

AR STATE BOARD OF CHIROPRACTIC EXAMINERS

Enabling Laws

Act 278 of 2014
A.C.A. §17-81-101

History and Organization

The Arkansas State Board of Chiropractic Examiners was created by Act 126 of 1915 to create a safeguard for the public health and welfare of the citizens of Arkansas by providing for the licensure and examination of any person practicing or offering to practice Chiropractic in the state. The Arkansas State Board of Chiropractic Examiners Board is a cash agency funded from examination and license renewal fees charged pursuant to subchapter 3 of Arkansas Code Annotated §17-81.

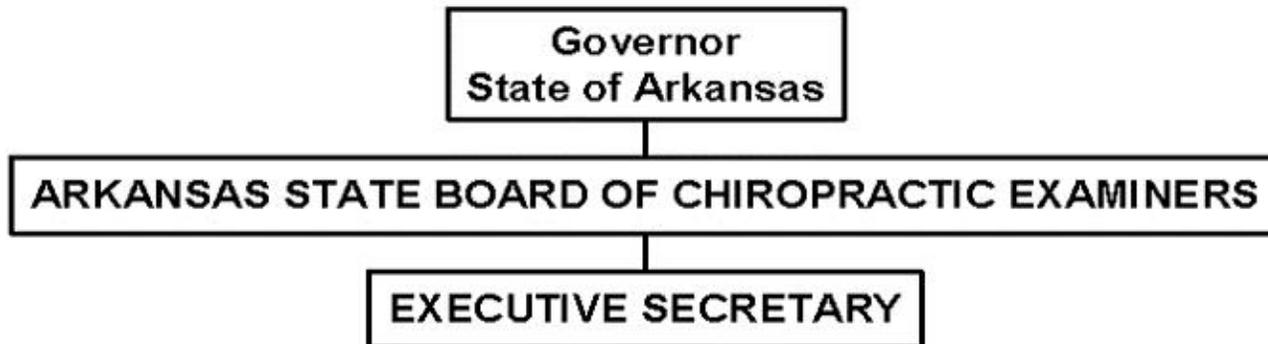
The Arkansas State Board of Chiropractic Examiners was authorized by Act 706 of 1971, for the following purposes:

1. Licensing of qualified Doctors of Chiropractic by Examination.
2. Annual renewal of the license holders both the resident and non-resident.
3. Make suitable bylaws for carrying out its duties.
4. Adopt and revise rules and regulations.
5. To serve as a regulatory, judicial, and disciplinary body for chiropractic practitioners in terms of laws and regulations.

Board Member Functions:

The Board consists of seven members, five of whom must be licensed chiropractors practicing in Arkansas for a period of 5 years, one consumer member and one senior citizen member.

1. Prepare and maintain a current roster of license holders.
2. Empowered to establish the criteria that credentialing candidates must meet.
3. Investigate and conduct disciplinary hearings related to legal and ethical violations by Doctors of Chiropractic.
4. Empowered to make by-laws, rules and regulations for the operation in accordance with the Chiropractic Practice Act.



Agency Commentary

Mission Statement: The State Board of Chiropractic Examiners was created by Act 126 of 1915, as a regulatory board to provide for the licensing and examination of chiropractors, ensuring that any person practicing or offering to practice chiropractic in the state is qualified and licensed, and to safeguard the public health and welfare of the citizens of Arkansas.

The Board requests a net increase of \$42,885 each year of the 2015-2017 Biennium.

The request includes an increase of \$29,543 in Regular Salaries and \$12,556 in Personal Services Matching in order to make the Growth Pool Administrative Analyst position permanent; a decrease of \$10,156 in Extra Help and associated Personal Services Matching in order to offset the increased costs of the Growth Pool position; an increase of \$7,192 in Operating Expenses for Board travel related expenses, non-employee background checks, Network Services Expense, Software Maintenance, office supplies, and food purchases; a decrease of \$1,650 in Conference & Travel Expenses resulting from a reduced need for staff travel; an increase of \$3,500 in Professional Fees for the contract services of a private investigator.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
ARKANSAS STATE BOARD OF CHIROPRACTIC EXAMINERS
FOR THE YEAR ENDED JUNE 30, 2011

Findings

The fixed asset balance was overstated by \$10,322. Review of fixed assets revealed the Agency transferred seven items to Marketing and Redistribution on April 1, 2008; however, these items remained on the Agency's asset listing.

