

Policies & Procedures

Criteria for Quality Continuing Education

Adopted December 22, 2005
FCLB Board of Directors



Federation
of Chiropractic
Licensing Boards

In an effort to assist member boards in adapting their legal language to utilize the FCLB PACE program, the Federation has developed suggestions for boards to review with their legal counsel. It is hoped that most boards will be able to promulgate Rules without needing to make changes in the Statute. This suggested model allows boards to continue to approve providers or programs like they may do currently, while ALSO recognizing the PACE program.

A complete Model Law as developed by the Federation of Associations of Regulatory Boards (FARB) is available through the FCLB offices, which includes the wording for the entire section on license renewal.

RECOMMENDED STATUTE:

Section ____ . Renewal of Licenses.

(A) Licensees shall be required to renew their licenses at the time and manner determined by the Board, including the form of application and payment of applicable renewal fee. Under no circumstance, however, shall the renewal period exceed ____ years.

(B) As a requirement for licensure renewal, each licensee shall provide evidence satisfactory to the Board that such licensee has completed at least ____ hours of continuing education from programs or providers approved by the Board.

(C) The Board, by rule, shall establish requirements for continuing education, including determination of acceptable program content. The Board shall adopt rules necessary to enforce the objectives and provisions of this section and the continued competence of licensees.

RECOMMENDED RULE:

Pursuant to Article ____ Section ____, a licensee must annually complete at least ____ hours of continuing education from programs or providers approved by the Board. Pursuant to the legislative authority granted to board, the Board hereby recognizes the requirements adopted from time to time of the Federation of Chiropractic Licensing Boards Providers of Approved Continuing Education (FCLB PACE) as the requirements of the Board. The Board recognizes FCLB PACE Recognized Providers as satisfying the requirements of the Board for purposes of the licensure renewal process. The Board, however, reserves the approval authority for all programs based on furtherance of professional development and related areas, and in the interest of the public protection objectives of the Act.

April 2003

FOREWORD

Licensing boards and continuing education providers in every profession struggle with making the process of approving providers and programs more efficient. The chiropractic profession has been no exception.

Following a year-long study which commenced in 1995, the FCLB CE task force offered a streamlined and uniform CE application for voluntary use by chiropractic regulatory boards. The form was enthusiastically embraced, and adopted without dissent at the 1996 Annual Congress of the Federation. Currently, over half the member boards allow programs to be submitted for board review on this “uniform CE form.”

However, it was clear that designing uniform application materials did not completely solve the efficiency issue. In 1999, another CE committee was appointed by FCLB President Dr. David E. Brown. Committee members included Dr. Wayne Wolfson (FL) - Chair, Dr. Joseph Brimhall (UT), Dr. Richard Cole (TN), Dr. Laurel Cowie (NS), Dr. Lester Lamm (WSCC), Dr. Glen Moldenhauer (ID), and Dr. Lawrence Gerstein (MO) - FCLB Liaison with CCE Task Force on Postgraduate Education and CE.

This task force developed an in-depth survey tool which was widely disseminated in the United States, Canada and Australia among all the regulatory boards, chiropractic colleges, national professional associations, the Congress of Chiropractic State Associations, accrediting agencies, malpractice carriers, and program providers. The purpose of the tool was to assess whether the current system was meeting the needs of the various stakeholders, and whether they would favor a centralized approval system. The results were overwhelmingly positive, encouraging the Federation to begin the work of drafting a design.

The next step for the CE task force was to study the designs already in use in numerous other professions. Programs for social work, dentistry, pharmacy, long-term care, optometry, osteopathy, podiatry, and allopathic medicine were reviewed. Draft models were developed, and ongoing dialogue was initiated with member boards at the fall regional and spring annual meetings. The ideas were reviewed with the presidents and postgraduate deans at several meetings of the Association of Chiropractic Colleges. Significant changes were made to the draft program based on feedback from the various constituencies.

The committee membership underwent several changes, and the CE Development Committee met in Denver in August 2002 to develop draft policies, procedures and criteria. After numerous improvements by committee members and the FCLB board of directors, DRAFT 6 was widely circulated among the profession and at the Federation’s fall regional meetings. The document was also formally presented to the American Chiropractic Association, Congress of Chiropractic State Associations, Canadian Federation of Chiropractic Licensing Boards, the Association of Chiropractic Colleges (Presidents and Postgraduate Deans). In addition, it was posted on the Federation’s website, and a broad personal and public outreach was undertaken seeking appropriate modifications.

In January 2003, the board of directors of the Council on Chiropractic Education endorsed the *PACE Criteria for Quality Continuing Education* as representing fair and reasonable standards by which participating postgraduate programs could be assessed.

In April 2003, the FCLB board of directors unanimously approved the *PACE Policies & Procedures* and the *PACE Criteria for Quality Continuing Education*, paving the way for the program to begin. Additional revisions were adopted in January 2004 and December 2005 following input received during the 2003-2005 outreach forums and from the Review Team.

As always, the FCLB stresses that PACE is designed as a partner program to augment and streamline the difficult task of board approval for CE programs. The final authority for approving providers and programs which qualify for relicensure credit is, and will always be, the responsibility of the regulatory boards.

