with any fees and required documentation or pertinent data, is submitted to the PACE Committee for initial evaluation.

Applicants seeking initial recognition, and PACE Recognized Providers seeking renewal of status beyond the current term of approval, shall be required to submit data documenting capability for, and commitment to, compliance with PACE requirements. In the evaluation process, the PACE Committee may rely in part upon the applicant's prior experience in continuing education programming and the applicant's mechanism(s) for assuring that the CE programs provided will meet PACE requirements. The PACE Committee may seek additional detailed information as deemed necessary to an evaluation of the applicant and may also survey participants and others regarding the applicant's activities.

An applicant which meets PACE requirements shall be designated as a "PACE Recognized Provider." If approved, the initial recognized status period shall not exceed one year. If continued recognition is awarded, each PACE Recognized Provider shall apply for continued recognition status at least every three years, and may be required to reapply more frequently if the PACE Committee determines that conditions warrant.

In addition, PACE Recognized Providers shall submit such interim reports as required by the PACE Committee.

Granting PACE Recognized Provider status does not imply recognition of the applicant's satellite or parent organizations, parent company, subsidiaries, cooperating organizations, or divisions. In other words, ICA and ACA would have to submit multiple applications for each of their councils. This would get very expensive.

Please see the PACE policy on appropriate reference to status and use of the PACE logo.

PACE does not approve individual courses or credit hours. Further, the terms "accreditation" or "accredited" shall not be used in conjunction with PACE recognition.

■ QUALIFICATIONS FOR PACE SERVICE

• **Review Team** - A pool shall be established of Review Team members, representing experts in education, subject matter, technical aspects, or other areas which may be beneficial to help assess applicant abilities to comply with the PACE requirements.

Again FCLB would make the final determination as to who they thought were the experts.

Not much of a chance that the profession would be well represented here.

• **PACE Committee** - A five-member committee shall be appointed by the FCLB President and approved by the FCLB Board of Directors, to staggered three-year terms on the PACE Committee. Committee members may be reappointed to serve two additional consecutive three-year terms. To establish the initial PACE Committee, adjustments in initial terms shall be made by the President as necessary to ensure continuity and experience. Service in a term for less than half its length shall not constitute a full term for purposes of qualifying for reappointment.

Mid-term vacancies shall be filled by the same process.

The five PACE Committee positions shall be filled according to the following qualifications.

At the time of their initial appointments:

Only one out of five here has anything to do with Postgraduate Education. The rest are political appointees.

- One (1) member from the FCLB Board of Directors;
- One (1) member who is a board member of a chiropractic regulatory board;
- One (1) member from an organization or program which currently provides chiropractic continuing education;
- One (1) member who is a licensing board executive or administrator;
- One (1) member at-large.

An FCLB staff member shall also serve as an ex-officio, non-voting member of the PACE Committee.

• **Appellate Commission** - a three person Appellate Commission shall be appointed by the FCLB President subject to approval by the Board of Directors. No less than two of the three shall be current members of the FCLB Board of Directors. Members of the Appellate Commission shall not participate in any initial decisions regarding the granting or removal of PACE Recognized Provider status. The term of appointment to the Appellate Commission shall be two years, effective in January in congruence with other FCLB committee appointments.

■ CONFLICT OF INTEREST

Members of the review team pool, PACE Committee, FCLB Board of Directors, and Appellate Commission shall recuse themselves from reviewing or acting on applications from CE providers where such review may constitute a conflict of interest.

If they are on a Board of Examiners that approves CE credit, is that not an inherent conflict?

■ PROCESS FOR INITIAL APPLICATION

Initial Application

Interested CE providers shall complete a PACE *Application for Recognition* and submit it with the required support documents and fees to the PACE program for review. Published application deadlines shall fall approximately two months prior to the regular meetings of the PACE Committee.

Within 30 days after receipt, applications shall be reviewed by staff to determine the completeness of information submitted.

If issues are identified, the applicant shall be notified of such deficiencies and provided with the opportunity to proceed as filed, or to supplement or withdraw the application.

The application fee is non-refundable.

Review Team / PACE Committee

Upon a determination to proceed, the *Application for Recognition* shall be forwarded for review to a Review Team assigned by the PACE Committee. If the Review Team is not in agreement on a recommendation, additional reviewer(s) may be assigned. The Team reports its findings to the PACE Committee, which may remand it back for further information/ review or it may recommend to the FCLB Board of Directors that recognized status be granted or not granted, or granted subject to conditions.

With this they are granting themselves investigatory powers!

FCLB reserves the right to seek additional information from the applicant including, but not limited to, course evaluation forms completed by participants and the names, addresses and telephone numbers of all course participants. FCLB also has the right to seek information from alternative sources including, but not limited to, surveys of program participants, on-site visits, observation of the applicant's CE activities, or other means considered necessary to determine whether the applicant can and does comply with the *FCLB PACE Policies & Procedures* and *FCLB PACE Criteria for Quality Continuing Education*.

