

# JERRY PETROWSKI

WISCONSIN STATE SENATOR

**Senate Committee on Public Benefits, Licensing and State-Federal Relations**  
**Chair, Senator Chris Kapenga**  
**Testimony by Senator Jerry Petrowski**  
**April 16, 2019**

Thank you to the Chair, Senator Kapenga, and members of the Committee on Public Benefits, Licensing and State-Federal Relations for holding a public hearing on Senate Bill 164.

Unlike the majority of health professions, the statutes that regulate the chiropractic profession contain unique and restrictive language that specifically lists what organizations can sponsor Continuing Education (CE) programs for Chiropractors, Chiropractic Technicians and Chiropractic Radiological Technicians.

This restriction was put into place in a prior budget. Whatever the intent of the restriction, the result has been that Wisconsin chiropractors have very limited options for completing their mandatory CE training. There is no rational reason to prevent other qualified providers from making additional options available so that Wisconsin chiropractors can have easier, and possibly less expensive, access to CE trainings.

Senate Bill 164 simply amends the statutes relating to program sponsors for chiropractic CE to include the following organizations: Chiropractic Society of Wisconsin, the Federation of Chiropractic Licensing Boards and the American Chiropractic Association.

By adding these reputable and well established organizations to the list of acceptable program sponsors, this bill provides for increased competition and greater choices for those in the chiropractic profession when seeking CE courses.

29TH SENATE DISTRICT

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CHIROPRACTIC  
SOCIETY  
of Wisconsin

To: Members of the Senate Public Benefits, Licensing and State-Federal Relations Committee  
From: Dr. Lore Wakefield, Chiropractic Society of Wisconsin  
Date: April 16, 2019  
Re: Continuing education program sponsors for chiropractors, chiropractic technicians, and chiropractic radiological technicians

Thank you Senator Kapenga and members of this Committee for allowing our State Organization, the Chiropractic Society of Wisconsin (CSW), to testify in support of SB 164. We also want to thank Senator Petrowski and Representative Spiros for their support of this legislation.

My name is Dr. Lore Wakefield, I am the chairperson of the CSW's membership committee and due to the very quick notice of this hearing, I am filling in for our President Dr. Lona Cook who unfortunately had to be in New York today. Joining me today on the panel will be Dr. Amy Heffernan who will provide information on some of the statewide educational programs that the CSW has initiated. She will be followed by Dr. Brian Wussow who will describe the current continuing education protocols and the need for SB 164.

Today our simple request is to allow our organization to provide continuing education courses or "CE" to our members by passing SB 164. This legislation also expands the list to include the Federation of Chiropractic Licensing Boards and the American Chiropractic Association to be program sponsors in Wisconsin. This legislation will bring more choices and lower costs to chiropractors, chiropractic technicians and chiropractic radiological technicians in Wisconsin.

Unlike other Wisconsin-licensed healthcare providers, the statutes related to chiropractic are written to only allow specifically named organizations to be able to provide CE programs. This was not done by accident. The Wisconsin Chiropractic Association and the Medical College of Wisconsin are the only Wisconsin-based organizations allowed to provide CE courses. Organizations outside of Wisconsin that can provide CE programs in Wisconsin include the chiropractic colleges (zero are located in Wisconsin) and the ICA.

The ACA, which is the largest chiropractic association in the world and has several members in Wisconsin is not allowed to sponsor CE. The CSW, which is now 7 years old and still growing in membership is also not allowed to sponsor CE programs in Wisconsin.

The chiropractic technicians (CT) and chiropractic radiological technicians (CRT) situation is even more perplexing. Currently, the statutes and rules allow for the CSW to provide programs to certify a CT and CRT. However, the CSW is **not** allowed to provide CE programs to these same CTs and CRTs to keep their certifications active.

The CSW has been required to partner with an out of state chiropractic college in Georgia, which is included in the approved Wisconsin list of CE sponsors, to provide the CE program at our annual conventions. Each convention has had over 300 in attendance with keynote presentations from Wisconsin's Governor, Lt. Governor, Attorney General, Senators and Assembly representatives.

The CSW is an established and reputable association. We formed in April 2012 and are celebrating our 7th year anniversary this month. We are currently over 400 members and growing each month. In fact, many of our members, me included, have been involved in advocating for the chiropractic profession in Wisconsin for over 30 plus years dating back to our fight for insurance equality in the 1980's.

Continuing Education programs provide a funding source for state associations outside of dues revenue. These funds can be used to enhance the chiropractic profession and the public they serve. The CSW has been greatly harmed by the inability to sponsor CE programs for its membership. It should not be the government's position to pick winners and losers. SB 164 does not give the CSW, ACA or FCLB any special advantage. SB 164 simply changes a statute that was specifically designed to favor a single in-state chiropractic organization and fence out other in-state competitors. SB 164 allows three established state and national chiropractic organizations the ability to participate and sponsor CE programs for Wisconsin chiropractors, CTs and CRTs.