This booklet includes the two PACE documents, as well as a brief summary overview, suggested legal statutory language for boards to use to facilitate utilizing PACE, and answers to some commonly asked questions.

In closing, the Federation extends appreciation to the CE Development Task Force for the significant self-sacrifice and dedication of each of its members. We also acknowledge the many contributions of the extended Advisory Team of program providers and board members, and especially chiropractic college presidents and postgraduate deans. Special thanks are due to the members of the PACE Review Team for their hard work and insight. The Federation extends appreciation to FCLB legal counsel Dale Atkinson, Esq., of Atkinson & Atkinson, for his wisdom and extensive experience with numerous other professions. Finally, thanks to Vance Kinlaw, Esq. of the North Carolina Board of Chiropractic Examiners for his extensive revisions and clarification of the final documents.

2002-2003 CE Development Task Force:

Dr. Richard L. Cole (TN) and Dr. Laurel Cowie (NS), Co-chairs
Dr. Joseph Brimhall (UT)
Kevin Earle (NJ)
Dr. Steve Foreman (CA)
Dr. Lester Lamm (Western States Chiropractic College)
Dr. Jan Harbour (WV)

2004-2005 PACE Committee

Dr. N. Edwin Weathersby (AZ), Chair
Dr. Richard L. Cole (TN)
Dr. Laurel Cowie (NS)
Dr. Brian Ashton (MD)
Dr. William Ramsey (Logan College of Chiropractic)
Mr. Joe Baker (FL)
Mr. Vance Kinlaw (NC)
Dr. Sherry McAllister (Review Team Chair)

2004-2005 PACE Review Team *

*We thank the Review Team members for their valuable input. Individual providers will make their own decisions regarding application to the PACE program independent of faculty participation on the Review Team.

Dr. Sherry McAllister (At-large), Chair

Dr. John Scaringe (At-large)

Dr. Jaroslaw Grod (Canadian Memorial Chiropractic College)

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Dr. Kendra L. Holloway (Life Chiropractic College West)

Dr. Richard Saporito (University of Bridgeport, College of Chiropractic)

Dr. Myron D. Brown (Sherman College of Straight Chiropractic)

Dr. Michael K. Shanks (Cleveland Chiropractic Colleges)

January 2006

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

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 courses of study 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 courses of study are registered with FCLB and posted in a searchable database on the FCLB website.

Credits earned by individual doctors in courses 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 to register courses and attendees.

▪ 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

② *Criteria for Quality Continuing Education*

- approved by the FCLB Board of Directors and implemented by the FCLB PACE Committee
- reviewed regularly by 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.

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

No. Participation in PACE is voluntary.

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.

- **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 requirements. It would also be able to extend appropriate and qualifying administrative support as required by PACE, such as records retention.

▪ 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.

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.

▪ 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

An initial application fee (of which \$500 is non-refundable) of \$1500 for non-profit providers and of \$10,500 for-profit providers 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.

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 reapplication fee and required annual recognition fees, and demonstration of continued compliance with PACE.

Each course which qualifies for the use of the PACE logo must be registered with FCLB in advance of the course being held.

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 FCLB ALLDOCS 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.

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 or it may recommend to the FCLB Board of Directors that recognized status be granted or 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 *FCLB PACE Policies & Procedures* for details. The Appellate Commission also handles appeals in cases where recognized status might be removed for non-compliance.

- **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.

###

January 2004

FCLB: Providers of Approved Continuing Education – Chiropractic PACE

INTRODUCTION

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.

At the request of our membership and major CE providers, the 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.

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 resource-intensive process.

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

- **FCLB Criteria for Quality Continuing Education**

The quality control for continuing education programs centers on the *FCLB PACE Criteria for Quality Continuing Education*. These criteria are subject to regular review and modification by the FCLB.

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

FCLB Board of Directors	Adopts	<i>Criteria for Quality Continuing Education</i>
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▪ **FCLB PACE Policies & Procedures**

The *FCLB PACE Policies & Procedures* direct the PACE Committee in its work to recognize providers. Review Teams from a pool of volunteer experts nominated by members of the Association of Chiropractic Colleges are assigned to review applications for status. The PACE Committee oversees the operations involving applications, changes in status and complaints, with final approval authority residing in the FCLB Board of Directors.

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 • Complaints • Changes to <i>PACE Policies & Procedures, PACE Criteria</i>
PACE Committee	Recommending Authority	
Review Team Pool	Investigative & Application Authority	

PACE evaluates providers for program quality in 8 areas which include 26 criteria. Only CE providers that meet the *FCLB PACE Criteria for Quality Continuing Education* and comply with *FCLB PACE Policies & 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.

PACE does not approve specific courses or the credit hours that recognized providers offer, but does review retrospectively the course materials as part of the provider application process, and also maintains oversight over courses 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), register courses at no charge, and pay a modest attendee records fee.

