

## How H.R. 302 (Travel to Treat) Became Law: Behind the Scenes

DIGITAL EXCLUSIVE

Sports chiropractic has created opportunities to put our profession on a pedestal. However, as chiropractors have stood on the pedestal with the success of their athletes, they have risked everything and put their licenses on the line when knowingly or unwittingly crossing state lines where travel to treat is not allowed. [H.R. 302](#), signed into law in October 2018, mitigates some of that risk.

### How We Got Here

Travel to treat has long been a focus of the [ACA Sports Council](#). On Dec. 20, 1985, at the request of the USOC and with permission from the ACA (Dr. Louis Sportelli), Sports Council Hall of Fame member, Dr. John Danchik, presented to the National Conference of State Legislatures (NCSL) Health and Human Resources Committee State and Federal Assembly as an initial request for travel-to-treat considerations. This took place in Washington, D.C., and was chaired by Thomas M. Marchant III, then-member of the South Carolina House of Representatives and chairman, NCSL Health and Human Resources Committee.

Continued focus peaked with the 1996 Atlanta Olympic Games, where legislative changes in Georgia were a primary focus. Rick Rinzler, DC and Anne Sorrentino, DC, created a highly resourced directory of states that allowed or disallowed travel to treat. This has been an ongoing challenge, as state practice acts surprisingly change year to year, making it difficult to determine when it is safe to cross state lines with a team.

As an association, the ACA Sports Council, along with many different individuals, lobbied state to state to try to create travel-to-treat legislation on a local level, but with limited success.

In 2013, I was honored to present to the Joint Commission on Sports Medicine and Science (JCSMS) on multidisciplinary event management. During this presentation, I reviewed the hardships experienced by health care providers attempting to travel across state lines to treat their athletes, and by medical directors trying to coordinate medical coverage and ensure appropriate coverage. Apparently, key individuals were listening.

On Dec. 12, 2013, H.R. 3722: "To Provide Protections for Certain Sports Medicine Professionals Who Provide Certain Medical Services in a Secondary State," was introduced in the 113th Congress (2013-2015). The legislation was spearheaded by AMSSM (American Medicine Society for Sports Medicine) in collaboration with the NATA (National Athletic Trainers Association) and AAOS (American Academy of Orthopaedic Surgeons).

Other JCSMS organizations stepped in to lend their support of this legislation, including the ACA Sports Council. The ACA Sports Council contacted the ACA through its representative liaison, Dr. Mike

Simone, shortly after the bill's introduction. At that time, we were concerned about the language that specified medical physicians and athletic trainers, which potentially would have left chiropractic and other health care professions on the sidelines.

On Jan. 27, 2014, the bill was referred to the House Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, where it failed to progress out of committee.

In 2015 the Sports Medicine Licensure Clarity Act (H.R. 921 / S. 689) was introduced, and on Sept. 12, 2016, the House of Representatives passed the bill. However, the bill died, as it was not approved by the Senate before Congress adjourned in December.

The legislation was reintroduced as H.R. 302 by Representatives Guthrie (R-Kent.) and Richmond (D-La.), and passed by in the House voice vote on Jan. 9, 2017. Grassroots efforts through hundreds of messages sent out by individual doctors, JCSMS associations, sports teams, the ACA Legislative Action Site and several NCLC meetings helped keep the pressure on to move this bill through Congress.

A great deal of thanks goes to Drs. Jay Greenstein and Alan Sokolof, who attended a meeting with the House Energy and Commerce Committee staff with John Falardeau and Jack Dusik, ACA lobbyists, who help push this bill through the House.

The bill was being stalled in the Senate Health, Education, Labor and Pension Committee. In March 2018, with the help of Michael Petty DC, University of Tennessee team chiropractor, several high-level correspondences were made which we believe influenced the bill to be heard in committee.

Subsequently, the bill passed through committee and in early October 2018, was approved by the Senate.

Ultimately, a joint House-Senate Committee on Transportation included the Sports Medicine Licensure Clarity Act in a major spending vehicle: the FAA (Federal Aviation Administration) Reauthorization Act of 2018, a 1,205 page bill signed by the president on Oct. 5, 2018.

### The Bottom Line

This is a huge piece of legislation for sports chiropractic. The licensure clarity act will officially recognize and permit athletes to receive care from their providers when teams travel out of state.

Previously, treating athletes during events in a different state was complicated by laws that didn't allow for optimal care to be provided, or required putting your license on the line and treating without malpractice insurance. With this legislation, sports chiropractors can now give the same excellent services to their patients at home and on the road without fear of licensure violations and repercussions. This is a big win for sports medicine in all professions.

### More Work to Be Done

However, H.R. 302 does not address health care providers traveling to treat at out-of-state events; for example, chiropractors traveling to work a marathon, triathlon, track meet, soccer tournament, volleyball tournament or other events requiring their services. With your help, possibly we can garner support for part two the Sports Medicine Licensure Clarity Act to address this missing component of travel-to-treat coverage.