Recommendations

Implement procedures to ensure the fixed asset listing is properly maintained.

Agency Response:

The auditor provided the Executive Director with a list of items that were transferred to Marketing and Redistribution (M&R) in 2008. A database of fixed assets has been created in FileMaker Pro (FMP). The items on the current list and the list from the auditor have been entered into the database. The Executive Director will inventory each item to ensure proper documentation. Items that have been transferred to M&R will be documented as such in FMP. An office file will be created and a quarterly report will be printed.

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
ARKANSAS STATE BOARD OF CHIROPRACTIC EXAMINERS
FOR THE YEAR ENDED JUNE 30, 2011

Findings

The auditor provided the Executive Director with a list of items that were transferred to Marketing and Redistribution (M&R) in 2008. A database of fixed assets has been created in FileMaker Pro (FMP). The items on the current list and the list from the auditor have been entered into the database. The Executive Director will inventory each item to ensure proper documentation. Items that have been transferred to M&R will be documented as such in FMP. An office file will be created and a quarterly report will be printed.

Recommendations

Review the Financial Management Guide Regulation R1-19-4-903 and establish procedures to ensure only allowable travel costs are expended by the Agency. We also recommend that the Agency seek reimbursement from the benefiting party for all unallowable costs.

Agency Response:

The Executive Director (ED) has reviewed the Financial Management Guide Regulation R1-19-4-903 and the current Federal Guidelines available at www.gsa.gov <<http://www.gsa.gov>>, and printed copies are on file in the Board office. Each Board member and the ED were notified of the reimbursements to be paid. All have paid the reimbursements. Copies of the payments received are on file. The ED will process travel reimbursements, following the Financial Management Guide Regulation and the Federal Guidelines. The documents will be sent to the Treasurer of the Board, typically by email, to review. He/she will not review his/her own travel reimbursement requests. If approved by the Treasurer, the ED will finalize the requests. The Treasurer's request will be sent to the Secretary of the Board for review. The ED will watch the travel budget closely. When requests are made to attend the national meeting and the district meeting, the ED will provide the amount available in the travel budget and state how many people can attend without going over the budget before the Board makes a motion of who can attend. The ED will provide copies of the Financial Management Guide Regulation and the Federal Guidelines before travel, and as needed, so that all Board members and staff are aware of what will and will not be reimbursed.

State Contracts Over \$50,000 Awarded To Minority Owned Businesses Fiscal Year 2014

None

Employment Summary

	Male	Female	Total	%
White Employees	0	1	1	100 %
Black Employees	0	0	0	0 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			0	0 %
Total Employees			1	100 %

Publications

A.C.A. 25-1-201 et seq.

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution	Unbound Black & White Copies Produced During the Last Two Years	Cost of Unbound Copies Produced During the Last Two Years
		Governor	General Assembly				
ASBCE Newsletter	A.C.A. 17-81-206	N	N	600	At the board's direction, distribute information of the board's proceedings and actions for the past year.	0	0.00

Change in Fee Schedule

CURRENT FEE STRUCTURE

PROPOSED CHANGE

Description	Fee Amount	Estimated Receipts 2014-2015	Authorizing Act or AR Code	Fee Amount	Estimated Receipts		Reason for Change
					2015-2016	2016-2017	
Active Status License Renewal	\$200.00	\$102,800	17-81-311	\$250.00	\$128,500	\$131,000	Increase fees to fund the conversion of the OPM growth pool position to a permanent position.

Agency Position Usage Report

FY2012 - 2013					FY2013 - 2014					FY2014 - 2015							
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
1	1	0	1	0	0.00 %	1	2	0	2	-1	-100.00 %	1	1	1	2	-1	0.00 %

FY14 and FY15 Budgeted positions exceed Authorized due to positions obtained from the Central Growth Pool.