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

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

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1. PACE'S MISSION

"PACE" is the Providers of Approved Continuing Education program, a service of the Federation of Chiropractic Licensing Boards. PACE's mission is to establish criteria and procedures for multi-jurisdictional recognition of continuing education providers, thereby:

- A. Furnishing doctors of chiropractic with a dependable basis for selecting continuing education programs,
- B. Assisting FCLB member boards in their evaluation of continuing education providers and programs,
- C. Improving the quality of continuing education programs through critical scrutiny and provider self-evaluation, and
- D. Protecting the public through advancements in chiropractic education.

2. GOVERNANCE OF PACE

Final authority over PACE is vested in the Board of Directors of the FCLB. The Board reserves the right to modify PACE as necessary to achieve the program's objectives.

3. LIMIT OF PACE'S AUTHORITY

FCLB member boards are encouraged to incorporate PACE into their regulatory protocols; however, legal authority to accredit providers and programs remains with each member and is not assumed by PACE.

PACE does not approve individual continuing education courses or award credit hours for course participation. PACE's authority is limited to granting the status of "PACE Recognized Provider" to an applicant that demonstrates compliance with *PACE Criteria for Quality Continuing Education* and *PACE Policies & Procedures*.

4. VOLUNTARY NATURE OF PACE

A continuing education provider's participation in PACE is voluntary, but receiving PACE recognition obligates a provider to comply with *PACE Policies & Procedures* and *PACE Criteria for Quality Continuing Education*.

5. AMENDING PACE GOVERNING DOCUMENTS

Under ordinary circumstances, a proposed amendment to either *PACE Criteria for Quality Continuing Education* or *PACE Policies & Procedures* shall be submitted to the FCLB Board of Directors, which shall publish the proposal at least 30 days before the FCLB's next annual meeting, invite written comment and provide a forum for discussion at the meeting. At the following year's annual meeting, the FCLB Board of Directors shall vote to adopt or reject the proposed amendment.

In the event of an emergency, the *Criteria* and *Policies & Procedures* may be amended with the unanimous consent of all currently recognized providers and the consent of two-thirds of the FCLB Board of Directors and two-thirds of the PACE Committee.

6. ORGANIZATION OF PACE

PACE has three structural components, the PACE Review Team, the PACE Committee and the Appellate Commission.

PACE Review Team. The PACE Review Team's responsibilities are to assess applicants for Recognized Provider status, to conduct course reviews and to investigate allegations of non-compliance by recognized providers. The Review Team reports its findings and recommendations to the PACE Committee.

The Review Team shall be appointed by the President of the FCLB with the approval of the FCLB Board of Directors and shall consist of no fewer than 12 persons. The composition of the Review Team shall be as follows:

- A. One representative from each college that is a member of the Association of Chiropractic Colleges, appointed from a slate of three nominees offered by the president of the college;
- B. Such experts as may be needed by the Review Team to discharge its responsibilities efficiently and effectively.

The term of service for a Review Team member shall be set by the FCLB Board of Directors but shall not exceed three years, and no member may serve for more than three terms. Terms shall be staggered. The Review Team shall elect a chair.

PACE Committee. The PACE Committee's responsibilities are to provide oversight to the Review Team, receive the Review Team's reports and recommendations and make its own recommendations to the FCLB Board of Directors concerning final action on provider applications, renewals or sanctions. The Committee shall be composed of eight persons appointed by the President of the FCLB with the approval of the FCLB Board of Directors and in conformity with the following criteria:

- A. One Committee member shall be a current Director of the FCLB and shall serve as Committee Chair;
- B. Two Committee members shall either be currently serving on FCLB member boards or shall have served on member boards within five years preceding appointment;
- C. One Committee member shall be an employee or representative of an entity that currently provides chiropractic continuing education;
- D. One Committee member shall be the current executive director or head administrator of an FCLB member board;
- E. One Committee member, deemed the Public Member, shall not be a Doctor of Chiropractic or a student in a Doctor of Chiropractic program and shall not meet any of the requirements set forth above;
- F. One Committee member shall be the chair of the Pace Review Team;
- F. One Committee member, *ex officio* and non-voting, shall be an employee on the staff of the FCLB.

The term of service for a PACE Committee member shall be set by the FCLB Board of Directors but shall not exceed three years, and no member shall serve for more than three terms. Terms shall be staggered.

Appellate Commission. The Appellate Commission's responsibilities are to hear and adjudicate appeals resulting from the denial of Recognized Provider status or from any adverse action taken against a provider by the FCLB. To preserve the Commission's impartiality, no Commission member shall participate in any initial decision regarding a provider application, renewal application or proposed adverse action.

The Commission shall be composed of three persons appointed by the President of the FCLB with the approval of the FCLB Board of Directors. At least two of the three Commission members shall be current members of the FCLB Board of Directors. The term of service shall be two years and begin in January so as to run congruently with other FCLB committee appointments.

7. CONFIDENTIALITY

Neither the FCLB nor PACE shall disclose any information regarding PACE-Recognized Providers or applicants for recognition except the following:

- A. That an application for recognition has been received and is pending or that a provider has been recognized, including the date of recognition and the date recognition expires;
- B. Any information required to be disclosed by applicable law or duly-entered court order.