*~ Empowering Chiropractors to Vitalize Wisconsin ~*

The CSW is a strong and viable Chiropractic organization whose legislative presence has already been felt here in the Capitol building. Many of you will remember our efforts to remove the failed Wisconsin examination, which strategically fenced out new graduates from returning to Wisconsin to practice and our recent victory to remove the higher NBCE scores which also improperly fenced out new graduates from returning to Wisconsin. We also formed a coalition with the Dental, Optometry and Podiatry professions related to informed consent legislation.

The CSW continually creates new and innovative programs for our members, including a statewide educational program we call ChiroKids Day that educates parents and children about the importance of a healthy spine and nervous system. The CSW has created two public service videos to describe the tragic downward spiral of health consequences that opioid use produces. The CSW has created a Chiropractic First campaign to again educate Wisconsin healthcare consumers about non-drug chiropractic options for pain. The CSW public service videos have been requested by other state and national associations as well as colleges to be played for their members and students.

**Summary:**

The CSW simply requests the ability to provide CE to our members. We are aware that the WCA has once again registered in opposition to SB 164. We hope that they testify today to publicly state their rationale for opposition to an open and competitive market and a level playing field. In the past they have stated that we were new and would not survive as an association. Well it is now 7 years. We have not only survived, but we have surpassed the WCA in many areas.

The one action that the CSW has not been able to perform simply based on a flawed statute is to sponsor continuing education programs for our members. Please support and recommend for passage SB 164.

Thank you.



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To: Members of the Senate Public Benefits, Licensing and State-Federal Relations Committee  
From: Dr. Brian Wussow, Chiropractic Society of Wisconsin  
Date: April 16, 2019  
Re: Continuing education program sponsors for chiropractors, chiropractic technicians, and chiropractic radiological technicians

Thank you Senator Kapenga and members of this committee for allowing me to testify in support of SB 164.

I am Dr. Brian Wussow from Middleton, Wisconsin. I recently finished my first 27 years in practice and I'm just as excited about the next 27 as I was for the first. As a full time practicing chiropractor, I would just like to say thank you for your time and your consideration of this piece of legislation.

Today I am here to testify not only as a practicing chiropractor but also as a Chiropractic Society of Wisconsin Board Member and Chair of the Continuing Education Committee. This Committee is responsible for putting together all continuing education for the association for license renewal. When I first began reaching out to speakers four years ago, I was amazed at the support we received as an organization from so many in the profession. Many speakers were very excited for the opportunity to speak in Wisconsin...they had never been offered an opportunity.



One of the things I love about the volunteer work I get to do on this Committee is bringing in a wide variety of speakers. Many in the profession, due to time, family commitments or finances, are forced to do most, if not all of their continuing education in the state and preferably close to home. Year after year, we bring the biggest names in chiropractic to the state. Opening up the marketplace to allow more in-state opportunities is extremely important and vital to the growth and development of the profession.

As mentioned by Dr. Wakefield, unlike the other healthcare providers, the chiropractic statutes are written to only allow specifically named organizations to provide CE programs in Wisconsin. The Wisconsin Chiropractic Association (WCA) and the Medical College of Wisconsin are the only Wisconsin based organizations allowed to provide CE courses.

It needs to be noted that it has not been easy for the CSW to find or keep an approved program sponsor partner to provide the CE programs in Wisconsin. In the early stages, the Wisconsin Chiropractic Examining Board began a series of denials of CE programs applications with any organization that partnered with the CSW, specifically if the seminar location was to be in Wisconsin.

As a Committee and an organization, trying to put on CE opportunities without being able to sponsor the CE is challenging both logistically and financially. The combination puts us at a huge competitive disadvantage. Currently we have to partner with Life University in Georgia to be the program sponsor. While this relationship is positive for large conventions, the financial part of our relationship with Life to put on these CE programs prohibits the CSW from doing any CE programs at our district meetings. This again puts us at a very distinct competitive disadvantage with the WCA.

*~ Empowering Chiropractors to Vitalize Wisconsin ~*

We understand that the WCA has been claiming that multiple CE options exist for chiropractors, and they only provide a small percentage of all of the approved CE on the Chiropractic Examination Board approved list. What they have failed to explain is that the WCA provides over 95% of all of the approved courses **held in Wisconsin**. The entire list of approved courses includes programs in Alberta Canada, California and Florida. If you specifically look for programs only held in Wisconsin, they are almost all WCA programs.