Analysis of Budget Request

Appropriation: 85F - Operations

Funding Sources: NCH - Cash in Treasury

The Arkansas State Board of Chiropractic Examiners was created by Act 126 of 1915. This Board was created to safeguard the public health and welfare of the citizens of Arkansas by providing for the licensure and examination of any person practicing or offering to practice chiropractic in the State. The Board is a cash agency funded from examination and license renewal fees charged pursuant to subchapter 3 of Arkansas Code Annotated §17-81. The Board utilizes these funds to finance one (1) Regular Salary position, one (1) Extra Help position and provide operating expenses for the administration of the laws governing the practice of chiropractic.

Base Level Regular Salaries and Personal Services Matching include the continuation of the previously authorized 2015 1% Cost of Living Adjustment and Career Service Payments for eligible employees. Personal Services Matching also includes a \$10 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$420 per month. Base Level salaries will not include Merit Pay Increases.

The Board is requesting the following:

- An increase of \$29,543 in Regular Salaries and \$12,556 in Personal Services Matching in order to make the Growth Pool Administrative Analyst position permanent.
- A decrease of \$9,138 in Extra Help and the associated Personal Services Matching in order to mitigate the increased costs of the Growth Pool position.
- An increase of \$7,192 in Operating Expenses for Board travel related expenses, non-employee background checks, Network Services Expense, Software Maintenance, office supplies, and food purchases
- A decrease of \$1,650 in Conference & Travel Expenses resulting from a reduced need for staff travel.
- An increase of \$3,500 in Professional Fees for the contract services of a private investigator.

The Board requests an increase in the maximum fee that it may charge for Active Status license renewals from \$200 to \$250. The Agency estimates that the fee increase will result in an increase in revenue of \$30,000 per year.

The Executive Recommendation provides for the Agency Request. Expenditure of appropriation is contingent upon available funding.

Appropriation Summary

Appropriation: 85F - Operations
Funding Sources: NCH - Cash in Treasury

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2013-2014 Actual	2014-2015 Budget	2014-2015 Authorized	2015-2016			2016-2017		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	74,299	88,178	55,159	59,426	88,969	88,969	59,526	89,069	89,069
#Positions		2	2	1	1	2	2	1	2	2
Extra Help	5010001	2,858	8,256	8,256	8,256	0	0	8,256	0	0
#Extra Help		1	1	1	1	0	0	1	0	0
Personal Services Matching	5010003	23,060	31,633	18,747	19,545	31,219	31,219	19,570	31,244	31,244
Operating Expenses	5020002	59,840	56,044	56,044	56,044	63,236	63,236	56,044	63,236	63,236
Conference & Travel Expenses	5050009	436	5,396	5,396	5,396	3,746	3,746	5,396	3,746	3,746
Professional Fees	5060010	11,520	18,000	18,000	18,000	21,500	21,500	18,000	21,500	21,500
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		172,013	207,507	161,602	166,667	208,670	208,670	166,792	208,795	208,795
Funding Sources										
Fund Balance	4000005	223,581	223,535		186,028	186,028	186,028	219,361	178,358	177,358
Cash Fund	4000045	171,967	170,000		200,000	200,000	200,000	200,000	200,000	200,000
Total Funding		395,548	393,535		386,028	386,028	386,028	419,361	377,358	377,358
Excess Appropriation/(Funding)		(223,535)	(186,028)		(219,361)	(177,358)	(177,358)	(252,569)	(168,563)	(168,563)
Grand Total		172,013	207,507		166,667	208,670	208,670	166,792	208,795	208,795

FY15 Budget amounts in Regular Salaries and Personal Services Matching may exceed the authorized amounts due to transfers from the Agency Growth Pool during the 2013-2015 Biennium.