8. CONFLICTS OF INTEREST

If any decision or action proposed by PACE creates a conflict of interest for a member of the FCLB Board of Directors, the PACE Review Team, the PACE Committee or the Appellate Commission, that member shall promptly recuse himself from participating in the proposed decision or action.

9. APPLYING FOR RECOGNITION

Step 1. Initial Application

Any continuing education provider seeking "PACE Recognized Provider" status shall complete and submit to the FCLB an *Application for Recognition*. Required supporting documentation, the application fee and the first year's recognition fee shall be included with the application. The FCLB staff shall publish submission deadlines, which shall be not less than 60 days prior to the next scheduled meeting of the PACE Committee. The application fee is non-refundable. If the application is denied, the first year's recognition fee shall be refunded.

At any time while an application is pending, PACE reserves the right to seek additional information from any source it deems necessary to properly review the application. Such additional information may include, but is not limited to, the

names, addresses and telephone number of continuing education course participants, course evaluation forms turned in by participants, on-site visits by PACE representatives, and observation of continuing education programs

FCLB staff members shall review a submitted application for completeness. If any deficiencies are noted, the applicant shall be so informed within 30 days after receipt of the application and shall be given the option to supplement the application or proceed as filed.

Step 2. Review of Application

Following initial staff review, the application shall be forwarded to the PACE Review Team and assigned to a three-member panel randomly selected by FCLB computer from Review Team members who have no *prima facie* conflict of interest. The applicant shall have the option to disqualify one panel member, and if the applicant exercises this option, a substitute member shall be randomly selected by computer. No further substitutions shall be allowed unless a proposed panel member voluntarily recuses himself. The three-member panel shall assess the application for compliance with PACE requirements and report its findings and recommendations to the PACE Committee.

Step 3. PACE Committee

The PACE Committee may remand an application to the Review Team panel for the development of further information or may recommend to the FCLB Board of Directors that Recognized Provider status be granted, granted subject to conditions, or denied.

Step 4. Final Action by FCLB

The FCLB Board of Directors shall recognize an applicant as a PACE Provider, or grant conditional recognition, or deny recognition. The Board shall notify the applicant of its decision in writing within 15 days after the decision is made. If recognition is denied, the notice shall set forth the basis for denial. An applicant who has been denied recognition may petition the Board for reconsideration.

If PACE Recognized Provider status is granted, the FCLB's written notice shall include:

- A. The effective date of recognition;
- B. A Recognized Provider reference number;

- C. The text of the statement that must be used when announcing or publicizing PACE recognition;
- D. A summary of PACE Provider responsibilities and the procedures to be observed for documenting attendance at continuing education programs;
- E. A summary of the procedures governing renewal applications for continued recognition;
- F. If applicable, a summary of required or recommended improvements to the Recognized Provider's continuing education program.

10. TERMS OF PACE RECOGNITION; REPORTING REQUIREMENTS

The initial period of recognition shall not exceed one year. To renew PACE recognition, a provider shall reapply at least once every three years and may be required to reapply more frequently if the PACE Committee determines that the provider's circumstances so warrant.

A Recognized Provider shall submit annual reports to the PACE Committee demonstrating ongoing compliance with PACE requirements. If required by the Committee, a Recognized Provider shall also submit interim reports to demonstrate that any compliance problem has been solved.

Unless instructed otherwise by the staff of the FCLB, a Recognized Provider's annual recognition fee is payable thirty days in advance of the anniversary of initial recognition.

11. PUBLICIZING PACE RECOGNITION; USE OF PACE LOGO

The grant of PACE Recognized Provider status does not imply recognition of a provider's parent organization, subsidiary, satellite, sister division or partner. No advertising or promotional materials inconsistent with this provision are permitted.

Use of the name "PACE" and the PACE logo is subject to the intellectual property rights of the FCLB and shall conform to the following requirements:

- A. Printed declarations of Recognized Provider status shall take the form, "[Provider Name] is recognized by the PACE program of the Federation of Chiropractic Licensing Boards." The PACE logo shall appear in conjunction with this declaration, and neither the logo nor the declaration shall dominate other portions of the text.

- B. The PACE logo shall be tastefully displayed and shall not be given greater prominence than the provider's name.
- C. The PACE logo shall not be used on the provider's letterhead or in any fashion that would imply an affiliation between the provider and PACE or the FCLB other than as a PACE Recognized Provider.
- D. The PACE logo shall not be published in conjunction with any statement or material that, in the judgment of the FCLB, tends to undermine the credibility of the FCLB or its programs.

The FCLB shall maintain a directory of PACE Recognized Providers, which shall be available to the public. The FCLB may charge a reasonable fee for printed copies of the directory.

12. RENEWAL OF RECOGNITION

PACE shall publish a schedule of renewal application deadlines. Deadlines shall fall approximately three months prior to meetings of the PACE Committee. PACE shall inform each Recognized Provider of the procedures for renewal of recognition approximately six months prior to the date recognition expires.

A provider seeking renewal of recognition shall complete and submit an *Application for Renewal of Recognized Provider Status*, along with the required fee, not later than the published deadline next preceding the date recognition expires. The provider may also be required to submit evidence demonstrating ongoing compliance with *PACE Policies & Procedures* and *PACE Quality Criteria*.

