

Performance
Evaluation &
Research Division
(PERD)

PERD’s Objectives:

To determine if there is a continued need for licensure by the Board of Chiropractic (Board); assess whether the Board complied with the general provisions of Chapter 30 and other applicable laws; to determine why the Board’s actual revenues for licensee fees and business fees do not meet or exceed the expected amounts; to determine whether there is an undesirable condition in law that could create confusion for requirements of virtual meeting notices or exclude the public from the Board’s virtual meetings; and to evaluate the Board’s website for user-friendliness and transparency.

Key Recommendations:

The Board should:

Consider utilizing the State Treasurer’s Lockbox system to reduce the risk of fraud.

Improve its recordkeeping of chiropractic businesses and collect all fees due it under state law to maintain financial solvency.

Update the business roster to ensure all authorized businesses are recorded.

Consider itemizing its annual renewal revenue category to ensure license renewal is appropriately documented and transparent.

October 2023

Regulatory Board Review: Board of Chiropractic

Agency Purposes:

The purpose of the Board is to protect the public through its licensing process, and to be the regulatory and disciplinary body for licensed chiropractors throughout the state.

What Did PERD Find?

The Board is necessary to protect the public and complies with most of the provisions of Chapter 30 of West Virginia Code.

Table 9 West Virginia Board of Chiropractic Expected and Actual Business Fee Revenues FY 2017 through FY 2022				
Fiscal Year	Businesses*	Expected Revenue	Actual Revenue	Variance
2017	100	\$15,600	\$17,700	\$2,100
2018	105	\$16,650	\$16,350	(\$300)
2019	112	\$17,550	\$14,250	(\$3,300)
2020	118	\$18,150	\$18,000	(\$150)
2021	123	\$19,500	\$15,750	(\$3,750)
2022	132	\$20,400	\$15,600	(\$4,800)
Total		\$107,850	\$97,650	(\$10,200)

*Source: Board of Chiropractic Annual Reports. Expected revenue and variance are PERD’s calculations based on the Board’s Annual Reports.
The Board does not maintain a historical roster of businesses.

PERD also found the following:

- The Board’s financial documentation, recordkeeping, and fee collection need improvement.
- The Board’s office is generally inaccessible to individuals with disabilities.
- The Board did not always identify authorization when it entered into executive session.
- The Board’s rules generally protect the public; however, its rules do not contain a rule stipulated by W. Va. Code. Furthermore, its rules contain outdated language and inconsistencies.
- The Board has statutory provisions for mandatory reporting of incidents involving its licensees; however, the provisions are not as expansive as the Board of Medicine’s, whose mandatory reporting is considered best practice.
- W. Va. Code contains a provision for the Board on confidentiality regarding complaints where no probable cause is found; thereby, preventing the right of public access, which no other licensing board is granted.
- An undesirable condition exists within W. Va. Code wherein there is statutory inconsistency regarding state agency meeting notices for virtual meetings.
- The Board’s website needs more improvement to enhance user-friendliness and transparency.