Applicants shall be notified in writing of the action taken by the FCLB Board of Directors postmarked no later than **15** days after a recognition action is taken. If the *Application for Recognition* is denied, the report shall indicate cause(s) of such action. A process for reconsideration shall be available in the event that initial recognition is denied.

Payment of Recognition Fee / Recognition Status Award

The initial application shall include a non-refundable application fee and the first annual recognition fee, which shall be refunded if PACE Recognized Provider status is not awarded.

Thereafter, the recognition fee shall be paid at least 30 days in advance of the first day of subsequent recognition periods so long as status is maintained. The effective date of recognition is the date in which action is taken by the FCLB Board of Directors. In no case shall recognition be granted retroactively or prior to action taken by the FCLB Board of Directors.

The term of recognition shall be clearly stated in the letter that transmits the FCLB action to the applicant. The standard term of initial recognition shall not exceed one year, and subsequent terms of continued recognition shall not exceed three years. FCLB reserves the right to modify terms of recognition to establish a cycle allowing efficiency and evenness of workload. FCLB may also modify a previously awarded term of recognition as determined appropriate in order to reflect changes in a PACE Recognized Provider's compliance with the PACE requirements.

If recognition is granted, the applicant shall be provided with the following information:

- the effective date of recognition;
- its PACE Recognized Provider reference number
- a statement that must be used to announce or publicize PACE recognition;
- a document outlining its responsibilities and procedures for documenting attendance at activities;
- procedures regarding reapplication for continued recognition;
- requirements and recommendations for improvements in the PACE Recognized Provider's program if applicable.

Recognition may be contingent on the submission of one or more progress reports at specified intervals. FCLB reserves the right to reevaluate a PACE Recognized Provider at any

time by surveying participants in the PACE Recognized Provider's CE activities, by reviewing activities in person, or by requiring submission of additional information concerning the PACE Recognized Provider and/or its activities.

Granting PACE Recognized Provider status does not imply recognition of the applicant's satellite or parent organizations, parent company, subsidiaries, cooperating organizations, or divisions.

PACE Recognized Providers have an obligation to ensure that substantive changes or additions to the programs, such as implementing patient treatment courses or adding new educational methods, shall conform with the *FCLB PACE Policies & Procedures* and *FCLB PACE Criteria for Quality Continuing Education*. Substantive changes shall be timely reported to PACE in conformance with the PACE Policy on Substantive Changes.

■ ANNUAL AND SPECIAL INTERIM REPORTS

Annual interim reports shall be required by the PACE Committee to assure that PACE Recognized Providers are in continual compliance with PACE requirements.

Special interim reports may be requested by the PACE Committee from a PACE Recognized Provider at any time if the PACE Committee determines that there is a possibility of non-compliance with PACE requirements.

■ PROCESS FOR RENEWAL APPLICATION

The re-recognition process begins approximately six months prior to the designated recognition expiration date. FCLB notifies PACE Recognized Providers of the re-recognition procedures, including a specific schedule. Reapplication deadlines shall be regularized and published, and shall fall approximately three months prior to meetings of the PACE Committee.

PACE Recognized Providers shall complete and submit a *Reapplication for Recognition* and required fee by the specified deadline prior to the date when the PACE Recognized Provider's recognition will expire. In addition to the required form, the PACE Recognized Provider shall submit any other identified materials documenting its continued compliance with the *FCLB PACE Policies & Procedures* and *FCLB PACE Criteria for Quality Continuing Education* for recognition, as well as evidence of resolution of all previously-identified areas of non-compliance.

The PACE Committee may direct a Review Team to study the *Reapplication for Recognition* or may review the application and materials directly.

On the basis of the *Reapplication for Recognition*, associated information, and pertinent information gathered through the ongoing monitoring process conducted during the term of recognition, the PACE Committee shall make its recommendation to the FCLB Board of Directors and the Board shall make its decision regarding the renewal of status for the PACE Recognized Provider.

Again total ongoing control.

■ REFERENCE TO STATUS

Use of the PACE logo or name in connection with announcements, promotional materials, publications, course materials, or any other form of oral or written communication or publicity associated with CE activities by a PACE Recognized Provider shall conform to specific requirements.

Such reference shall state only the following:

“(Name of PACE Recognized Provider) is recognized by the PACE program of the Federation of Chiropractic Licensing Boards”

The FCLB official recognized PACE logo shall also be used in conjunction with the reference statement.

The PACE logo and recognition statement shall appear in the lower left corner of any published or written materials.

The logo shall not be used on letterheads or in any fashion that would imply that the organization is affiliated with FCLB or PACE, other than as a PACE Recognized Provider.

The logo shall not be given greater prominence nor displayed in a type size larger than the PACE Recognized Provider's name.

The logo shall not be published in conjunction with any statement or materials that, in the judgement of FCLB, may be harmful to FCLB's goodwill or may tend to undermine FCLB's credibility.

The logo shall only be used in conjunction with the statement that the PACE Recognized Provider is recognized by PACE. It shall not be used to imply recognition of the applicant's satellite or parent organizations, parent company, subsidiaries, cooperating organizations, or divisions.

The terms “accreditation” or “accredited” shall not be used in conjunction with PACE recognition.

