

California Chiropractic Board Targeted ,Ä Again

WHY GOV. BROWN'S BUDGET PROPOSAL IS DOOMED TO FAIL.

Editorial Staff

As a long list of prior naïve governors has done, California Gov. Jerry Brown has targeted the [state chiropractic board](#) for elimination as an independent board, and instead proposed that it be put under the Department of Consumer Affairs along with the medical profession. Gov. Brown's predecessor, Gov. Schwarzenegger, proposed the same thing.

The problem is that it is impossible for the governor and the legislature to do this legally. The chiropractic profession's forefathers were smart enough to realize that governors, legislators and special interests would use their power to cause the medical profession to dominate and/or eliminate the chiropractic profession. In 1922, when the California Chiropractic Act was passed, chiropractic's forefathers wisely had it passed as an initiative act by the people of the State of California. This means that the act can only be amended by another vote of the people. This would require that the state legislature put the matter on general election ballot, eliminating whatever small savings the governor thinks will result from his actions.

Further, whatever "savings" the governor may want to claim are purely illusory. By law, all activities of the California Chiropractic Board are paid for by the licensing fees paid by every California chiropractic doctor. Also, by law, they cannot be spent for any other purpose. Thus, were the governor to cut the amount that the chiropractic board could spend, the remaining money would not be available to be gobbled up by the state to subsidize other state spending. Anything not spent would simply sit in the board's account.

Attorney Michael Schroeder, who represented the California Chiropractic Board for four years and served as general counsel for the California Chiropractic Association for more than 15 years, commented:

"Jerry Brown is not the first governor to come in and think that he can raid the licensing fees paid by California chiropractic doctors to subsidize other state spending. Additionally, California's chiropractic doctors are protected by the California Chiropractic Act."

[Schroeder](#) was the attorney who successfully defended the chiropractic profession in the late 1980s when it was sued by the California Medical Board and the California Medical Association in an attack on California's chiropractic scope of practice.

"When the medical profession attacked the chiropractic profession in court, it was the California Chiropractic Act's status as an initiative act that caused us to win that litigation," he said.

"Similarly, any illegal actions by [Gov. Brown] will fail."

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