



Washington Medical Commission Attempts “Grab” at Spinal Manipulation in MD Scope of Practice

The WSCA learned November 12 that the Washington Medical Commission (WMC) introduced an Interpretive Statement to ignore the two statutory prohibitions on a medical doctor’s ability to perform spinal manipulation. These prohibitions are found in both the Chiropractic and Medical Practice Acts within the Revised Code of Washington.

Two days later, the WSCA and the Chiropractic Quality Assurance Commission (CQAC) attended the WMC policy meeting to address this procedural attempt. Prior to public comment we listened to the medical commission members (MDs), and their Assistant Attorney General discuss the proposed interpretive statement. It was staggering to hear that the WMC was putting forward this policy statement without the support of their Assistant Attorney General. During their deliberation we learned that the Assistant Attorney General only learned of their action “when the packets were sent out.”

WMC members continued making comments that were striking to us-one admitting, on the record, that he “performed manipulation all the time,” and that he was “taking a stand.” After reviewing the chiropractic scope of practice and the MD prohibition language out loud, the Assistant Attorney General said she didn’t understand the language of the scope within the chiropractic practice act (clinical language) and said “I don’t know what that means.” One WMC member followed up by saying, “neither do most chiropractors.” It was offensive. They went on, and one MD asked “if I am in surgery, what am I supposed to do, use a chisel?”

The Medical Commission’s Assistant Attorney General stated, on the record, that she couldn’t recommend that this Interpretive Statement allowing MDs to manipulate the spine be allowed to move forward and was sure there would be public comment. Their antics continued and they finally allowed public comment which gave us our opportunity to respond.

Dr. David Folweiler presented in writing the CQAC’s position on the MDs’ proposal, and commented specifically that the CQAC does not agree with the WMC’s opinion or interpretation of the law. Dr. Folweiler also made comments clarifying one of their statements specific to the Vertebral Subluxation Complex, since the medical Commissioners were making light of the language.

WSCA External and Government Affairs Director, Lori Grassi, provided comment on behalf of the association, beginning, “We’re honored. We are honored that spinal manipulation has risen above quackery in your eyes.” She continued, agreeing with one of their comments that manipulation is the standard of care, but that she completely disagreed with their Interpretive



Statement. Grassi also went on to clarify that *“every chiropractor knows what the statute means.”*

Making what should be an obvious case for public safety, Grassi used an example of an untrained MD performing joint replacement. Those performing these surgeries all the time have the greatest success with the fewest adverse events, and those who do not, have a majority of adverse events. The same is true for chiropractic- 94% of manipulation is performed by chiropractors. However, 50% of the adverse events related to manipulation come from the 6% performed by either other non-DC providers or non-licensed people. This statistic is staggering, and gives concern for public safety.

The WMC backed down and withdrew for now, but made it clear that they would work with their staff and have a new draft for their January meeting.

Medical Commission members actually stated that the interpretive statement allowing them to do spinal manipulation was necessary because of the Washington State Department of Labor & Industries’ refusal to pay MDs for manipulation services. They also stated that MDs doing their residency could perform the service while in residency, but not after they are done.

The medical profession has referred to chiropractic as quackery for decades, and now they have an opioid crisis. It appears that when they can’t make you go away by sheer oppression, they’ll just try to co-opt what you do. The WSCA steadfastly opposes these attacks on your profession.

The WSCA and the CQAC believe that the prohibitions to MD spinal manipulation in the Chiropractic and Medical Practice Acts are clear. Any attempt by them to capture manipulation would require legislative statutory changes. The fact that they are attempting this procedural move should spur chiropractors to get involved. Talk to your legislators and work hard to protect your profession and public access to safe and effective spinal manipulation services. You are the true alternative to opioids and other dangerous pain relief drugs, and they now know it!