WITH FEE INCREASE

Appropriation Summary

Appropriation: 85F - Operations
Funding Sources: NCH - Cash in Treasury

Historical Data

Agency Request and Executive Recommendation

Commitment Item	Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
	2013-2014 Actual	2014-2015 Budget	2014-2015 Authorized	2015-2016			2016-2017		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	74,299	88,178	55,159	59,426	88,969	88,969	59,526	89,069	89,069
#Positions	2	2	1	1	2	2	1	2	2
Extra Help 5010001	2,858	8,256	8,256	8,256	0	0	8,256	0	0
#Extra Help	1	1	1	1	0	0	1	0	0
Personal Services Matching 5010003	23,060	31,633	18,747	19,545	31,219	31,219	19,570	31,244	31,244
Operating Expenses 5020002	59,840	56,044	56,044	56,044	63,236	63,236	56,044	63,236	63,236
Conference & Travel Expenses 5050009	436	5,396	5,396	5,396	3,746	3,746	5,396	3,746	3,746
Professional Fees 5060010	11,520	18,000	18,000	18,000	21,500	21,500	18,000	21,500	21,500
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
Total	172,013	207,507	161,602	166,667	208,670	208,670	166,792	208,795	208,795
Funding Sources									
Fund Balance 4000005	223,581	223,535		186,028	186,028	186,028	189,361	147,358	147,358
Cash Fund 4000045	171,967	170,000		170,000	170,000	170,000	170,000	170,000	170,000
Total Funding	395,548	393,535		356,028	356,028	356,028	359,361	317,358	317,358
Excess Appropriation/(Funding)	(223,535)	(186,028)		(189,361)	(147,358)	(147,358)	(192,569)	(108,563)	(108,563)
Grand Total	172,013	207,507		166,667	208,670	208,670	166,792	208,795	208,795

FY15 Budget amounts in Regular Salaries and Personal Services Matching may exceed the authorized amounts due to transfers from the Agency Growth Pool during the 2013-2015 Biennium.

WITHOUT FEE INCREASE

Change Level by Appropriation

Appropriation: 85F - Operations
Funding Sources: NCH - Cash in Treasury

Agency Request

Change Level		2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
BL	Base Level	166,667	1	166,667	100.0	166,792	1	166,792	100.0
C01	Existing Program	10,942	0	177,609	106.6	10,942	0	177,734	106.6
C03	Discontinue Program	(11,038)	0	166,571	99.9	(10,156)	0	166,696	99.9
C06	Restore Position/Approp	42,099	1	208,670	125.2	42,099	1	208,795	125.2

Executive Recommendation

Change Level		2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
BL	Base Level	166,667	1	166,667	100.0	166,792	1	166,792	100.0
C01	Existing Program	10,942	0	177,609	106.6	10,942	0	177,734	106.6
C03	Discontinue Program	(11,038)	0	166,571	99.9	(11,038)	0	166,696	99.9
C06	Restore Position/Approp	42,099	1	208,670	125.2	42,099	1	208,795	125.2

Justification

C01	The Board requests an increase of \$10,692 for Operating Expenses to be allocated as follows: an increase of \$3,500 is requested in Professional Fees for the contract services of a private investigator, \$1,600 for Board Member Travel Other, \$1,500 for Software Maintenance, \$1,000 for Conference & Seminar Fees, \$500 for Non-Employee Background Checks, \$500 for Office Supplies, \$500 for Food Purchases, \$500 for Rent of Facilities, \$500 for Other Rents & Leases, \$300 for Board Member Travel Lodging, \$200 for Advertising & Clipping Expense, \$90 for Association & Members Dues, and \$2 for Network Services Expense.
C03	A decrease of \$8,256 is requested for Extra Help in order to mitigate the costs of making the Agency Growth Pool position permanent. A decrease of \$1,900 is also requested for Conference & Travel Expenses. The decreases are allocated as follow: \$800 for Mileage, \$100 for Meals, \$600 for lodging, and \$400 for Parking Fees.
C06	The Board requests that the Growth Pool position obtained in FY2014 be made permanent in order maintain current levels of productivity involving the processing of complaints, license renewals, and other day-to-day operations of the Board.