

A Year of Legislative Landmarks

Editorial Staff

When the 102nd Congress adjourned October 9th, it closed what the American Chiropractic Association deemed as the "most successful legislative year the chiropractic profession has witnessed in recent memory." That assessment is no exaggeration. Consider these 1992 legislative successes:

Commissioning of DCs in Military

The bill to commission DCs as officers in the armed forces (HR 608), which was attached to the 1993 Defense Reauthorization Bill (HR 5006), is expected to be signed into law by President Bush in mid-October, thus fulfilling a mission chiropractic has sought since WWII.

The current push for chiropractic inclusion in the military came in the Spring of 1990 when the ACA Government Relations staff approached Congressman Lane Evans (D-IL) about the need to include chiropractic in the military. Lane Evans introduced the bill into the House, and Strom Thurmond (R-SC) brought the companion bill to the Senate, but the bill died from inaction during the 101st Congress.

The commissioning bill was reintroduced early in the 102nd Congress. A nationwide letter writing campaign ensued and lobbying efforts were directed towards members of the House and Senate Armed Services committees. Soon the bill attracted dozens of congressional co-sponsors, culminating in chiropractic testimony in House subcommittee hearings from both the ACA and ICA, and the coup de grace: Senator Thurmond came before the House to give personal testimony and support for commissioning chiropractors in the military; and in May, Senator John Glenn (D-OH), chairman of the the Manpower and Personnel Subcommittee of the Senate Armed Forces Committee, acknowledged his support for chiropractic in the military.

Yet the commissioning bill would likely never have gotten out of Congress if it had not become attached to the defense authorization bill, a monolithic piece of legislation that keeps the Pentagon running. As Paul Kelly assistant director of Government Relations for the ACA said, "Getting our provision included (in the DOD Authorization Bill) was the single most critical component of this effort's success."

According to Richard Miller, director of the ACA's Government Relations staff, once the bill is signed by the president, the Pentagon will have six months to promulgate regulations specifying how it will implement the new law. The ACA has vowed to keep a close watch on the regulatory process to insure that chiropractic is fully and fairly integrated into the military health care system.

Federal Research Funding for Chiropractic

Diligent efforts by the ACA during the last two years has resulted in accessing federal research dollars for chiropractic:

Legislation passed by the 102nd Congress includes:

-- The Health Professions Act of 1992 (HR 3508): authorizes one million dollars for chiropractic institutions to carry out demonstration projects in conjunction with medical physicians to identify and provide effective treatment for spinal and lower back conditions.

The Senate Appropriations Committee has directed:

- the Agency for Health Care Policy and Research (AHCPR) to use no less than \$300,000 to "demonstrate how chiropractic can be integrated into traditional health care provider systems";
- that a portion of the \$1 million EPSCoR (Experimental Program to Strengthen Competitive Research) program be set aside to "assist chiropractic schools and chiropractic medicine to strengthen their ability to compete for research funding"; and
- the Office of Personnel management (OPM) to explore how chiropractic can benefit the federal employees health care system.

HEAL Program Survives -- New and Improved

The 1992 Health Professions Act (HR 3508) includes reauthorizing the Health Education Assistant Loan (HEAL) program which provides federally funded educational loans to chiropractic students and other health professions.

President Bush's 1992 budget plan to Congress had specified the end to the HEAL program, but the combined forces of the Association of Chiropractic Colleges, the ICA, and the ACA helped keep the program above water.

"An impressive cooperative effort between chiropractic organizations was the key to bringing about this important victory," said Dr. R. James Gregg, president of the ICA, referring to the passage of the HEAL legislation. Dr. Gregg commended the leadership of the Association of Chiropractic Colleges and its president, Dr. Gerard Clum.

Congress authorized \$340 million in new lending authority, an amount that should come close to meeting the full needs of HEAL borrowers. Congress also approved a significant increase in the borrowing limits under the Supplemental Loan for Students (SLS) program, and an increase in the Stafford Loan limit.

Congress has however reformed the HEAL program to help reduce the rate of student loan defaults. The new program allows chiropractic students an additional year after graduation before having to start paying back their HEAL loans, and institutes a system of graduated, risk-based premiums that rewards and encourages colleges with low default rates.

The 1992 Health Professions Act has also authorized a three year chiropractic research program, although no funds have yet been appropriated.

DCs to Certify Medical Eligibility of Truckers

After a two and one-half year struggle, the ACA has persuaded the Federal Highway Administration (FHWA) to allow DCs to perform physical examinations of commercial truck drivers (see the Sept. 11, 1992 issue of "DC"). The decision reverses an 18-year-old FHWA policy that has discriminated against DCs in this regard.

ACA Legislative Strategist Mark Goodin acknowledged a "great deal of resistance" in convincing officials at the U.S. Department of Transportation (USDOT) to change this policy.

Small Market Insurance Reform

The ACA Political Action Committee organized thousands of DCs in a call-in campaign to congressmen to successfully turn back Senator Lloyd Bentsen's (D-TX) legislative proposal known as "small market insurance reform." Senator Bentsen attempted to attach this amendment to H.R.11, an urban aid and tax relief bill. The danger of the small market insurance reform proposal for DCs is that it seeks to preempt state insurance equality laws.

Richard Miller credited the defeat of Bentsen's legislation to a call-in campaign. ACA Chairman of the Board Kerwin Winkler, D.C. added: "It was absolutely thrilling to see the profession respond so quickly. Being able to mobilize as well as we did demonstrates our legislative strength and is a plus to chiropractic."

Reeve Askew, D.C., ACA board liaison to the Commission on Legislation had a warning for next year: "Small market reform is popular with politicians and within the powerful small business and insurance industries. We fully expect to see it resuscitated next year, along with its preemption of state insurance equality laws."

Indian Health Service

Senator Daniel Inouye (D-HI) led the effort to amend the Indian Health Service Act (IHS) of 1992 (S.2481) to include chiropractic under its definition of health professions. The bill means that native Americans are now eligible to attend chiropractic college under IHS scholarship and loan programs.

The bill is expected to be signed into law by the president.

NOVEMBER 1992