■ DIRECTORY OF PACE RECOGNIZED PROVIDERS

FCLB shall maintain a publicly available listing of PACE Recognized Providers. Listing on the FCLB website shall be at no charge. Fees may be charged for a printed directory at the discretion of FCLB.

■ CAUTIONARY NOTICE OR REMOVAL OF STATUS

Cautionary notice may be given to a PACE Recognized Provider when evaluation, interim reports, or complaints present concerns of such character so as to impact upon prospects for continued compliance with PACE requirements.

The PACE Recognized Provider may be given a period of time, not to exceed one year, to correct identified deficiencies and to demonstrate that it is, and will continue to be, in compliance. Documentation in support of the PACE Recognized Provider's compliance shall be presented at least 30 days in advance of any meeting in which consideration is scheduled.

Removal of recognized status may occur if there is non-compliance with PACE requirements. If recognition is removed, the PACE Recognized Provider shall be provided with written notice of the following by certified delivery:

1. Identification of the specific aspects of the *FCLB PACE Policies & Procedures* and/or *FCLB PACE Criteria for Quality Continuing Education* with which FCLB has found non-compliance, and
2. Procedures for reconsideration and/or appeal.

Removal of recognized status becomes effective 30 days following the postmark date of the notice unless a written request for reconsideration or appeal is filed within 21 days of the postmark date of notice and in accordance with established procedures.

PACE Recognized Provider status may be removed by FCLB for any of the following reasons:

1. Upon voluntary request by the PACE Recognized Provider.
2. Non-compliance with the PACE requirements. Specific reasons for the action shall be identified.
3. The PACE Recognized Provider submits false and/or misleading information.
4. The PACE Recognized Provider fails to submit documentation requested in writing in a timely manner.
5. CE programs have not been provided to chiropractors for a period of two years or more.
6. Required fees have not been paid.
7. The PACE Recognized Provider fails to sign the *PACE Reapplication for Recognition*.
8. Any other reason, in the judgement of FCLB, that undermines the integrity of FCLB, its PACE program, or the educational process.

■ RECONSIDERATION OR APPEAL OF ADVERSE ACTION

If FCLB takes an adverse action on an application for recognition or against a PACE Recognized Provider, it may request **reconsideration** by FCLB or may **appeal** the decision. An adverse action is defined as denial or removal of recognition.

Please note that an applicant may also remediate any defined deficiencies and submit a new application in lieu of requesting reconsideration or appeal.

1. **Reconsideration** shall be undertaken by the PACE Committee at its next regularly scheduled meeting. The PACE Committee's recommendation(s) shall be forwarded to the FCLB Board of Directors.

Reconsideration is conducted in accord with the procedures outlined in this section.

The principal purpose of a reconsideration is to determine if, based on the information and documentation previously submitted to the PACE program, the FCLB decision to deny or remove recognition was in accordance with PACE recognition procedures and policies.

Reconsideration may not be based on the length of the recognition period or disagreement with the *FCLB PACE Policies & Procedures* and *FCLB PACE Criteria for Qualify Continuing Education*.

A written request for reconsideration shall be postmarked and sent to the FCLB executive offices by certified delivery no later than 21 days following the postmark deadline of the FCLB notice to deny or remove recognition. Such requests shall delineate in detail the reasons why the decision of FCLB is in error.

Reconsideration shall be referred to Review Team members who were not part of the original review process. The report of the Review Team shall be forwarded to the PACE Committee in accordance with the same procedures as a new *Application for Recognition*. A fee shall be charged for reconsideration.

FCLB gets to be the Prosecution, the Judge, the Jury and the Executioner all in one!

2. Appeal

An applicant or PACE Recognized Provider may appeal an adverse action in a timely manner and according to the following PACE procedures.

A written request for appeal and a non-refundable \$1500 initial deposit in guaranteed funds shall be postmarked and sent to the FCLB executive offices (or other designated address) by certified delivery no later than 21 days following the postmark of the FCLB notice of the adverse action. The initial FCLB order of the adverse action shall be final in the absence of a timely appeal.

In the event of a timely appeal, FCLB shall promptly provide the appellant with written acknowledgment of receipt of the request and deposit. Such acknowledgment shall set forth the initial time lines for submission of supporting documentation and other information FCLB determines to be pertinent.

Within the time line for submission of such supporting documentation, the appellant may elect in writing to convene the FCLB Appellate Commission for a hearing. If elected, FCLB shall promptly notify the appellant in writing of the estimated costs of the appeal hearing. Such costs shall be paid by the appellant. The appellant shall promptly submit an additional deposit in guaranteed funds equal to the remaining difference between the initial deposit and FCLB's estimated costs of the appeal. In the event of a hearing, FCLB shall provide the appellant with an accounting documentation of the costs of the appeal. The appellant may elect to rely on the established record and waive the right to convene the Appellate Commission.

The Appellate Commission shall only review information and documentation that was previously available to the PACE Committee and FCLB at the time of the adverse action. Deliberations of the Appellate Commission shall be in closed session.