The PACE Committee shall either review the application itself or, in its discretion, appoint a panel of the PACE Review Team to study the application and report to the Committee. After the application has been reviewed, the PACE Committee shall recommend to the FCLB Board of Directors that Recognized Provider status be renewed, renewed subject to conditions, or denied.

13. COMPLAINTS AGAINST RECOGNIZED PROVIDERS

Any party who is informed and believes that a PACE Recognized provider has violated *PACE Policies & Procedures* or *PACE Criteria for Quality Continuing Education* may file a written complaint to that effect with the PACE Committee. The Committee shall maintain the confidentiality of all complaints.

14. ENFORCEMENT OF PACE REQUIREMENTS

Investigation of violations. The PACE Committee shall investigate alleged violations of PACE requirements and shall establish procedures, consistent with due process, to give Recognized Providers, applicants for recognition and providers denied recognition a fair opportunity to answer and present a defense to any alleged violation.

The Committee shall have the authority to request that a respondent supply such documents and other materials as the Committee deems useful in conducting its investigation. Refusal to honor the Committee's request may be read against the respondent.

The Committee shall attempt to resolve informally any issue, dispute or concern underlying an investigation. If the matter cannot be resolved informally, the Committee shall serve the respondent with a written complaint reciting the specific provisions of *PACE Policies & Procedures* or *PACE Quality Criteria* alleged to have been violated. The respondent shall be given a reasonable opportunity to answer the charges.

Once the response period has expired, the Committee, at its next regularly-scheduled meeting, shall hear the complaint, compile a record of the hearing and make written recommendations to the FCLB as to the proper adjudication of the charges. This recommendation shall include findings of fact and any sanctions proposed by the Committee.

Sanctions. The FCLB may impose any of the following sanctions, singly or in combination, upon a respondent found guilty of violating PACE requirements:

- A. Denial of PACE Recognized Provider Status
- B. Permanent revocation of PACE Recognized Provider Status
- C. Suspension of PACE Recognized Provider Status, with reinstatement subject to specified conditions
- D. Restrictions upon a provider's continuing education course or courses
- E. Compulsory submission of interim reports
- F. Probation
- G. Letters of admonition, caution or concern.

15. RECONSIDERATION & APPEAL OF ADVERSE ACTION

Reconsideration. A party against whom the FCLB has imposed sanctions shall have the right to petition the FCLB for reconsideration of its adverse action. Such petition shall be in writing and state with specificity the grounds for seeking reconsideration.

The issue raised by a petition for reconsideration shall be limited to whether the FCLB followed PACE procedural and substantive requirements in taking adverse action against the petitioner. No additions to the existing record shall be permitted.

A petition for reconsideration shall be submitted via certified mail to the PACE Committee in care of the offices of the FCLB. No petition postmarked more than 30 days after the date of the adverse action shall be accepted. A non-refundable reconsideration fee in guaranteed funds shall be included with the petition.

The PACE Committee shall review the petition and make recommendation to the FCLB Board of Directors whether to grant or deny reconsideration. The denial of reconsideration is itself an adverse action and may be appealed.

The failure to petition for reconsideration shall not preclude a party's appeal of an adverse action.

Appeal. A party adversely affected by a final action of the FCLB shall have the right of appeal to the Appellate Commission. Such an appeal shall conform to the procedures set forth in this section.

The issues on appeal shall be confined to whether the FCLB's action was supported by the evidence of record and whether the action conformed to *PACE Policies & Procedures* and *PACE Criteria for Quality Continuing Education*.

Notice of appeal shall be in writing and shall be submitted to the offices of the FCLB via certified mail within 30 days after the date of the adverse action. A non-refundable fee in the amount of \$1,500.00 in guaranteed funds (cashier's check or certified check) shall accompany the notice of appeal.

The FCLB shall promptly provide the appellant with a receipt for the paid fee and a schedule for submission of briefs, supporting documentation and such other information as may be needed to perfect the appeal.

Unless the appellant makes a timely written request for a hearing, the appeal will be adjudicated without oral argument on the record as submitted. If a hearing is requested, the appellant shall bear the costs of holding the hearing and shall pay to the FCLB a deposit in the amount estimated by the FCLB to cover such costs. After

the hearing, the FCLB shall provide the appellant with an itemized statement of costs, and the appellant shall promptly pay any balance due.

The Appellate Commission may affirm in whole or part the action of the FCLB, vacate the action of the FCLB and remand the matter to the PACE Committee for further consideration, or reverse in whole or part the action of the FCLB. The Appellate Commission's shall render its written decision within a reasonable time and shall state the basis upon which the decision is made. The decision shall be served by certified mail upon the appellant and the FCLB Board of Directors.

16. REGISTERING CE PROGRAMS; COMPLIANCE AUDITS

Although a PACE Recognized Provider may offer a continuing education program that does not meet PACE standards, any continuing education program that displays the PACE logo or uses PACE provider recognition in its promotional materials shall be registered with the FCLB. The deadline for registration shall be 30 days prior to the first day of the program.

