



**MONTANA
ADMINISTRATIVE
REGISTER**



**BOARD OF CHIROPRACTORS
DEPARTMENT OF LABOR AND INDUSTRY**

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2025-264.1

Summary

Implementation of House Bill 246 Substantial Equivalency

Hearing Date and Time

Thursday, January 8, 2026, at 2:00 p.m.

Virtual Hearing Information

A public hearing will be held via remote conferencing to consider the proposed changes to the agency's rules. There will be no in-person hearing. Interested parties may access the remote conferencing platform in the following ways:

Join Zoom Meeting: <https://mt-gov.zoom.us/j/88675937963>

Meeting ID: 886 7593 7963; Password: 0529136277

Dial by Telephone: +1 646 558 8656

Meeting ID: 886 7593 7963; Password: 0529136277

Comments

Concerned persons may present their data, views, or arguments at the hearing. Written data, views, or arguments may also be submitted at dli.mt.gov/rules or P.O. Box 1728, Helena, Montana 59624. Comments must be received by Friday, January 16, 2026, at 5:00 p.m.

Accommodations

The agency will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. Requests must be made by Friday, January 2, 2026, at 5:00 p.m.

Contact

Department of Labor and Industry
(406) 444-5466
laborlegal@mt.gov
Montana Relay: 711

General Reasonable Necessity Statement

The 2025 Montana Legislature passed House Bill 246 which was signed by the Governor April 3, 2025, and became effective October 1, 2025. The bill standardizes substantial equivalency determinations in professional licensing and eliminates duplicative statutory sections regarding equivalency and reciprocity.

While historically available to applicants licensed in other states or jurisdictions, licensure by substantial equivalency has never been consistent among the professional licensing boards and programs. House Bill 246 creates a standard definition for determining substantial equivalency to be uniformly utilized by all the boards and programs when processing endorsement applications. This will create overall efficiencies in processing endorsement applications and reduce licensing wait times for applicants and employers.

To implement the legislation and further the endorsement licensing process, the Board of Chiropractors (board) is proposing to adopt NEW RULE 1. The board has compared current licensure standards of the fifty United States for Board of Chiropractors' licensees and determined those that are substantially equivalent per the definition in 37-1-302, MCA. This new rule will adopt and incorporate by reference the Board of Chiropractor's initial approved list of states having substantially equivalent licensing standards. The list will be published on the board's website. The board will analyze other states' licensing standards annually, and update the published list as needed.

The board is further amending ARM 24.126.504 to incorporate NEW RULE 1.

Rulemaking Actions

AMEND

The rule proposed to be amended is as follows, stricken matter interlined, new matter underlined:

24.126.504 APPLICATION FOR CHIROPRACTOR LICENSE

- (1) Each applicant for licensure must submit:
 - (a) a completed application form;
 - (b) the applicable fee; and
 - (c) documentary evidence satisfactory to the department that the applicant:
 - (i) meets the education and examination requirements for licensure set by board statute or rule (application by examination); or
 - (ii) meets the criteria for licensure by substantial equivalency under 37-1-304, MCA (application by endorsement) ~~and 37-12-302(3), MCA, and~~ [NEW RULE 1]; and
 - (iii) meets the character and fitness requirements to practice.
- (2) The department will verify character and fitness through:
 - (a) the applicant's personal history questions submitted with the application;
 - (b) the license history in any jurisdiction where the applicant has held a chiropractic license;
 - (c) a query from the National Practitioner Databank (NPDB); or
 - (d) other sources of unprofessional conduct allegations.
- (3) Applicants under (1)(c)(i) must take the jurisprudence examination with a minimum score of 75 percent.
- (4) Applicants under (1)(c)(ii) are exempt from:
 - (a) taking the jurisprudence examination; and
 - (b) meeting the bachelor's degree requirement under 37-12-302(3), MCA.
- (5) The board authorizes the department to deem applications from applicants who hold an active license in another state as routine and substantially equivalent to Montana if the state requires:
 - (a) graduation from a college of chiropractic approved by the board; and

- (b) passage of parts I through IV of the NBCE. An applicant from a state that does not require passage of the physiotherapy portion of the NBCE must submit evidence of having passed that portion of the exam; and
 - (c) passage of the jurisprudence examination.
- (6) All license applications expire within 1 year of initial submission to the department.

Authorizing statute(s): 37-1-131, 37-12-201, MCA

Implementing statute(s): 37-1-105, 37-1-131, 37-1-304, 37-12-302, 37-12-304, MCA

ADOPT

The rule proposed to be adopted is as follows:

NEW RULE 1 SUBSTANTIAL EQUIVALENCY

- (1) The board adopts and incorporates by reference the 2025 substantial equivalency list for the Board of Chiropractors publication. The publication is available on the board's website.
- (2) The board intends to review the publication annually. However, failure to review or adopt a new list does not change the effectiveness of the adoption in this rule.
- (3) License applications from individuals licensed in substantially equivalent states are routine applications as to the education, examination, and experience requirements for licensure. Applications may be nonroutine on other bases.

Authorizing statute(s): 37-1-131, MCA

Implementing statute(s): 37-1-304, MCA

Small Business Impact

The board identified chiropractic offices as the class of small businesses most likely to be affected by the proposed rule. The board identified no significant and direct impacts, but concluded possible impacts may include more streamlined licensing for offices wishing to hire from out of state, or applicants would have more information available about the licensing requirements if researching whether they would be coming from a substantially equivalent jurisdiction.

Bill Sponsor Notification

The primary bill sponsor was contacted on July 7, 2025, by electronic mail.

Interested Persons

The agency maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by the agency. Persons wishing to have their name added to the list may sign up at dli.mt.gov/rules or by sending a letter to P.O. Box 1728, Helena, Montana 59624 and indicating the program or programs about which they wish to receive notices.

Rule Reviewer

Jennifer Stallkamp

Approval

Sarah Swanson, Commissioner

Approval

Julie Murack, D.C., President, Board of Chiropractors