The Appellate Commission may:

- Affirm the decision of FCLB;
- Reverse and remand the decision of the FCLB to the PACE Committee; or
- Modify the decision of FCLB.

The Appellate Commission shall base its decision upon whether the adverse action was supported by the evidence and followed the *FCLB PACE Policies & Procedures* and *FCLB PACE Criteria for Quality Continuing Education*.

The decision of the Appellate Commission shall be made within a reasonable period of time and shall be forwarded by certified delivery to the appellant and the FCLB Board of Directors.

■ COMPLIANCE AUDITS

The PACE Committee reserves the right to empane (volunteer compliance officers) to attend any program which bears the PACE logo. After the program concludes, these officers shall offer identification to the instructor designating their status, and any registration fees shall be refunded by the PACE Recognized Provider in a timely fashion. The compliance officer shall forward a confidential written report based on evaluating compliance with the *FCLB PACE Criteria for Quality Continuing Education* to the PACE Committee within 30 days of the conclusion of the program. With this the FCLB gets to "Deputize" doctors!

No chiropractic continuing education credit shall be awarded to compliance officers for their participation in program audits unless registration fees are paid.

■ COMPLAINTS ABOUT PACE RECOGNIZED PROVIDERS

Formal written complaints about PACE Recognized Providers shall be considered by the FCLB Board of Directors and the PACE Committee if the complaint documents substantial non-compliance with the *FCLB PACE Policies & Procedures* and/or *FCLB PACE Criteria for Quality Continuing Education*.

Signed, written complaints can be submitted to the PACE Committee by FCLB member boards, course participants, course faculty, other CE providers, chiropractic societies, licensure jurisdictions, PACE compliance officers, and other interested parties.

Procedures shall be developed by FCLB to handle complaints.

■ COMPLAINTS INVOLVING THE APPLICATION OF PACE REQUIREMENTS

FCLB has an obligation to respond to any complaints which may be lodged against it by any organization, doctor of chiropractic, faculty member or third party with respect to the application of PACE requirements which directly affect the complaining party.

Any such complaint shall be submitted in writing and signed. FCLB shall attempt to resolve the matter in consultation with the PACE Committee, FCLB Board of Directors, or Appellate Commission as may be most appropriate depending on the nature of the complaint.

■ REPORTING SUBSTANTIVE CHANGES

A substantive change to a PACE Recognized Provider's CE program is one that may impact the degree to which the PACE Recognized Provider complies with the *FCLB PACE Policies & Procedures* and *FCLB PACE Criteria for Quality Continuing Education*. Substantive changes may include, but are not limited to:

- Changes in ownership, legal status or form of control.
- Introducing a new educational method beyond the scope described in the application, e.g., adding patient treatment courses or self-study activities.
- Changes in the PACE Recognized Provider's source(s) of financial support, especially if funding is from an external commercial source.

When substantive changes occur, the primary concern of the PACE Committee is continued compliance with PACE requirements. PACE Recognized Providers must demonstrate that any substantive change(s) to their CE program will not adversely affect the ability of the organization to comply with established requirements. If the program changes represent a sufficient departure from practices in place at the time of application, the PACE Committee may elect to re-evaluate the PACE Recognized Provider at any time during the recognition period.

If a PACE Recognized Provider is uncertain whether a change is substantive, it may contact FCLB for clarification and guidance.

The PACE Recognized Provider shall submit a written prospectus to FCLB describing the change(s) in its CE programs and explaining how the CE program will continue to comply with PACE requirements at least three months prior to the date of implementation.

The PACE Committee may exercise its right to re-evaluate a PACE Recognized Provider at any time during the recognition period.

When a PACE Recognized Provider has received written notification to provide additional documentation, failure to submit the requested documentation within the time specified may be considered grounds for removal of PACE recognition status. Submission of false or misleading information shall be grounds for removal of PACE recognition status.

■ PROGRAM REGISTRATION

Each program which meets the PACE requirements and bears the PACE logo and/or name shall be registered with FCLB along with the required fee no later than 30 days prior to the first day of the program.

A qualifying program shall include, but not be limited to, live courses delivered in person or via distance learning formats, structured or monitored self-study programs, audio or video tapes, etc. Each separate unit within a diplomate or certification program shall qualify as an individual program for the purposes of registration.

Registration shall be in accordance with procedures required by FCLB. Individual programs shall be reviewed by the staff and/or PACE Committee for compliance with PACE requirements. Qualifying programs shall be posted on a searchable database in the FCLB website within seven working days of receipt of the program information.

PACE Recognized Providers are encouraged to register their programs early to gain maximum available public exposure.

Failure to register qualifying programs or non-payment of all required fees within the established deadline(s) shall result in the immediate removal of PACE Recognized provider status and removal from the current list of PACE Recognized Providers. Any provider wishing to reinstate its recognition following removal for non-payment of fees shall be required to submit a new *Application for Recognition* and follow the established procedures for initial recognition.

■ PARTICIPANT RECORDS

Within 30 days of the conclusion of a qualifying and registered program, the PACE Recognized Provider shall forward to FCLB a complete list of program participants and the required records fee. Such submissions shall be in accordance with specific procedures as required by FCLB.

