

CHIROPRACTIC ROUND-UP

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exemption for immunizations law unconstitutional based on the language of the state statute that acknowledged only "recognized religions", thus denying "equal protection" to all religions.

In a similar case, Arkansas Eastern District Federal Judge Susan Webber Wright ruled in mid-August that the Arkansas immunization statute was in violation of the Establishment Clause of the U.S. Constitution because it favored "recognized" religions. Both of these decisions have been put on hold while appeals are pending. Religious exemptions can be given again and the hundreds of children impacted by the earlier decisions are now able to attend public schools without being vaccinated.

Concerned parents are forming an organization called the Arkansas Parental Rights Organization to work to insure that similar situations do not develop in the future. Submissions on both sides were due by October 25th and while the final outcome is uncertain, the stay gives hope to those seeking to maintain their individual freedom in this area to obtain a waiver allowing them to refuse the otherwise mandatory vaccinations. For more infor-

mation on this developing story check the National Vaccine Information Center website at www.909shot.com, or www.vaccinelaw.com.

All DCs to undergo tax audit

Also in Arkansas, state revenue officials have undertaken a tax audit of all doctors of chiropractic in the state. As part of the state's revenue enhancement campaign in the face of falling tax revenue from other sources, state officials are working through lists of groups, professionals and businesses that appear likely targets for added collections efforts. Representatives of the Arkansas Attorney General's office told ICA that such an effort would end up being quite comprehensive and that no one group was being singled out for special attention.

CALIFORNIA

Two new bills will impact chiropractic and chiropractic clinics

California's legislature has passed two pieces of legislation that have implications for chiropractic and the non-medical healing arts community. The first bill makes it possible for certain non-licensed health professionals and providers to deliver their services without licensure. This means that a wide range of alternative and emerging activities will now have a basis under California law to offer their services to the public in that state. Senate Bill 577 states:

This bill, notwithstanding any other provision of law, would provide that a person engaging in certain medical treatments who makes specified written disclosures to a client shall not be in violation of certain provisions of the Medical Practice Act unless that person engages in specified diagnosis, treatment, and other activities. The bill would require a person who advertises himself or herself as performing the services that are subject to those requirements to state in the advertisement that he or she is not licensed by the state as a healing arts practitioner... The Legislature intends, by enactment of this act, to allow access by California residents to complementary and alternative health care practitioners who are not providing services that require medical training and credentials. The Legislature further finds that these nonmedical complementary and alternative services do not pose a known risk to the health and safety of California residents, and that restricting access to those services due to technical violations of the Medical Practice Act is not warranted.

The other legislation, Senate Bill 1661, will directly impact every chiropractic clinic in California that employs even one staff person. Under the Family Temporary Disability Insurance ("FTDI") program, signed into law by California Governor Gray Davis in September, employees will receive approximately 55% of their salary for six weeks of leave in order to care for a new child or ill family member.

An employee may not receive more than six weeks of the paid family benefit within any twelve-month period.

Applying to any employer regardless of size, FTDI will be funded entirely by mandatory employee payroll deductions into the California State disability insurance system ("SDI"), which will average an additional \$27 a year per employee. Payroll deductions for FTDI will begin in January 2004. Employees will be allowed to start taking paid leaves as of July 1, 2004. The maximum payment under FTDI will be \$728 a week and the payments will not be taxed. An employee who does not pay into SDI will not be eligible for FTDI.

The full text of this legislation, Senate Bill 1661, is available on the California legislature's website at <http://www.leginfo.ca.gov/>.

New requirements for x-ray operator's license go into effect January 1, 2003

Chiropractors in California should also be aware that new requirements for the renewal of an x-ray operator's certificate in California will be effective January 1, 2003. All persons who renew their operator's certificate in 2003 will be required to provide evidence of having completed five (5.0) hours of continuing education in the area of radiologic safety. For persons due to renew their operator's certificate in 2004 they must be prepared to demonstrate completion of ten (10.0) hours of such continuing education. At the time of each subsequent renewal, another ten (10.0) hours of radiologic safety CE must be obtained.

Life Chiropractic College West has begun offering the coursework for persons who will be renewing in 2003. Information on the continuing education program, dates, locations and costs can be found on their website at www.lifewest.edu.

