



The Alliance of New Mexico Chiropractors

October 12, 2018

RE: Changes to the Scope of Practice of Chiropractic Physicians

Madam Chair, members of the committee, I'd like to thank you for the opportunity to speak before the Legislative Health and Human Services Committee today. My name is Dr. Rod Justice and I am the Executive Director of the Alliance of New Mexico Chiropractors, a chartered, non-profit trade association dedicated to serving the interests of our members and the chiropractic profession at large.

The issue of adding pharmaceuticals to the chiropractic scope of practice is an intra-professional argument that severely divides our profession. With this proposal, you are being asked to settle that argument.

Undoubtedly, you will hear, or have heard, that because chiropractors have the same basic science classroom education as medical doctors, we are qualified to take a short, online pharmacological course with limited clinical experience under the supervision of individual doctors and thus be adequately trained to dispense pharmaceuticals. One could also say that because we have the same basic science classroom education as dentists, we should be qualified to take a short, online course, spend some time in a dentist's office and that would qualify us to perform dentistry. We strongly disagree with both notions. Pharmacology courses are not taught in all chiropractic colleges and in those that do, it is a cursory course.

Chiropractic has been taught as a drug free healing art since its inception in 1895. In the past few years, a handful of our New Mexico colleagues decided to take the opportunity to bridge over and get a Nurse Practitioner degree by completing the appropriate classroom work and the 700 or so hours of required clinical rotations.

With the NP degree, they received proper medical instruction on medical standards of care, laboratory training, and extensive clinical experience in hospitals, nursing homes, mental health care facilities and other recognized medical institutions. They were certified to dispense medications by the appropriate medical accrediting agencies. With the NP license, they are under the jurisdiction and oversight of the state nursing board using the Nurse Practitioner medical standards of care. The chiropractors in New Mexico who have done this are successfully practicing with dual licensure, with oversight from the chiropractic board as well as the nursing board.

In the NP program, the philosophy of pharmaceutical use is woven all throughout the program from day one. Pharmacology is not simply a couple of courses added on near the

end of the educational program, nor is it taught as a separate post-graduate course. It's there from the beginning and is an integral part of the student's learning process.

It's a simple equation: The performance of medical procedures requires medical training, medical certification and medical oversight. This proposal does not provide for any of these stipulations.

Which brings us to National University of Health Sciences, one of the universities wishing to offer the Post Graduate program required by this proposal. Currently, National is the only chiropractic college with a program in the works approved by the State of New Mexico to offer additional training for Advanced Practice Chiropractors (APC).

According to the Council on Chiropractic Education (CCE) in a Public Disclosure dated May 21, 2018, the doctor of chiropractic degree program at National University of Health Sciences' two campuses has been placed on probation. (<http://www.mccoypress.net/docs/2018-05-24-Public-Disclosure-Notice-NUHS-1.pdf>)

According to the report National's Doctor of Chiropractic Program (DCP) is not structured, implemented, and reviewed in a manner that enables the DCP to assess the effectiveness of its goals and objectives, and permits the DCP to implement those changes necessary to maintain and improve program quality.

The report goes on to relate that the didactic and clinical education components of the curriculum at National are not structured and integrated in a manner that enables the graduate to demonstrate attainment of all required competencies.

National was also in *significant noncompliance* with National Board of Chiropractic Examiners (NBCE) pass rates because the overall weighted average of the four most recent years' Parts I, II, III, and IV success rates were less than the 80% threshold established by the accrediting agency, the Council on Chiropractic Education, (CCE). For comparison, Sherman College, my alma mater has a 90.5% four-year weighted average pass rate.

To put it in plain language, National's Doctor of Chiropractic Program:

- Is unable to assess the effectiveness of its program,
- Is unable to maintain and improve the quality of its DC program
- Is unable to guarantee that their students have attained all the required competencies to be a doctor of chiropractic and,
- Does not adequately prepare their students to pass the chiropractic national boards.

On their website, National touts they have an 90% NBCE four-year weighted average pass rate. (<https://www.nuhs.edu/about-us/our-profile/performance/dc-board-scores/>) It's important to note that these figures are for Parts I, II, and III only and do not include part IV. This is not the same as the four-year weighted average of all parts of the boards including Parts I, II, III and IV as required by the CCE. Whether National's deceptive cherry picking of information is intentional or not, it does give us reason for concern: At least as much of a concern as the fact that they are not fulfilling the basic requirements of an educational institution as required by the CCE.

Prior to the CCE action, National was put on **PUBLIC NOTICE in June of 2016** by their regional accreditor, the Higher Learning Commission (HLC). According to a Public Disclosure Notice, the Higher Learning Commission (HLC) Board of Trustees took this action because of concerns related to **quality of educational programs, assessment of student learning, and institutional planning.**

National was given until June 2018 to come into compliance with the Higher Learning Commission and they were removed from NOTICE on June 28, 2018. However, it was noted the institution had not fully addressed areas previously requested including data gathering and analysis; had not developed student-learning outcomes for all courses; and the peer review team determined institutional efforts warranted further organizational attention. These are just a few of the issues that remain unresolved. National University will be required to submit an Interim Report with its next Assurance Filing.

If National's DC program is not in compliance with CCE requirements, and they are still working to be fully compliant with their Regional Accreditor, how can we be confident a brand new post-graduate program teaching the use of dangerous drugs will be of the same quality and standard provided by medical institutions?

It should be noted that legislation regarding pharmaceutical use in chiropractic has not been passed in any state in the country. Supporters of this proposal have been unable to get similar legislation passed in National's home state of Illinois, and are, in our opinion, using the citizens of New Mexico as guinea pigs. In New Mexico, in the recent past, the Pharmacy Board and the State Medical Board, along with the New Mexico Medical Society have opposed the expansion of the chiropractic scope to include pharmaceutical use. This proposal has been introduced in every long session of the New Mexico Legislature since 2011 and has failed to gain any traction because it is even more controversial and potentially more harmful to public health than ever before.

Lastly, while both sides can show positive surveys supporting their position, the actual number of chiropractors in New Mexico supporting this proposal is on the decline. In 2013, there were 140 New Mexico licensed chiropractors with Advanced Practice Chiropractor (or APC) certification. There are currently 105 and not all of them practice in New Mexico. In the past 6 years, **no new APC practitioners have been credentialed and 35 of them have not renewed their APC certification.** There are currently 619 licensed chiropractors in New Mexico, 105 of them with APC certification. That works out to 17% or less since not all APC doctors support this proposal.

With these facts taken into account, we feel that any proposal allowing the use of pharmaceuticals in the chiropractic scope of practice would be a dangerous disservice to the citizens of New Mexico.

Thank you again for the opportunity to speak.

Sincerely,

Rod Justice, D.C.
Executive Director
Alliance of New Mexico Chiropractors