

# The International Academy of Chiropractic Neurology

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October 6, 2018

Examining Board Members  
Ohio State Chiropractic Board  
77 South High Street, 16th Floor  
Columbus, OH 43215

Regarding: Proposed Regulatory Language **4734-8-09 Concussion management.**

Dear Board Members,

At the outset please accept my thanks to each board member for your work on behalf of the public in regulation of our great profession. I know through personal experience the time and energy involved in attempting to maintain high standards for our professional colleagues.

It has come to the attention of the International Academy of Chiropractic Neurology (IACN) through one of our members that language proposed to be adopted by the Ohio State Chiropractic Board may adversely and unfairly affect the citizenry of Ohio, as well as discriminate against licensed and qualified Doctors of Chiropractic in your state. It is our understanding that language proposed in 4734-8-09 B5 excludes Diplomates of the International Board of Chiropractic Neurology (DIBCN) of the IACN.

The IACN respectfully requests that the Ohio State Chiropractic Board add the following language to 4734-8-09 B5:

***(5) (d) Diplomat in chiropractic neurology recognized by the international academy of chiropractic neurology.***

As a background, The IACN is an apolitical organization, established for quality in the chiropractic specialty of neurology. In order to keep academics and politics separate, the IACN is deliberately NOT affiliated with chiropractic political trade organizations such as the American Chiropractic Association (ACA) and International Chiropractic Association (ICA), or for-profit "Institutes". Instead, IACN educational programs are affiliated with Chiropractic Colleges recognized by the Council on Chiropractic Education (CCE). The following statement is taken from IACN eligibility standards publications.

*"IACN is a voluntary professional association and a 501(c)(6) nonprofit corporation... (it) functions to guide Member Chiropractic Specialty Examining Boards in accordance with the objectives of the National Commission for Certifying Agencies (NCCA) Standards for the Accreditation of Certification Programs, as well as serve as a Credentials Verification Organization (CVO) in accordance with the objectives of the National Committee for Quality Assurance (NCQA)."*

Currently, an unintended consequence of the Ohio State Chiropractic Board language 4734-8-09 B5 is that ***graduates of CCE College sponsored Neurology Diplomate Programs will not be recognized equally by your state.*** Instead, these chiropractors will be stripped of the privilege of making "an assessment and/or grant clearance to a youth sports participant to return to play". The citizenry of Ohio would therefore be unable to avail themselves of these duly qualified doctors of chiropractic, whose suitability is detailed below.

As a historical background, the ACA's original neurology was board known as the "American Chiropractic Academy of Neurology (ACAN)". The ACAN was disbanded by the ACA in 1994 and replaced by the American Chiropractic Neurology Board (ACNB). The former ACAN examining board members joined to form an apolitical organization (the IACN). The IACN is a non-profit educational organization founded in 1997 under 504A of the Iowa Code. The IACN currently serves over 200 members.

The IACN neurology diplomate requires 300 hours of specialized neurology continuing education training. The educational component is followed by an independent examining board skills and knowledge evaluation. Each year at the IACN Educational Symposium (co-sponsored with Palmer Chiropractic College), updates on issues related to concussion are presented (notes available upon request).

The IACN is a leader in the use of sound test psychometry in all parts of the examination process. Over a 20 year lifespan, the IACN has accomplished many firsts in chiropractic specialty education. The IACN board members were the first chiropractic neurology organization to employ the National Board of Chiropractic Examiners (NBCE) and Professional Evaluation Services (PES), to assist in test development. The IACN was also the first chiropractic neurology organization to join the National Organization for Competency Assurance (NOCA), develop subspecialty certification in electrodiagnosis, have multiple specialty boards examine together and have a national meeting for all chiropractic neurologists. The State of Florida recognizes the IACN and the Iowa Board of Chiropractic Examiners in regard to electrodiagnostic testing states, ***"Board certification in chiropractic neurology must be active and in good standing with either the American Chiropractic Neurology Board or the International Academy of Chiropractic Neurology."***

While the intention of the proposed language in Ohio may be to protect the Ohio citizenry, the IACN contends that the new language will have exactly the opposite effect. The IACN believes that the proposed language represents an unfounded and prejudicial policy, which, under scrutiny, fails to either protect the citizenry of Ohio or establish a

reasonable quality standard for chiropractic neurologists. Additionally, it places an unfair burden and a financial hardship upon some of our most well credentialed and scholarly clinicians and academicians. Finally, it may have a chilling effect on CCE Accredited Chiropractic College Diplomate Programs and other classes.

One must carefully examine the logic, legality, and measurement (or standard) your board is relying upon when it endorses defacto recognition of chiropractic specialties endorsed by the ACA. Precisely how did this issue come to your board? Was there a complaint against an IACN Diplomate Physician? What problem is being addressed here? In 2015, The Supreme Court of the United States ruled (6-3) that North Carolina State Board of Dental Examiners could be personally subject to antitrust claims because members of the profession it regulates also sit on the board. The court cited “unfair methods of competition and deceptive acts and practices in commerce”

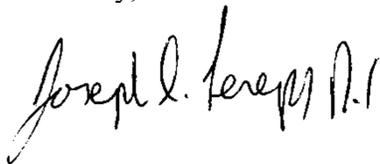
In summary the IACN is asking the Ohio State Chiropractic Board to recognize those doctors who have been awarded diplomates by IACN examining boards for the following reasons:

1. Citizens of Ohio will be denied the services of a qualified chiropractic doctor.
2. All CCE College Neurology Diplomate Programs use the IACN testing boards and not the ACA “recognized” board.
3. IACN uses only valid psychometrics in test preparation and post-test analysis.
4. Other states (to IACN knowledge) recognize IACN, including Florida and Iowa that reference IACN by name.
5. Graduates of CCE Accredited Chiropractic College Neurology Diplomate Programs are actually ineligible for recognition by the ACA “recognized board”.

In closing, the IACN believes that its diplomates have clearly demonstrated superior academic qualifications, are a credit to the chiropractic profession, a valuable resource for the residents of Ohio and should certainly be included and recognized by the Ohio State Chiropractic Board.

On behalf of the IACN please accept our most sincere thanks for addressing this matter. The IACN stands ready to assist the Ohio State Chiropractic Board in any way and hopes that the Ohio State Chiropractic Board will have the foresight to recognize and rectify the inequity of this situation.

Sincerely,

A handwritten signature in black ink that reads "Joseph S. Ferezy, DC". The signature is written in a cursive style with a large, stylized initial 'J'.

Joseph S. Ferezy, DC  
President, IACN