By allowing the CSW to become a program sponsor of CE, the legislature will open up the free market in Wisconsin and bring in real competition which can only result in greater choice and lower prices for chiropractors, CTs and CRTs.

Allowing us the same courtesy as the other state association, and all other state associations is good for state chiropractors, it's good for chiropractic, it's good for competition and it keeps Wisconsin dollars in Wisconsin!

Thank you for your time and I hope you will consider supporting SB 164.



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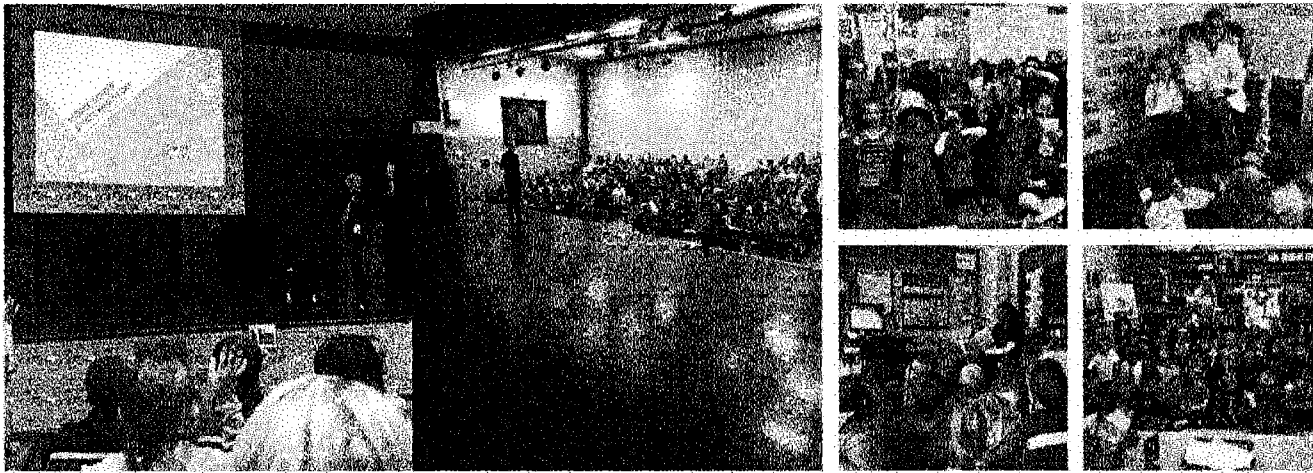
To: Members of the Senate Public Benefits, Licensing and State-Federal Relations Committee  
From: Dr. Amy Heffernan, Chiropractic Society of Wisconsin  
Date: April 16, 2019  
Re: Continuing education program sponsors for chiropractors, chiropractic technicians, and chiropractic radiological technicians

Thank you Senator Kapenga and members of this Committee for allowing me to testify in support of SB 164. My name is Dr. Amy Heffernan. I am a second-generation chiropractor and a current member of the Board of Directors of the CSW.

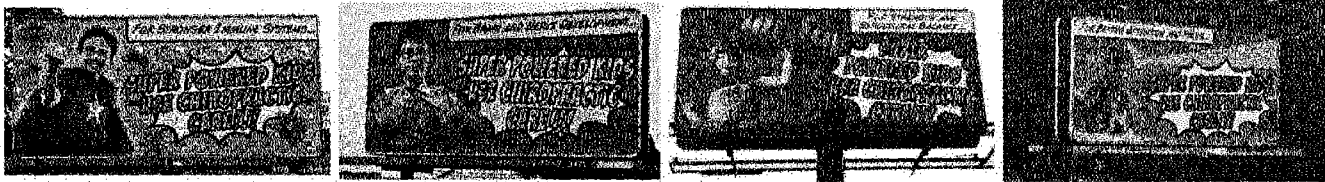
I am asking you to support SB 164, which simply allows our association to provide Continuing Education (CE) to our members.

I am excited to testify regarding the amazing statewide educational programs that our association conducts every year. It started 5 years ago when we created a very special day to educate the public on the benefits of chiropractic for children. The CSW's ChiroKids Day is an awesome collaboration of all of our members joining together on a single day to provide information on spinal health starting from pre-school up to parents out in the community.

Our members have been invited into whole school districts at all age levels to provide wellness related programs:



Our members also put up billboards around the state:



We also had members on radio and TV helping to spread the message of being pro-active with your body and health.

Each year our program grows. Last year, the Minnesota Chiropractic Association contacted us and asked if we could help them initiate the CHIROPRACTIC day program in their state. We gladly fulfilled their request and they were successful in working with their members to start the program in their state. Last year we also wanted our members to participate in a much larger way, so we sent the very special book *The Superpowers Within* to our members as a surprise gift. The book was written by one of our CSW members and promotes the benefits of chiropractic health and wellness for children.

