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FILED  
DEPARTMENT OF HEALTH  
DEPUTY CLERK  
CLERK: *Bridget Coates*  
DATE: *4.15.2020*

STATE OF FLORIDA  
BOARD OF CHIROPRACTIC MEDICINE

IN RE: Emergency Hardship Exemption From  
Continuing Education Requirements For  
Chapter 460 Licensure Renewal

**ORDER ESTABLISHING HARDSHIP EXEMPTION FROM CONTINUING  
EDUCATION REQUIREMENTS NECESSARY FOR LICENSURE RENEWAL**

THIS MATTER came before the Board of Chiropractic Medicine (Board) at a duly noticed Special Public Meeting on March 19, 2020, by Telephone Conference Call, for consideration of granting an exemption from the requirements of 460.408(1), Florida Statutes, which requires each Chapter 460, F.S. licensee obtain forty (40) hours of Continuing Education as a pre-condition for licensure renewal. Section 460.408(2), F.S., grants the Board authority to make exceptions from this requirement in emergency or hardship cases.

The United States, and the State of Florida, are currently under States of Emergency due to the Novel Coronavirus 2019 (COVID-19) pandemic. There are Emergency Orders from the State Surgeon General and the Governor of the State of Florida restricting unnecessary travel, inter-personal contact, and prohibiting gatherings of more than ten (10) people. As a result, the Board finds that it would pose a danger to the public and to the Board's licensees were the statutory CE requirement for licensure renewal to be enforced during the pandemic; and therefore, an emergency situation exists as contemplated by s. 460.408(3), F.S. which would justify an exemption from the CE requirements necessary for licensure renewal. Accordingly, it is

**ORDERED AND ADJUDGED that**

1. All active status Chapter 460, F.S. licensees may renew those licenses for the current biennium following the established renewal process, with the sole exception of demonstration of

the required forty (40) CE hours as a precondition of renewal. All other requirements for renewal, including payment of fees, must be complied with as usual.

2. Any Clear/Active status licensee with less than the required forty (40) CE hours is granted until **January 1, 2021**, to complete the deficient hours. These hours shall not be allowed to count for the 2020-2022 renewal biennium.


3. The Board Staff shall compile a report of all licensees with less than 40 CE hours as of midnight, March 31, 2020. On or about January 2, 2021, the Board Staff shall audit the CE status of each licensee on the March 31, 2020 report. Any licensee who failed to obtain the deficient hours by January 1, 2021, shall be referred to the Department for investigation and possible prosecution.

This order shall become effective upon filing with the Clerk of the Department of Health.

*Nunc pro tunc* March 19, 2020.

**DONE AND ORDERED** this 14<sup>th</sup> day of April, 2020.

**BOARD OF CHIROPRACTIC MEDICINE**

  
Anthony B. Spivey, D.B.A., Executive Director  
on behalf of Danita T. Heagy, D.C., Chair

**NOTICE OF RIGHT TO HEARING**

This notice constitutes final agency action if no request for a hearing is received by the Board on or before the twenty-first day after the applicant's receipt of the notice. The applicant may request a hearing by filing an appropriate petition with the Executive Director of the Board at 4052 Bald Cypress Way, Bin # C-07, Tallahassee, Florida 32399-3257. The applicant may petition for a hearing involving disputed issues of material fact before an administrative law judge pursuant to Section 120.57(1), Florida Statutes, or for a hearing not involving disputed issues of material fact pursuant to Section 120.57(2), Florida Statutes.

A petition for a hearing involving disputed issues of material fact must contain information required by Rule 28-106.201, Florida Administrative Code, including a statement of all disputed issues of material fact. The Board may refer a petition to the Division of Administrative Hearings for assignment of an administrative law judge only if the petition is in substantial compliance with

the rule requirements. A petition for a proceeding not involving disputed issues of material fact must contain information required by Rule 28.106.301, Florida Administrative Code, including a concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief.

In accordance with Section 120.573, Florida Statutes, mediation is not available.