The PACE Committee, in its discretion, may direct that one or more of its representatives attend a registered program for the purpose of auditing compliance with PACE requirements. After the program has concluded, any PACE representative in attendance shall disclose his identity to the provider's on-site agent. The provider shall make timely reimbursement to PACE for any registration fee paid by its representative unless the representative elects to use his attendance to satisfy a personal license renewal obligation, in which case no reimbursement shall be due.

Compliance reports filed with PACE by its representatives are confidential and may serve as a basis for further investigation or the initiation of adverse action against a provider believed to be in violation of PACE requirements.

17. OFF-SITE PROGRAM REVIEW

Three-member panels of the PACE Review Team shall randomly review documentary components of registered continuing education programs for the purpose of monitoring compliance with PACE requirements. Such documentary or "paper" reviews may be conducted before or after a program is presented, and post-presentation reviews may include course evaluations from program participants.

If a Review Team panel identifies any compliance issue, the provider shall be given a reasonable opportunity to revise or correct the program. If the provider fails to remedy the problem to the satisfaction of the panel, the panel shall request that the provider remove the PACE logo from the program's promotional materials and may initiate a formal complaint against the provider.

18. PARTICIPANT RECORDS

Within 30 days after the conclusion of its registered continuing education program, a PACE Recognized Provider shall forward to the FCLB a complete list of program participants, a summary of participant evaluation surveys and the required records fee. The FCLB shall establish standardized procedures to facilitate timely and accurate reporting of program participation.

The list of program participants shall include each participant's name as it appears on his or her license, license numbers for all known jurisdictions, address of record, the name and date of the program and such additional information as may be necessary to ensure accurate posting on the ALLDOCS database.

The FCLB shall post participant information on ALLDDOCS and shall certify each licensee's program attendance to the relevant regulatory board or boards. At a licensee's request, and upon payment of the appropriate fee, attendance records may be forwarded to other parties as directed by the licensee.

19. REPORTING SUBSTANTIVE CHANGES

A substantive change in the circumstances of a PACE Recognized Provider is a change that affects the provider's ability to comply with PACE requirements. Examples of substantive changes include, but are not limited to, change of ownership, legal status or control; change in a source of financial support; and change in educational method.

When a Recognized Provider contemplates making a substantive change, the provider shall notify the PACE Committee in writing at least three months prior to the effective date of the change, describe the proposed change in detail, and demonstrate that the change will not impair compliance with PACE requirements.

The PACE Committee may request such additional information as it deems necessary to evaluate the provider's ability to continue to meet PACE requirements in light of the proposed change. The provider's failure to supply the information requested, or the submission of false or misleading information, shall be grounds for initiating adverse action.

If the PACE Committee determines that the proposed change is likely to place the provider out of compliance with PACE requirements, the Committee may direct the PACE Review Team to re-evaluate the provider's recognition status and make appropriate recommendations.

If a Recognized Provider is unsure whether a proposed change is substantive, the provider may apply in writing to the FCLB for an advisory opinion.

20. COMPLAINTS INVOLVING THE ADMINISTRATION OF PACE

Any party who is not a continuing education provider and who is adversely affected by the administration of PACE may file a complaint with the FCLB. The complaint must be in writing and signed by the party.

The FCLB shall investigate the complaint, consult as necessary with the PACE Committee, the Appellate Commission or the FCLB Board of Directors, and make a good faith effort to resolve the complaint.

21. FEES

All PACE fees are non-refundable unless otherwise noted. No partial refund of a recognition fee shall be made upon early termination of recognition, whether voluntary or involuntary. PACE reserves the right to alter its fee schedule upon six months' notice to affected parties. A provider's failure to pay any fee when due may result in immediate loss of PACE recognition. Fees are as follows:

- | | | |
|----|--|-----------------------------|
| A. | Initial application fee: | \$500 |
| B. | Renewal application fee: | \$250 |
| C. | Annual recognition fee | |
| | Non-profit organizations: | \$1,000 |
| | For-profit organizations: | \$10,000 |
| D. | Reconsideration fee: | \$500 |
| E. | Appeal fee
(not including hearing costs): | \$1,500 |
| F. | Records fee: | \$10 per participating D.C. |



FCLB PACE Criteria for Quality Continuing Education

FOREWORD

The Federation of Chiropractic Licensing Boards has approved the following *Criteria for Quality Continuing Education* as part of its PACE program. To obtain or retain the status of PACE Recognized Provider, an applicant must satisfy all criteria.

FCLB PACE Criteria for Quality Continuing Education

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I. MISSION AND GOALS

Criterion 1. Mission and Goals

The provider shall develop a written mission statement for its continuing education program that establishes the program's relevance to the health care needs of the public and the educational needs or interests of its intended audience.

If continuing education is only one facet of the provider's organization or institution, the program mission statement shall be consistent with the overall goals of the organization or institution.

If the provider has delegated responsibility for administering the program to an employee or agent, that employee or agent shall contribute to the development of the continuing education program's mission statement.

The provider shall periodically re-evaluate the mission statement and revise it as necessary.

II. ADMINISTRATION AND ORGANIZATION

Criterion 2. Administrative Authority

The provider shall establish a qualified, identifiable and continuous authority to administer its continuing education program. The authority shall be responsible for ensuring and demonstrating that the program complies with all PACE quality criteria.