The list shall include the participant name as it appears on the license, license numbers for all known jurisdictions, address of record, and the program areas and credit for each which has been awarded by the PACE Recognized Provider. Additional identification information may be requested by FCLB to ensure accurate posting on the ALLDOCS database.

FCLB shall post participation information on attendee's ALLDOCS record and shall provide documentation to each member chiropractic regulatory board regarding CE credits and programs for each known licensee on a schedule as determined between FCLB and its member boards.

Participation records may also be forwarded at the licensee's request to other parties in accordance with policies and fees as determined by FCLB.

The records fee is required for all participants. Posting individual participation records may be waived upon specific written request by attendees to the PACE Recognized Provider.

Non-payment of records fees or failure to provide the participation list within the established deadline(s) shall result in the immediate removal of PACE Recognized provider status and removal from the current list of PACE Recognized Providers. Any provider wishing to reinstate its recognition following removal for non-payment of fees shall be required to submit a new *Application for Recognition* and follow the established procedures for initial recognition.

■ FEES

In addition to the required application fee, PACE Recognized Providers are required to pay an annual recognition fee.

The non-refundable application fee shall be submitted with the *Application for Recognition* or *Reapplication for Recognition*. PACE Recognized Providers must also submit the recognition fee for the recognition period at the time the application or reapplication is submitted. The recognition fee shall be refunded if PACE Recognized Provider status is not awarded.

No refunds will be made for early termination of the recognition period by either the PACE Recognized Provider or FCLB.

The following fees have been established:

- Application fee - \$500
- Reapplication fee - \$250
- Recognition fee - \$1000 per year
- Program registration fee - \$50 per program
- Attendee records fee - \$10 per attendee
- Reconsideration fee - \$500

Keep in mind that these fees must also be paid by our schools who are already strapped for cash. Whose pocket would you rather see the money go to? A chiropractic college, or FCLB?

Fees may be changed by FCLB upon six month's written notification to PACE Recognized Providers.

Additional fees? Over and above these?

Non-payment of any required fees within the established deadline(s) shall result in the immediate removal of PACE Recognized provider status and removal from the current list of PACE Recognized Providers. Any provider wishing to reinstate its recognition following removal for non-payment of fees shall be required to submit a new *Application for Recognition* and follow the established procedures for initial recognition.

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Currently, Chiropractic Colleges that sponsor CE programs collect fees for each program and per attendee. With this new FCLB – PACE program the schools would not be needed. Therefore the revenue from these programs would be lost to the schools and be given to FCLB. Additionally the schools themselves would have to pay these fees making Postgraduate education an almost certain losing proposition for our schools. If the schools did continually lose money on Postgraduate education they would eventually have to get out of that business. This would cause the loss of many quality chiropractic programs and educational offerings, and thus defeat the very purpose FCLB is attempting with this PACE endeavor. PACE has the potential to take education away from the schools and put it under the control of political appointees. This shift is not only dangerous but in NOT in the best interest of the public or our profession. Education, Postgraduate or otherwise belongs in the hands of those most qualified to offer and regulate it, our chiropractic colleges.

FCLB PACE Criteria for Quality Continuing Education

The Federation of Chiropractic Licensing Boards (FCLB) in conjunction with the Council on Chiropractic Education (CCE) developed the *FCLB PACE Criteria for Quality Continuing Education* as an integral part of the FCLB program entitled Providers of Approved Continuing Education (PACE).

As experts in the field of assessment of education, the involvement of the CCE in the process is essential and valuable.

CCE has no experience whatsoever in Postgraduate education.

The CCE is empowered by its current bylaws to participate in a voluntary assessment of continuing education and graduate education. The existing structure of the voluntary review provides an excellent framework for the DRAFT *FCLB PACE Criteria for Quality Continuing Education*.

CCE Bylaws - EXCERPT

2.02 GOALS

To fulfill its mission, the CCE seeks to accomplish the following goals:

(5) Continuing and Graduate Education Accreditation

1. To develop accreditation requirements for the purpose of assessing the effectiveness of continuing and graduate chiropractic education programs in planning, implementing, and evaluating their missions, goals, program objectives, inputs, resources, and outcomes.
2. To establish an accreditation process for the purpose of certifying the quality and integrity of continuing and graduate chiropractic education programs, to evaluate their compliance with accreditation requirements, and to recognize their respective certification and diplomate designations.

To obtain and then retain recognition, applicants must demonstrate compliance with the following *FCLB PACE Criteria for Quality Continuing Education*. These published requirements address 8 different areas with a total of 27 different criteria.

Criteria for Quality Continuing Education .DRAFT 9/20/02

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I. MISSION AND GOALS

Criterion 1. Mission and Goals

The provider must establish and operate in accordance with a written statement of its mission related to the continuing education program. The mission must relate to the health care needs of the public.

The mission of the continuing education program must be consistent with the goals of the organization or institution.

Does this limit offerings? If not why is it there?