Chiropractors will be able to use up to eight (8.0) hours of radiologic safety continuing education for license renewal in California. At least four (4.0) hours of the annual CE requirement must include adjusting skills and competencies.

Regulatory change proposed for CPR/BLS certification

The Board of Chiropractic Examiners has passed a proposed regulatory change for all chiropractic license holders and all applicants for licensure requiring American Red Cross or equivalent certification in cardiopulmonary resuscitation (CPR) or basic life support (BLS). This proposed change is expected to be forwarded to the Office of Administrative Law (OAL) no sooner than January 2003. If it continues to move through the regulatory process, it could become effective as early as Spring 2003. The hours used for CPR/BLS training will not be eligible for consideration with respect to the annual minimum continuing education requirements for license renewal.

Life-West has indicated that it will be offering continuing education programs that will satisfy the CPR/BLS requirement as it exists at this time. If the requirement is modified, the College will meet the modifications and if the regulation does not advance through approval, the College will re-evaluate the need for these CE programs.

ILLINOIS

Professional Regulation Dept. appeals District Court's "unconstitutional" ruling

The Illinois Department of Professional Regulation has filed an appeal seeking to overturn a state district court ruling earlier in the year that the current configuration of the Illinois Medical Board was unconstitutional. On April 18, 2002, the Circuit Court of Madison County ruled the Illinois Medical Disciplinary Board "unconstitutional" because it denied due process and equal protection in its operations and its composition.

This historic occurrence is the result of a long and difficult battle between one individual doctor of chiropractic, Dr. Thad Vuagniaux, an Illinois practitioner who had been subjected to what he, and many others on the conservative side of chiropractic, believed to be unjust action on the part of the Medical Disciplinary Board. Dr. Vuagniaux filed suit against the Illinois Medical Board and his action resulted in the following court decision:

"That the composition of the Disciplinary Board, as set up under the Medical Practice Act and applied to doctors of chiropractic, as well as the Rules enacted by the Department and/or the Disciplinary Board are unconstitutional and void in that they violate Article 1, Sections 1,2,12,23 and 24 of the Constitution of the State of Illinois and the Fourteenth Amendment of the Constitution of the United States by depriving the Plaintiff and all other chiropractors licensed by the Department of their liberty and/or property without due process and equal protection of the law."

Dr. Vuagniaux demonstrated remarkable courage and determination as he fought a system that provides for the medical regulation of chiropractic. Regardless of the outcome of the court action, the Illinois legislature will certainly be considering new legislation in the 2003 session, providing an opportunity for new legislation and/or regulatory developments that will provide for the kind of self-regulation that chiropractic has achieved in nearly every other state.

MICHIGAN

MCA doctors educate public at marathon gathering in Detroit

The Michigan Chiropractic Association (MCA) successfully represented the chiropractic profession at the annual Detroit Marathon in a different way this year. MCA doctors informed thousands of attendees about chiropractic and its unique performance enhancing benefits by participating in the Detroit Free Press/Flagstar International Marathon Health and Fitness Expo, Oct. 13-14 at the Detroit Marriott Renaissance Center Hotel. Doctors equipped with the MCA display, brochures, referral lists and general chiropractic information were successful in spreading the word about chiropractic as a method for overall wellness to thousands of individuals from all over the world.

"The health expo allowed us to reach even more potential chiropractic candi-

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WORLD FEDERATION
OF CHIROPRACTIC
FÉDÉRATION MONDIALE
DE CHIROPRA TIQUE
FEDERACIÓN MUNDIAL
DE LA QUIROPRÁCTICA

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20 hours of CE credits applied for in all US states.

MAJOR THEMES:

- Management of the Cervical Spine
- Sports Chiropractic

PLACE AND DATE:

Hilton in the Walt Disney Resort,
Orlando, Florida, May 1-3, 2003

FOR PROGRAM, REGISTRATION AND ALL OTHER INFORMATION:

- Visit www.chiroweb.com/wfcorlando2003 or
- Contact the WFC in Toronto at congress@wfc.org; telephone 1-416-484-9978; fax: 1-416-484-9665 (Attention: Gillian Sloane-Seale)



WFC 7th
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