The authority shall create and retain accurate records of participant attendance and activities offered, including needs assessment, methods, objectives, course outlines and evaluation procedures.

Criterion 3. Support Personnel

The provider shall assign sufficient support personnel to plan and implement its continuing education program effectively.

Criterion 4. Cooperative Courses

When two or more PACE Recognized Providers cooperate to develop, distribute or present a continuing education course, each provider shall be equally and fully responsible for ensuring compliance with PACE quality criteria. The respective functions of each provider shall be identified and documented.

When a PACE Recognized Provider cooperates with a provider not recognized by PACE to develop, distribute or present a course, the PACE Recognized Provider shall be fully responsible for ensuring compliance with PACE quality criteria.

A PACE Recognized Provider shall fully disclose to course participants all commercial relationships between it and any other entity with which it has cooperated in the development, distribution or presentation of its course.

Criterion 5. Publicity

The provider shall ensure that all advertising and promotional materials associated with its continuing education program are complete, accurate and not false or misleading and in full compliance with the advertising laws of each jurisdiction where the course is offered. Information supplied to prospective participants shall include:

- Name of the provider and any other entity giving financial support to the course;
- Course title;
- Description of course content;
- Educational objectives;
- Description of teaching methods used;
- All costs, including costs not covered by course fees;
- How and where to register;
- Instructors and their qualifications;
- Refund and cancellation policies;
- Location, date and time (or period of availability for online courses);
- PACE recognition status of each provider;
- Number of credit hours and requirements for obtaining credit;
- Commercial relationships between the provider or instructors and any external entity giving financial support to the course;
- Prior level of skill, knowledge or experience needed for effective participation.

Criterion 6. Record Keeping

The provider shall maintain records of its continuing education program sufficient to serve the needs of participants and regulatory bodies and shall retain these records for at least five years.

Documentation verifying attendance or participation shall include:

- Name, license or registration number, regulatory jurisdiction, address and telephone number of each registrant;
- Date, location and duration of the course;
- Title of course and subjects taught;
- For courses involving multiple sessions, the title and number of credits awarded for each course segment;
- Educational methods used (e.g., lecture, videotape, clinical participation, electronically mediated, etc.);
- Number of credit hours earned by each participant.

Criterion 7. Method of Verifying Attendance or Participation

The provider shall utilize a sound, accurate method for confirming attendance or participation in its continuing education program.

Criterion 8. Documentation of Attendance or Participation

The provider shall issue formal, unambiguous and non-misleading documentation of attendance or participation to each qualifying participant in a timely manner and in such format as the participant may reasonably require.

The provider shall issue duplicate or replacement documentation, labeled as such, upon request.

Criterion 9. Continuing Education Credits

The provider shall adhere to a uniform quantitative system of measurement for continuing education credit based on the contact hour, defined as 50 minutes of participation. Calculation of credit shall not include time for meals or breaks.

If the course's educational method does not lend itself to direct translation into contact hours (such as home study courses), the provider shall determine credits to be awarded by realistically appraising the amount of time required to successfully complete the course. The provider shall use a sound and

defensible process for making this determination and shall document the manner in which the determination was made.

The provider shall determine the number of contact hours to be awarded for successful completion of its course before offering the course to prospective participants.

Criterion 10. Grievance Procedures

The provider shall develop policies and procedures for the resolution of grievances, including tuition and fee disputes, and shall make its grievance procedures available to all participants.

Criterion 11. Legal Compliance

The provider shall comply with all laws and regulations applicable to its continuing education program.

III. BUDGET AND RESOURCES

Criterion 12. Fiscal Responsibility

The provider shall allocate sufficient fiscal resources to meet the goals and objectives of its continuing education program.

If continuing education is only one element of the provider's activities, the budget allocation for continuing education shall be a separate, clearly identifiable component of the provider's total budget.

IV. FACULTY AND STAFF

Criterion 13. Faculty and Staff

The provider shall ensure that each instructor in its continuing education program is qualified to teach the subject matter assigned to him or her.

The provider shall ensure that the total number of instructors is sufficient to achieve effective educational results, regardless of the teaching method used.

The provider shall ensure that participants are given adequate opportunity for direct interchange with instructors.

The provider shall assign sufficient support personnel to assist with administrative and technical matters incidental to the preparation and presentation of the program.

V. EDUCATIONAL COURSE DEVELOPMENT

Criterion 14. Objectives

The provider shall establish written educational goals and learning objectives to serve as a basis for evaluating the effectiveness of its continuing education courses. These goals and objectives shall be established at the inception of the course so that they may guide the development of content, instructional materials, learning assessment and course evaluation.

Educational goals and learning objectives shall be appropriate for the credit hours allocated to the course.

Criterion 15. Needs Assessment

The provider shall study the profession and consult periodically with prospective participants to ensure that its continuing education program meets the actual needs of the intended audience.

Criterion 16. Subject Matter

The provider shall ensure that its continuing education program addresses topics pertinent to contemporary chiropractic art, science, philosophy or practice.

