



POLITICS / GOVERNMENT / LEGISLATION

## Chiropractic Flag Flying High in Texas

*DIAGNOSIS AFFIRMED IN SCOPE; REGULATORY BOARD SURVIVES SUNSETTING.*

Dynamic Chiropractic Staff

With Texas Gov. Greg Abbott's signature penned to [Senate Bill 304](#), the Texas Board of Chiropractic Examiners has avoided the threat of abolishment by the Texas Sunset Commission and will continue as the regulatory entity for Texas doctors of chiropractic until Sept. 1, 2029.

While the legislation<sup>1</sup> features numerous other stipulations beyond board continuance, far and away the most important is the determination that the practice of chiropractic in Texas includes using "objective or subjective means to *diagnose*, analyze, examine, or evaluate the biomechanical condition of the spine and musculoskeletal system of the human body." [Italics added]

As emphasized by the Texas Chiropractic Association in a May 30 press release, "This nullifies a [2016 decision](#) by the Travis County District Court in the Texas Medical Association vs. Texas Board of Chiropractic Examiners lawsuit in which diagnosis was deemed to exceed the scope of practice.

With the signing of Senate Bill 304, the matter of diagnosis is settled."<sup>2</sup>

The inclusion of diagnosis in chiropractic scope is critical because as readers will recall, the TMA – regarded as the most powerful state medical association in the country, particularly in terms of lobbying – has made every legislative effort to restrict *diagnosis*, both in term and in practice, to medical professionals and have it removed from chiropractic scope of practice.<sup>3</sup>



The TMA is also the primary state medical association spearheading the American Medical Association's "Scope of Practice Partnership," announced in 2006 and characterized by the AMA as a "collaborative effort of the American Medical Association, American Osteopathic Association (AOA), national medical societies, state medical associations and state osteopathic medical associations that focuses the resources of organized medicine to oppose scope of practice expansions by non-physician providers that threaten the health and safety of patients."<sup>4</sup>

You can find more information about SB 304, including a summary of other stipulations contained within the legislation that impact the practice of chiropractic in Texas, on the Texas Chiropractic Association website at [www.chirotexas.org/legislative-news](http://www.chirotexas.org/legislative-news).

### *References*

1. SB 304, A Bill to Be Entitled an Act, Relating to the Continuation and Functions of the Texas Board of Chiropractic Examiners. Approved by the Texas House on May 18, 2017 following April 5 approval by the Senate; signed by Gov. Abbott on May 29, 2017.
2. "Chiropractic Gains Ground During Texas Legislative Session." Texas Chiropractic Association, May 30, 2017.
3. Morgan W. "Chiropractic in Texas Is Under Attack: Will TMA Succeed in Delegitimizing Chiropractic and Severely Limiting Its Practice?" *Dynamic Chiropractic*, March 1, 2017.
4. Scope of Practice. Scope of Practice Partnership. American Medical Association: <https://www.ama-assn.org/about-us/scope-practice>.

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