Our goal is to provide CE related to pediatric chiropractic at our district meetings. Without the ability to sponsor the CE, we cannot achieve this goal. With your support of SB 164, the CSW would be able to provide CE to our members especially at our district meetings conveniently held around the state.

~ Empowering Chiropractors to Vitalize Wisconsin ~

I would also like to discuss the CSW's efforts to assist with the opioid crisis affecting thousands of Wisconsin citizens. The CSW formed a special committee led by one of our members Dr. Kris Erlandson who lost his son to this epidemic. The committee created educational programs and videos for our members to share with their patients and communities. Because the initial video was so impactful and immediately started community discussions focused on real solutions, the CSW proudly began sharing our programs with other state and national associations with our video eventually going viral internationally.

Our Chiropractic First program also provides our members with multiple options for educating their communities of the benefits of chiropractic care and natural healthcare choices.

We are very proud of the accomplishments of our association and we know that with the additional resources that the CE sponsorship will bring to our organization that we can do even more to enhance the lives of the citizens of Wisconsin.

I ask that you support SB 164

Thank you



# Federation of Chiropractic Licensing Boards

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Hearing Date: April 16, 2019

Support for Senate Bill SB164

Mr. Chairman and members of the committee, my name is Dr. Margaret Colucci and I'm the President of the Federation of Chiropractic Licensing Boards based out of Greeley, Colorado. Please allow me to submit my testimonial in favor of adding the Federation of Chiropractic Licensing Boards (FCLB) to the list of chiropractic continuing education program sponsors acceptable for license renewal in the state of Wisconsin by amending 446.028 of the statutes under Senate Bill SB164.

FCLB is a non-profit association of government agencies empowered to help regulate the chiropractic profession with the mission to protect the public by promoting excellence in chiropractic regulation through service to our member boards.

About 14 years ago, at the request of our state member boards and major CE providers, the FCLB worked closely with member boards and program stakeholders to develop a uniform approval process designed to streamline recognition for providers seeking board approval for their CE programs; the program is called PACE- Providers of Approved Continuing Education.

The FCLB PACE program is designed to provide uniform criteria and to alleviate the administrative burdens placed upon boards by this resource-intensive process.

PACE's mission is to establish criteria and procedures for multi-jurisdictional recognition of continuing education providers, thereby:

- A. Furnishing doctors of chiropractic with a dependable basis for selecting continuing education programs,
- B. Assisting FCLB member boards in their evaluation of continuing education providers and programs,
- C. Improving the quality of continuing education programs through critical scrutiny and provider self-evaluation, and

FCLB is a non-profit  
501(c)(3) corporation.

Contributions are  
deductible as allowed  
under section 170 of  
the IRS Code.

Tax ID 83-0208564



D. Protecting the public through advancements in chiropractic education.

PACE evaluates providers for program quality in eight areas which include 25 criteria. Only CE providers that meet the FCLB PACE Criteria for Quality Continuing Education and comply with FCLB PACE Policies & Procedures are granted PACE approval and are authorized to use the PACE logo and/or approval statement on their publications. Once approved, CE providers are held responsible for continued compliance with those same standards to maintain recognition.

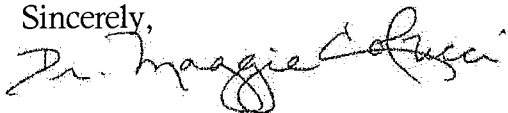
PACE has three structural components, the PACE Review Team, the PACE Committee and the Appellate Commission.

The FCLB delegate body adopted a resolution without dissent at our 90th Annual Congress in Phoenix AZ in 2017 supporting the participation of every FCLB member board in the PACE program, and encouraging each FCLB member board's participation in the FCLB PACE program within the member board's chiropractic regulation, board policy, or both.

Centralized continuing education programs are common in most all regulated professions. Wisconsin already includes FCLB PACE equivalents in other professions within your statutes as being acceptable program sponsors - namely, the Council on Optometric Practitioner Education (COPE), which is a committee of the Association of Regulatory Boards of Optometry, Association of Social Work Boards (ASWB), Accreditation Council for Continuing Medical Education (ACCME) and the Federation of State Massage Therapy Boards (FSMTB). The FCLB is hopeful that you will consider adding us to the list of acceptable program sponsors for the chiropractic profession.

We take FCLB's core values of public protection and lessening the burden on government resources very seriously. Ensuring chiropractors have access to quality chiropractic continuing education ultimately enhances the doctor/patient experience, leading to fewer complaints coming before our member boards. FCLB's PACE program is a proactive regulatory program that we hope you will support.

Sincerely,



Margaret Colucci, D.C.