Subject matter shall be evidence-based, authority-based or tradition-based and shall be credible, academically rigorous and presented in a balanced manner.

Criterion 17. Instructional Materials

The provider shall develop and make available to participants a syllabus or general outline of its continuing education course.

The provider shall develop suitable instructional materials to support and supplement the course. These materials shall be designed to:

- Enhance understanding of subject matter;
- Foster clinical application of information presented;
- Serve as future reference;
- Encourage additional learning.

The provider shall periodically review its instructional materials to ensure quality and timeliness of content.

Criterion 18. Admissions

The provider shall not exclude any licensed chiropractor or any chiropractic assistant from participating in its continuing education courses unless additional prior training or preparation is required for meaningful participation.

The provider shall state any educational prerequisites in its course announcement and promotional materials.

Criterion 19. Conflicts of Interest

The provider shall be responsible for all arrangements it makes to obtain external financial support for its continuing education program. Whenever possible, the provider shall refrain from entering into financial relationships that create conflicts of interest. When conflicts of interest are unavoidable, they shall be fully disclosed.

The provider shall not accept funding for its program from any external source that conditions financial support upon the provider's ceding control over any aspect of the program to the external source.

The provider shall reduce to writing all terms and conditions upon which its program receives financial support from any external source.

The provider shall disclose to participants, in promotional materials and the course itself, any commercial relationships between the provider or instructors

and any external source of program funding, including any direct or indirect financial interest held by the provider or instructors in any company whose products are discussed in the course.

The course(s) shall present a balanced view of therapeutic options and use generic product names whenever possible.

Criterion 20. Protection of Live Models

The provider shall be responsible for protecting the health, safety and welfare of any person whose body is used to demonstrate clinical techniques or procedures as part of a continuing education course. The provider shall:

- Explain to the model the technique or procedure, including the potential risks, and obtain the model's informed written consent prior to the demonstration;
- Ensure that instructors and demonstration participants possess the skill, knowledge, expertise, licensure status and professional liability coverage necessary to safely perform the technique or procedure being demonstrated;
- Verify that the technique or procedure can lawfully be performed in the jurisdiction where the demonstration takes place;
- Supply in good working order any equipment or instruments needed for the demonstration;
- Supply adequate supervision during the demonstration;
- Arrange for post-demonstration care, including emergency care.

VI. METHODS OF DELIVERY

Criterion 21. Educational Methods

The provider shall be responsible for choosing the educational methods used in its continuing education program. In selecting educational methods, the provider shall consider:

- Course content and goals;
- Size and composition of the intended audience;
- Skill level of participants;
- Medium of presentation;
- Nature and extent of facilities;
- Number of instructors, evaluators and support personnel.

If the course requires participants to perform complex tasks under supervision or evaluation, the provider shall limit the number of participants to ensure effective learning.

The provider shall caution participants concerning the risks of integrating new techniques or procedures into their practices after receiving only limited instruction.

If the course requires electronic or technical capabilities, the provider shall consult with appropriate experts during course development.

Criterion 22. Participant Involvement

The provider shall select a method of content delivery that allows for and encourages active audience participation and involvement.

Criterion 23. Distance Learning

Continuing education courses offered as distance learning may include journal articles, manuals, CDs, DVDs, audio and video tapes, research projects, computer or Internet courses, and other emerging formats.

Regardless of format, the provider shall ensure that its distance learning course contains the following features:

- A field-tested method of determining credit hours;
- Requisite course deadlines are clearly identified;
- Provision for participant feedback and interaction with instructors;
- Prompt response to participant questions;
- A mechanism by which the participant can assess mastery of subject matter. Longer courses offer frequent progress assessments;
- References for further study;
- Technical assistance is available as applicable.

If a provider of a distance learning course anticipates that a participant will perform procedures or techniques upon a patient, the instructor shall direct the participant to create and retain appropriate clinical records; such as informed consent, history, X-rays or other diagnostic imaging, examination findings, treatments rendered, materials, methods and outcomes.

If the distance learning course is computer-based, the course shall offer ease of navigation, and all features shall be functional. There shall be reliable security measures.

VII. FACILITIES

Criterion 24. Facilities, Instructional Media and Equipment

The provider shall select facilities, instructional media and equipment for its continuing education course that are appropriate to audience size and adequate to realize the objectives of the course.

Sufficient space and equipment shall be available to allow active participation by each attendee.

Instructional media and equipment shall be in good working order.

If participants are required to supply their own materials or equipment, the provider shall include specific descriptions of all required materials or equipment in its course announcement and promotional materials.

VIII. EVALUATION

Criterion 25. Course Evaluation

The provider shall supply to each participant in its continuing education program a post-instructional evaluation form that requests the participant's assessment of:

- Physical location and facilities;
- Media and materials;
- Instructor presentations;
- Attainment of stated course objectives.

The evaluation form distributed to participants shall contain all satisfaction survey questions developed and approved by PACE for either the seminar or distance learning format, as applicable, but may include additional questions developed by the provider.

The provider shall report compiled results of the participant evaluation to PACE.

The provider shall conduct a periodic review of course components to ensure ongoing compliance with PACE quality criteria.