

New Practice Statute in New Jersey

REVISES STATE'S OUTDATED CHIROPRACTIC SCOPE-OF-PRACTICE LAW.

Editorial Staff

New Jersey Governor Jon Corzine signed new scope-of-practice legislation on Jan. 18, 2010 - just one day before being defeated in his quest for re-election - updating a practice statute considered antiquated and overly restrictive by the [Association of New Jersey Chiropractors \(ANJC\)](#) and many other DCs in the state. The signing marks the first time New Jersey's scope-of-practice regulations have been amended since 1953.

"We are very proud of our efforts on behalf of this bill and the impact it will have not just for the chiropractic profession, but most importantly, the 1 million patients we treat statewide each year that benefit from chiropractic care," said ANJC President Dr. Steven Clarke in an association press release issued Jan. 19, which summarizes key elements of the new scope law as follows:

Scope-of-Practice Stipulations

- [The] term *chiropractic subluxation*, for the first time, is now written into statute.
- Permits chiropractors to provide dietary/nutritional counseling, and the ability to dispense nutritional supplements.
- Permits chiropractors to diagnose, analyze and treat all joints and soft tissues of the body independent of spinal subluxation.
- Splinting and bracing, for the first time, will be put into law so that collars, braces and sports taping are forever adjuncts to chiropractic care.
- Requires chiropractors to maintain malpractice liability insurance.
- Requires chiropractors every two years to complete 30 credits for continuing education.
- Permits chiropractors to administer physical modalities and therapeutic, rehabilitative and strengthening exercises.
- Chiropractors can sign or certify temporary or permanent impairments and other certifications consistent with a chiropractic practice, such as pre-employment screenings.
- Makes it unlawful for any person, other than a N.J. licensed chiropractor, to render a utilization management decision that limits, restricts or curtails a course of chiropractic care.
- Consistent with chiropractic practice, allows DCs to provide a full complement of diagnostic and analytical tests similar to other physicians.

The continuing-education requirement is particularly noteworthy, as New Jersey chiropractors have been the only DCs in the nation not required to accrue periodic CE credits. The new law, says the ANJC, requires doctors to complete 30 CE credits per biennial registration period, "with a minimum of two credits consisting of the study of State laws and regulations governing professional ethics and record-keeping, and a minimum of two credits in nutrition education."

The ability to provide dietary and nutritional counseling, and to dispense nutritional supplements as part of that counseling, is also new for N.J. chiropractors. As with the CE requirement, New Jersey had been the only state in the nation whose chiropractors were unable to provide such services to their patients, despite the fact that nutrition is routinely taught in chiropractic college.

"This has been a long and deliberative process and we have been honored to work with such outstanding legislators as Senators Sweeney and Weinberg, Assembly Leader Bonnie Watson Coleman, and other legislators and interested groups, such as the N.J. Medical Society, in developing a new scope of practice," said Dr. Clarke in an ANJC release issued 10 days before Gov. Corzine signed the bill into law. "This bill will allow the more than 3,000 chiropractors in N.J. the opportunity to enhance the way they treat and manage patients."

More Good News for N.J. DCs

Around the same time the new scope-of-practice legislation was being approved, the ANJC learned that longtime insurance nemesis [Horizon Blue Cross Blue Shield of New Jersey](#) had at long last decided to comply with the Department of Banking and Insurance, which had ordered Horizon to cease and desist from globally bundling evaluation and management (E&M) and physical modality services as "chiropractic manipulative treatment services." Although the October 2009 decision also mandated that Horizon accept reimbursement filings previously disallowed based on its bundling tactic, the insurer failed to do so, according to the ANJC, which received numerous reports to that end from its members.

When ANJC alerted the department about Horizon's inaction, DOBI met with the insurer to "review" the situation. That meeting resulted in a Jan. 15 letter from Horizon, notifying chiropractors throughout the state that it was implementing the DOBI's directive and recruiting an outside vendor within 30 days to help do so.

"We are very pleased that the officials at DOBI recognized the injustice our members were experiencing in not having their claims processed by Horizon following the October Decision and Order by DOBI," said Dr. Sigmund Miller, ANJC executive director. "This is a further example of the ability of our organization to unite on behalf of our membership to further the chiropractic profession in this state."

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