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PUBLIC NOTICES  
Law And Public Safety  
Division Of Consumer Affairs  
State Board Of Chiropractic Examiners**

N.J.A.C. 13:44E-1.1 Scope of Practice

N.J.A.C. 13:44E-3.2 Recognized Diagnostic Tests; Permissible Billing

**Notice of Withdrawal of Petition for Rulemaking**

Take notice that the State Board of Chiropractic Examiners (the Board) is filing this notice of withdrawal of petition for rulemaking of the New Jersey Chiropractic Society's (the Society) November 14, 2003 petition. The Board is filing this notice based on legislation that renders the Society's petition nonviable. In its petition, the Society requested that the Board lift its prohibition on chiropractic physicians performing needle electromyography (needle EMG) and promulgate regulations that would allow chiropractic physicians to perform the procedure. A notice acknowledging the receipt of the petition and summarizing its contents was published in the January 20, 2004 New Jersey Register at 36 N.J.R. 589(a). On January 29, 2004, the Board rejected the specific rule changes as drafted by the petitioner; but, the Board referred the proposal to its Rules and Regulations Committee for further review and possible drafting of a similar proposal that would allow chiropractors to perform needle EMG with the addition of certain safeguards. A notice to that effect was published in the March 15, 2004, New Jersey Register at 36 N.J.R. 1615(a).

On January 11, 2006, P.L. 2005, c. 303 was enacted. That law amended N.J.S.A. 45:9-5.2 to prohibit the performance of needle EMG by any person not licensed to practice medicine and surgery in New Jersey. Subsequently, the Association of New Jersey Chiropractors, successor organization to the New Jersey Chiropractic Society, made a formal request to withdraw its petition for rulemaking.

Based on the enactment of P.L. 2005, c. 303 and the withdrawal of the petition for rulemaking by the Society, the Board is filing this Notice, which sets forth the basis for the withdrawal of the petition for rulemaking and rescinds its notice of action on the petition for rulemaking published at 36 N.J.R. 1615(a).