

**PETITION TO DETERMINE CHIROPRACTIC SCOPE OF PRACTICE and TO AMEND, REPEAL &/or
ADOPT NEW SCOPE OF PRACTICE RULES, AS NEEDED (Tain, et al.)**

PHASE ONE:

DETERMINE THE SCOPE OF PRACTICE INTENDED BY THE 1922 ACT & BY THE ELECTIVES - BY:

- ❖ CONSIDERING THE ENTIRE 1922 ACT and PRIOR STATUTES, CASE LAW and OTHER EVIDENCE
- ❖ CONSIDERING STATUTORY LAW, CASE LAW and ADMINISTRATIVE DEVELOPMENTS BETWEEN 1922 and THE ENACTMENT OF THE ELECTIVE EDUCATION and TRAINING AMENDMENTS
- ❖ DETERMINING and DEFINING (at least):
 - THE GENERALLY RECOGNIZED RELATIONSHIP BETWEEN EDUCATION & TRAINING and PRACTICE RIGHTS
 - THE SPECIFIC RELATIONSHIP BETWEEN CHIROPRACTIC EDUCATION AND TRAINING and PRACTICE RIGHTS
 - THE GENERAL PRACTICE PERSPECTIVE OF THE VARIOUS PRE-1922 “SCHOOLS OF CHIROPRACTIC”
 - THE MEANING OF THE FOLLOWING EXPRESSIONS IN THE 1922 CHIROPRACTIC ACT:
 - PRACTICE of MEDICINE, OSTEOPATHY and SURGERY
 - DRUG OR MEDICINE NOW OR HEREAFTER INCLUDED IN MATERIA MEDICA
 - USE OF NECESSARY MECHANICAL, HYGIENIC AND SANITARY MEASURES INCIDENT TO THE CARE OF THE BODY

PHASE TWO:

**DETERMINE WHETHER THE BOARD PRESENTLY HAS THE RIGHT TO AMEND, REPEAL and/or
ADOPT NEW SCOPE OF PRACTICE REGULATIONS, BY:**

- ❖ CONSIDERING ALL RELEVANT STATUTORY, CONSTITUTIONAL and FEDERAL and STATE CASE LAW
- ❖ ALLOWING PETITIONERS’ COUNSEL TO ADDRESS THIS ISSUE AS WELL AS THE BOARD’S ATTORNEY

ASSUMING THAT THE BCE HAS THE RIGHT TO CHANGE THE PRESENT SCOPE RULES:

- ❖ ADOPT A REGULATION DEFINING THE BASIC CHIROPRACTIC SCOPE OF PRACTICE

PHASE THREE:

- ❖ DEFINE REASONABLE ELECTIVE CURRICULUM STANDARDS & EXAMINATION PROCESSES
- ❖ DEFINE ELECTIVE PRACTICE RIGHTS & ADOPT REGULATIONS AS NEEDED FOR PUBLIC SAFETY