The individual or authority responsible for administration of the continuing education program must have input into development of the overall mission and goals of the continuing education program.

The goals of the continuing education program must be relevant to the educational needs and interests of the intended audience.

The mission and goals must be evaluated periodically and revised as necessary.

II. ADMINISTRATION AND ORGANIZATION

There must be a visible, continuous and identifiable authority charged with the administration of the provider's continuing education programs.

The administrative authority must have the responsibility and be accountable for assuring and demonstrating compliance with the quality criteria.

The responsibilities and scope of authority of the individual or administrative authority must be clearly defined.

The administrative authority must be responsible for maintaining accurate records of participants' attendance and for retaining information on the formal planned activities offered, including needs assessment, methods, objectives, course outlines, and evaluation procedures.

The administrator must be qualified to execute these responsibilities effectively.

How will the FCLB determine what administrative authority is qualified?

Criterion 3. Support Personnel

The continuing education program must have sufficient support personnel to provide for effective planning and implementation consistent with the mission and goals of the organization.

Criterion 4. Cooperative Programs

Administrative responsibility for development, distribution, and/or presentation of continuing education programs must rest with the PACE Recognized Provider whenever it acts in cooperation with providers or programs that are not recognized by PACE.

When two or more PACE Recognized Providers act in cooperation to develop, distribute and/or present a program, each must be equally and fully responsible for ensuring compliance with these standards.

Early in the planning, the functions of each party must be identified and documented.

Promotion, advertising, and publicity must be complete, accurate, informative and not misleading.

This seems to suggest that PACE and FCLB will have authority over advertising as well.

Information provided for each program must include:

- the name of the provider(s) prominently identified (and any organization or agencies providing financial support must be clearly identified);
- course title;
- description of course content;
- educational objectives;
- description of teaching methods to be used;
- all costs, including what is covered or not by the program fees;
- point and method of registration;
- course instructor(s) and their qualifications;
- refund and cancellation policies;
- location, date, time (and period of availability for Internet-based courses);
- specifics as to the provider's recognition status by PACE or other programs;
- number of credit hours available and requirements which must be met for credit to be awarded;
- recognition status on the of promotion materials, in accordance with policies required by the approval or recognition authority

Will all postgrad advertisement have to be submitted in advance? If not how will a provider know if their ad could be in violation?

For effective presentation and assimilation of course content, the prior level of skill, knowledge, or experience required (or suggested) of participants must be clearly specified in publicity materials.

Providers must avoid misleading statements regarding the nature of the activity or the benefits to be derived from participation.

Criterion 6. Record Keeping

The provider must maintain and assure the availability of records adequate to serve the needs of the participants and others requiring such information.

Records must be retained for a minimum of five years.

Verification of attendance documentation must clearly indicate at least:

- name, address and telephone number of each participant;
- name of the provider;
- date(s), location and duration of the program;
- title of the program and/or specific subjects;
- title of each individual CE session or course the participant has attended or successfully completed as part of a larger program, meeting or other similar activity (and number of credits awarded for each);
- educational methods used (e.g., lecture, videotape, clinical participation, electronically mediated)
- number of credit hours awarded to each participant

Criterion 7. Evidence of Attendance / Participation

Providers provide evidence of attendance, and participation where indicated, for chiropractic continuing education programs.

Criterion 8. Certifying Completion

Providers must provide official documentation of successful completion of the continuing education program to each qualifying participant, in a timely manner and in such fashion as the participant may reasonably require.

Documentation must not resemble a diploma or certificate that attests, or appears to attest, to a specific skill, or specialty or advanced educational status. Providers must design such documentation to avoid misinterpretation by the public or professional colleagues.

Duplicate or replacement documents must be provided upon request and appropriately designated as such.

Providers must adhere to a uniform quantitative system of measurement for continuing education credit based on the contact hour (which is defined as 50 minutes of participation or its equivalent).

The number of contact hours to be awarded for participation and successful completion must be determined by the provider in advance of offering the program.

In cases where the method of educational delivery does not lend itself to direct translation into contact hours, such as home study programs and other instructional approaches which do not involve face-to-face contact, a determination of the amount of educational credit which may be awarded must be made by realistically appraising the amount of time required for participants to successfully complete the program. An educationally sound and defensible process for this determination must be employed and documented.

The calculation of credits must not include time set aside for meals or breaks.

The provider must develop and make available to all participants policies and procedures for the management of grievances including, but not limited to the following:

- tuition and fee refunds
- program complaints

Providers must ensure participant compliance with applicable laws and regulations within all educational programs.

III. BUDGET AND RESOURCES

Criterion 12. Fiscal Responsibility

Fiscal resources must be sufficient to meet the goals of the program and the objectives of the planned activities.

In cases where continuing education is one element of a provider's activities, the budget and resources for continuing education must be a clearly identifiable component of the provider's total budget and resources.

Does this mean that FCLB wants access to ICA, ACA, and school's budgets? How else can they get that information?

IV. FACULTY AND STAFF

Criterion 13. Faculty and Staff

Providers must ensure that course instructors are qualified by education and experience to provide instruction in the relevant subject matter.

