

California Board, Life, Palmer and Sherman Colleges Step Back from the Brink

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It appears that the California Board of Chiropractic Examiners (CBCE) will not pursue a course of action that would have set into motion a major legal and political battle within chiropractic profession.

The CBCE took the position that Life University (Georgia), Palmer Chiropractic College (Iowa), and Sherman College of Straight Chiropractic (South Carolina) would have their approved accreditation status revoked in California on December 12, 2000, unless the colleges agreed to make substantial changes to their physical therapy curricula. The board wanted to institute physical therapy as a required subject for all students attending the three colleges, and to require multiple physical therapy treatment rooms - one for every 10 students.

CBCE's position, if carried through, would have essentially banned straight-oriented chiropractic students from taking the California Board exam. (See Dynamic Chiropractic, December 14, 2000, or go to www.chiroweb.com/archives/18/26/02.html.)

All of the principals involved declined to comment for the record, but inside sources indicate that the three colleges authorized their attorneys to file suit against the CBCE if the matter could not be resolved prior to the December 12, 2000 deadline. The colleges would have challenged the board's actions on three grounds:

- Section 16 of the California Chiropractic Act prohibits discrimination between straight and mixer schools;
- The regulation violates the federal commerce clause by imposing restrictions that reach beyond students who will be requesting licensing in California;
- The regulation that the California Board sought to enforce had not been adopted pursuant to California's Administrative Procedures Act, and was therefore invalid.

The CBCE took the position that for the colleges to obtain any kind of an extension of their accreditation status, they had to agree to comply with the board's physical therapy requirements. At the last moment, the board relented, granting a one-year extension to the colleges and not requiring them to agree to comply.

The CBCE is now going to go forward with the enactment of a new regulation it had previously withdrawn from the Office of Administrative Law, which will allow the colleges to continue to be straight colleges, but comply with the requirements of the board.

Mike Schroeder, counsel for Life University, commented: "I would not like to comment at this time other than to indicate that we are pleased and gratified by the extension granted by the California Board. I am pleased with the progress that we have made and I am confident that we will be able to

reach a mutually amicable solution by the December 12, 2001 date."

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