

SB 381 (Yee) - Chiropractic Manipulation – Oppose

What does SB 381 do?

SB 381 would prohibit a health care practitioner from performing a joint manipulation or joint adjustment, unless he or she is a licensed chiropractor, physician and surgeon, or osteopathic physician and surgeon.

What is Physical Therapy Mobilization/Manipulation?

The *Guide to Physical Therapist Practice* defines mobilization/manipulation as a manual therapy technique comprising a continuum of skilled passive movements to the joints and/or related soft tissue that are applied at varying speeds and amplitudes, including small amplitude/high velocity therapeutic movement. Joint mobilization/manipulation is used by physical therapists (PTs) along with soft tissue mobilization, exercise, patient education and pain-control modalities (heat, cold, electrical) to treat a variety of neuromusculoskeletal conditions for physical rehabilitative purposes. Manipulation techniques are used primarily by Physical Therapists, Physicians, Osteopaths and Chiropractors. Since the beginning of this century, physical therapy has enjoyed a close relationship with medicine and has developed its knowledge base and practice in spinal and extremity manipulation from the medical profession.

What is current law?

- Existing California law allows physical therapists the ability to perform joint mobilization/manipulation.
- Existing California law requires physical therapists to be educated to provide joint mobilization/manipulation techniques.
- Existing California law requires physical therapists to be examined with respect to their knowledge of joint mobilization/manipulation techniques in order to become licensed.

What is CPTA's position on SB 381?

CPTA is strongly opposed to SB 381 for several reasons:

1. **Research on manipulation supports physical therapists performing mobilization/manipulation as among the safest of all health care providers.** CNA, the underwriting company for the APTA-endorsed physical therapy professional liability insurance program, has not identified any trends relative to manipulation that would indicate this procedure presents a risk factor that should be considered in determining professional liability rates for physical therapists. The legislature should require evidence of public harm or risk before introducing legislation that restricts previously authorized practice.

2. **The education, clinical experience, and testing required to become a licensed physical therapist provides the clinical judgment and decision-making necessary to enter the PT profession proficient in manual therapy techniques, including joint mobilization/manipulation.** This education includes anatomy, histology, physiology, biomechanics, kinesiology, neuroscience, pharmacology, pathology, clinical sciences, clinical interventions, clinical applications, research, ethics, imaging, screening, practice patterns, and professional practice as applied to physical therapy. Mobilization and manipulation content and applications include foundational course work in osteokinematics, arthrokinematics, soft tissue mobilization, and spinal and peripheral joint mobilization/manipulation. In addition, Physical therapists are required to be examined with respect to their knowledge of joint mobilization/manipulation techniques in order to become licensed in California.
3. **Treatment interventions do NOT fall under the exclusive domain of any one specific profession or group of practitioners.** Physical therapists, chiropractors, medical doctors, and osteopathic physicians are all educated and trained to employ joint manipulation within the scope of their respective licenses and in a manner that protects the public's health, safety and welfare. Restricting any qualified health care provider's ability to provide manipulation would unnecessarily diminish patient choice and competition in the health care system.
4. **SB 381 is an attempt to legislate clinical practice, which is the purview of the Professional Boards.** The Board of Chiropractic is charged with protecting the public, and determining appropriate chiropractic scope of practice. The Board of Chiropractic's authority is to regulate the practice of chiropractic—*not* other licensed professions.

Who is the sponsor of SB 381? Why are they supporting the bill?

The California Chiropractic Association (CCA) is the sponsor of SB 381. SB 381 is an attempt by the chiropractors to “own” joint manipulation with the passage of SB 381, Chiropractics, along with physician and surgeon, or osteopathic physician and surgeon, will be the only health care practitioners able to perform joint manipulation.

Are there other states that prohibit physical therapist from performing joint manipulation?

48 states have no restrictions on physical therapists performing joint manipulation.

What is the current status of SB 381?

SB 381 was introduced on February 21, 2013. The bill has been referred to the Senate Business, Professions and Economic Development Committee. A hearing date has not been set, but the bill will be heard no later than April 2013.