Providers must assume responsibility for communicating specific course objectives and design to instructors early in the planning process.

The number of instructors employed for a continuing education activity must be adequate to ensure effective educational results.

The number of instructors assigned to any activity must be predicated upon the course objectives and the educational methods used.

The instructor-participant ratio is most critical in participation courses. Providers must ensure that close supervision and adequate direct interchange between participants and instructors will take place.

There must be adequate supportive personnel to assist with administrative and technical matters related to the preparation and presentation of continuing education programs.

V. EDUCATIONAL PROGRAM DEVELOPMENT

Criterion 14. Objectives

Continuing education programs must involve planning which includes written educational goals and specific learning objectives that are measurable and which may serve as a basis for an evaluation of the program's effectiveness.

Educational goals and specific learning objectives must reflect the relationship of the program topic(s) or content to contemporary chiropractic practice.

Who defines what this is? I would hope FCLB would not.

Educational goals must be developed early in the program planning process so as to enable them to provide guidance and direction for all subsequent developmental aspects including content, supplemental instructional materials, learning assessment activities, and program evaluation.

Goals and objectives must be appropriate for the amount of time allocated to the program.

Criterion 15. Needs Assessment

Continuing education programs for chiropractic must be designed to satisfy educational needs which have been determined to be appropriate for the targeted audience(s).

Providers must regularly assess educational needs and involve members of the intended chiropractic audience(s) in identifying their own continuing education needs.

Criterion 16. Appropriate Subject Matter

Continuing education programs must address topics and subject matter areas which are pertinent to the contemporary practice of chiropractic and well-balanced in presentation. Subject matter must be evidence-based, professionally credible, and educationally sound.

This is the most dangerous determination of all! Politics will rule here.

Criterion 17. Topic Development

Each continuing education activity must be designed to explore one subject or a group of closely related subjects. If the activity involves multiple components, such as in a lecture series, all segments must be devoted to integrally related subjects.

Criterion 18. Instructional Materials

A syllabus or general outline of the program must be developed and made available to participants at each program offered.

All primary, supportive and supplemental instructional materials must be suitable and appropriate, and must be periodically reviewed to assure technical quality, timeliness, and current content.

Instructional materials must be designed to enhance the participants' understanding of the topic(s) being addressed and to foster applications to contemporary chiropractic practice, as well as to serve as future reference and /or to encourage additional learning.

Again the term "Contemporary Chiropractic Practice, is totally subjective.

Continuing education activities must be available to all licensed chiropractors unless reasonable exemptions are identified based on course content and educational objectives.

If previous training or preparation is necessary for effective participation in the activity, the provider must provide a precise definition of knowledge, skill or experience required for admission in course announcements.

Criterion 20. Commercial or Promotional Conflict of Interest

Providers are responsible for the administration, content, faculty selection, quality, credibility, and integrity of all continuing education activities. Therefore, the ultimate decision regarding funding arrangements for continuing chiropractic education must be the responsibility of the provider.

Providers must establish and comply with written policies that clearly place the responsibility for funding arrangements on the provider, and that direct disclosure requirements for external funding relationships.

Continuing chiropractic education may be supported by funds received from external sources if such funds are not tied to demands or control by the external funding source and if the funding arrangement is properly disclosed.

Disclosure is maximized in the following ways:

Does this mean that a technique seminar can not also have an interest in selling tables or adjusting instruments?

- providers must demonstrate that all educational activities offered are independent of commercial influence, either direct or indirect, or
- providers must disclose fully to participants all commercial relationships of the provider or between the provider, course presenters and/or a commercial company.

The words "all" and "indirect" make this near impossible to follow.

External funding must be disclosed to participants in announcements, brochures or other educational materials, and in the presentation itself.

Providers receiving commercial support must develop and apply a written statement or letter of agreement outlining the terms and conditions of the arrangement and/or relationship between the provider and the commercial supporter.

Providers must disclose to participants any monetary or other special interest the provider may have with any company whose products are discussed in its CE activities. Disclosure must be made in promotional material and in the presentation itself.

Does this mean if you are against vaccinations you must also talk about the benefits?
Providers must ensure that a balanced view of all therapeutic options is presented, **or** that the promotional nature of the activity is fully disclosed. Whenever possible, generic names must be used to contribute to the impartiality of the program presented.

Providers must assume responsibility for the specific content and use of instructional materials that are prepared with outside financial support.

Providers must assume responsibility for taking specific steps to protect against and/or disclose any conflict of interest of the faculty / instructors presenting courses. If a faculty member or instructor has a conflict of interest, this must be disclosed to participants.

Criterion 21. Patient Protection

Where patient treatment is involved, either by course participants or instructors, patient protection must be ensured as follows:

- The provider must seek assurance prior to the course that instructors possess the basic skill, knowledge, license status, malpractice insurance coverage, and expertise necessary to perform the treatment techniques being taught in the course.
- Informed consent from the patient must be obtained in writing prior to treatment.
- Appropriate equipment and instruments must be available and in good working order.
- Adequate and appropriate arrangements and/or facilities for emergency and post-procedural care must exist.

