

SENATE BILL REPORT

ESB 6054

AS PASSED SENATE, FEBRUARY 17, 1992

Brief Description: Modifying the chiropractic practice act.

SPONSORS: Senators L. Smith, Bauer, Johnson, Murray, von Reichbauer, Snyder, Metcalf, Conner, Thorsness, Vognild, Sutherland, Jesernig, M. Kreidler and Pelz

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators L. Smith, Vice Chairman; Amondson, M. Kreidler, and Niemi.

Staff: Sarena Seifer (786-7417)

Hearing Dates: January 21, 1992; February 3, 1992

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Health & Long-Term Care.

Signed by Senators McDonald, Chairman; Amondson, Bailey, Bauer, Bluechel, Cantu, Gaspard, M. Kreidler, Metcalf, Murray, Niemi, Owen, L. Smith, and Talmadge.

Staff: Cindi Holmstrom (786-7715)

Hearing Dates: February 11, 1992

HOUSE COMMITTEE ON HEALTH CARE

BACKGROUND:

Chiropractors are health care professionals directly accessible by the public who must be licensed by the state in order to practice their profession. The chiropractic scope of practice primarily involves the detection of neuronal disturbances due to spinal subluxations, and treatment of these disturbances by adjustment and manipulation of the spinal column and its immediate articulations. It does not include nonspinal procedures, such as manipulation of extremities.

Chiropractic care includes the normal regimen and rehabilitation of the patient, a physical examination, diagnostic x-rays and the other analytical instruments generally used in the practice of chiropractic. Chiropractors are prohibited from prescribing or dispensing any medicine or drug, practicing obstetrics or surgery, or using x-rays for

therapeutic purposes. They are permitted to render dietary advice.

Health care professionals licensed by the state who are not also licensed as chiropractors may not perform procedures which include the adjustment by hand of any articulation of the spine.

SUMMARY:

The act is intended to expand the chiropractic scope of practice only with regard to adjustment of extremities in connection with a spinal adjustment.

Chiropractic scope of practice is expanded to include the diagnosis or analysis and care or treatment of articular dysfunction and musculoskeletal disorders as well as subluxations. These terms are defined. Chiropractic adjustment for these disorders includes manual or mechanical adjustment of any vertebral articulation and contiguous articulations beyond the normal passive physiological range of motion.

Chiropractic treatment or care is expanded to include nonspinal procedures, including extremity manipulation complementary and preparatory to a chiropractic spinal adjustment. Heat, cold, water, exercise, massage, trigger point therapy, dietary advice and recommendation of nutritional supplementation (with the exception of medicines of herbal, animal or botanical origin), first aid and counseling on hygiene, sanitation and preventive measures, and physiological therapeutic procedures such as traction and light are also included. Procedures involving the application of sound, diathermy or electricity are not included.

Chiropractors are prohibited from prescribing or dispensing any medicines or drugs, practicing obstetrics or surgery, using radiation for therapeutic purposes, colonic irrigation, or any form of venipuncture. Chiropractic care cannot include the diagnosis or treatment of any infectious or communicable disease, malignant or benign neoplasm, any cardiovascular, pulmonary, hematologic, lymphatic, metabolic, endocrine, immunologic, hepatic, renal or other medical disease. Further, chiropractic care does not include the treatment of fractures.

Chiropractic differential diagnosis must include a physical examination and may include diagnostic x-rays. The Chiropractic Disciplinary Board must define by rule the type of diagnostic and analytical devices and procedures consistent with chiropractic practice.

Extremity manipulation cannot be billed separately from or in addition to a spinal adjustment.

All state health care purchasers are given the authority to set service and fee limitations on chiropractic costs. The Health Care Authority is required to establish pilot projects

in defined geographic regions of the state to contract with organizations of chiropractors for a prepaid capitated amount.

Appropriation: none

Revenue: none

Fiscal Note: available

Effective Date: The bill contains an emergency clause and takes effect immediately.

TESTIMONY FOR:

Chiropractors are trained to manipulate extremities. Extremity manipulation, in conjunction with spinal manipulation, is an effective mode of treatment. Studies have demonstrated chiropractic care is cost effective. Forty-seven other states allow chiropractors to manipulate extremities.

TESTIMONY AGAINST:

The bill profoundly expands chiropractic scope of practice while raising serious questions about the effectiveness and necessity of chiropractic care. There is no scientific evidence to support the effectiveness of extremity manipulation, and in certain disorders, such as cerebral palsy, it is contraindicated and could prove detrimental. Expanding chiropractic scope of practice can lead to increased health care costs. Studies demonstrating the cost-effectiveness of chiropractic care have serious methodologic flaws.

TESTIFIED: Dr. Kelly Pierson, Washington State Chiropractic Association (pro); Dr. Tom Campbell, Washington State Chiropractic Association (pro); Steve Wehrly, Washington Chiropractic Trust (pro); Becky Bogard, (pro with amendments); Dr. Loren Rex, Washington Osteopathic Medical Association (con); Jeff Larsen, Washington Association of Naturopathic Physicians (con); Mel Sorensen, Washington Physicians Service/Blue Cross (con); Courtney Nevitt, Dept. of Labor and Industries (con); Kristen West, Health Care Authority (con); Carl Nelson, Washington State Medical Association (con); Dr. Ken Martin, Washington State Medical Association (con); Dr. Bruce Kuhlmann, Board of Osteopathic Medicine and Surgery (con); Rob Tee, State Farm Insurance (con)

HOUSE AMENDMENT(S):

Language prohibiting chiropractors from diagnosing and treating certain medical conditions and fractures is removed.