There can be no compromise in the health, safety and welfare provisions for live models or patients treated during continuing education activities. Sufficient clinical supervision must be provided during patient treatment to ensure that the procedures are performed competently.

The provider must assume responsibility for ensuring that instructors treating patients (especially those from outside the state/province where the course is held) are not doing so in violation of jurisdictional chiropractic licensure laws.

Malpractice protection must be assured where appropriate.

Patients and live models must be informed in non-technical language of:

- the training situation;
- the nature and extent of the procedures to be rendered;
- any benefits or potential harm that may result from the procedure.

Participants must be cautioned about the potential risks of using limited knowledge when integrating new techniques into their practices.

VI. METHODS OF DELIVERY

Criterion 22. Educational Methods

The method(s) of delivery utilized in an educational program must be determined by giving appropriate consideration to such factors as the educational content and learning objectives, as well as the size and the composition of the intended audience.

The provider must be responsible for choosing the educational methods to be used in consultation with advisory committees, instructors, educational advisors, or potential attendees.

Educational methods must be appropriate to the characteristics or composition (especially skill level) of the intended audience.

Educational methods must be appropriate to the facilities and instructional medium used for the activity.

The provider must have a written description of the methods to be used, which will assist in effective planning as well as evaluation of the activity.

For participation activities, group size must be limited in coordination with the nature of available facilities and the number of instructors/evaluators. Very careful attention to group size is mandatory when planning an activity that requires participants to perform complex tasks requiring supervision and evaluation.

Participants must be cautioned about the potential risks of using limited knowledge when incorporating techniques and procedures into their practices, especially when the course has not provided them with supervised clinical experience in the technique or procedure to ensure that participants have attained competence.

Providers who plan activities which require electronic or technical capability must ensure the input of individuals having technical expertise and the application of these techniques to adult learning.

Criterion 23. Participant Involvement in Learning

The method of delivery must allow for and encourage active participation and involvement on the part of the participating doctor of chiropractic.

Programs offered as distance learning may include (but are not limited to) journal articles, manuals, CDs, DVDs, audio and video tapes, research projects, computer or Internet-based programs which may or may not interact live with other participants and/or the instructor, and other emerging formats.

Continuing education offered as distance learning must comply with all qualitative criteria applicable to face-to-face forms of CE. In addition, providers offering CE in distance education formats must comply with the following:

- A field-tested method of determining credit hours must be utilized.
- Provision must be made for participant feedback and interchange with individuals having expertise in the subject area.
- Feedback to participants about assignments and questions must be provided in a timely manner.
- A mechanism by which the learner can assess his/her mastery of the material must be supplied.
- Self-instructional activities must include references that can be pursued for further study in the subject.

In addition, written instructions must be given to participating patients. Instructor consultation must also be available to participants when they perform required techniques in their offices.

Participants must be directed to maintain the following records (where applicable): patient informed consent form; history; necessary radiographs or other diagnostic imaging; chiropractic exam findings; treatment(s) rendered; materials, methods, etc., and documentation of outcomes.

- If technology is involved, electronic security measures must be in place and operational, and reliable technology must be used. The design of the course must support easy navigation, and all program features must be functional.
- Participant feedback to faculty is an essential characteristic and must be facilitated.

VII. FACILITIES

Criterion 25. Facilities / Instructional Media

Facilities and instructional media selected for each activity must be appropriate and adequate to the content, educational objectives, and method of delivery, and must be appropriately equipped.

Facilities must be adequate to the size of the audience and to promote the attainment of the objectives of the program.

The provider must ensure that facilities / instructional media and equipment (including those borrowed or rented) are adequate and in good working condition, **so** that instruction can proceed smoothly and effectively.

Adequate space and equipment must be provided to accommodate the size of the intended audience.

For participation courses, sufficient space and equipment (and patients, if used) must be available to allow active participation by each learner.

If participants are required to provide materials and equipment, the provider must make this requirement clear to potential enrollees, and must include specific descriptions of all equipment and materials required.

VIII. EVALUATION

[REDACTED]

An evaluation mechanism must be provided at each program for the purpose of allowing all participants to assess their achievement in accord with the program's learning objectives.

The mechanism must be appropriate to the objectives and educational methods.

[REDACTED]

The provider must develop and implement a program evaluation component for each continuing education program.

The provider must develop and use evaluation mechanisms that:

- are appropriate to the objectives and educational methods;
- measure the extent to which course objectives have been accomplished;
- assess course content, instructor effectiveness, and overall administration.

The provider must periodically conduct an internal review to determine:

- the extent to which the goals are being achieved;
- the extent to which activity evaluation effectively and appropriately assesses:
 - educational objectives;
 - quality of the instructional process;
 - participants' perception of enhanced professional effectiveness;
 - whether evaluation methods are appropriate to and consistent with the scope of the program offering;
 - how effectively evaluation data are used in planning future continuing education offerings.

Under development:

PACE Application

Initial Application
Reapplication for Renewal of Status

PACE Workbook - under development

Lexicon of Terms
References
Sample documents