



JERRY PETROWSKI

WISCONSIN STATE SENATOR

**Senate Committee on Health
Chair, Senator Patrick Testin
Testimony by Senator Jerry Petrowski
April 27, 2021**

Thank you Senator Testin, and members of the Committee on Health for holding a public hearing on Senate Bill 115.

Unlike the majority of health professions, the statutes that regulate the chiropractic profession contain unique and restrictive language that specifically lists what organizations can sponsor Continuing Education (CE) programs for Chiropractors.

This restriction was put into place in a prior budget. Whatever the intent of the restriction, the result has been that Wisconsin chiropractors have very limited options for completing their mandatory CE training. There is no rational reason to prevent other qualified providers from making additional options available so that Wisconsin chiropractors can have easier, and possibly less expensive, access to CE trainings.

Senate Bill 115 will simply amend the statutes relating to program sponsors for chiropractic CE to include the Chiropractic Society of Wisconsin (CSW). Currently the CSW is forced to bring in out-of-state chiropractic colleges from Georgia, Missouri and Minnesota to sponsor CE programs for their members, which dramatically increases the cost to their members. As is required of other program sponsors, the CSW would be required to submit its program to the Chiropractic Examining Board for approval.

The CSW is a firmly established and reputable chiropractic organization in Wisconsin. They have been approved by the Chiropractic Examining Board to provide seminars that “certify” chiropractic technicians, but by statute cannot provide CE seminars to maintain the certification. The CSW has also provided non-CE educational programs attended by hundreds of chiropractors and chiropractic technicians.

By adding this organization to the list of acceptable program sponsors, this bill provides for increased competition and greater choices for those in the chiropractic profession when seeking CE courses.

29TH SENATE DISTRICT

Senate Bill 115

April 27, 2021

Testimony from Rep. Spiros

Hello, and thank you Chairman Testin and members of the Senate Committee on Health for allowing me to have the opportunity to submit testimony today regarding Senate Bill 115, relating to Continuing Education (CE) program sponsors for chiropractors.

This bill was introduced last session as SB 164, passed through the Senate and Assembly committees, and passed on the Assembly Floor on a voice vote. It simply ran out of time to get on the Senate Floor calendar.

Under current law, only certain organizations are listed as being able to sponsor continuing education programs for chiropractors. The only statewide organization currently eligible is the Wisconsin Chiropractic Association. This bill would expand the language in state statute to expand eligibility to the other statewide chiropractic organization, The Chiropractic Society of Wisconsin (CSW).

CSW has already been approved by the Chiropractic Examining Board to provide certification seminars, but cannot provide continuing education seminars due to state statute. This bill simply seeks to level the playing field so that reputable, established chiropractic organizations in the state are treated equally and chiropractors have greater choices for their CE trainings.

Thank you again for allowing me the opportunity to share testimony in support of this bill.



To: Members of the Senate Health Committee
From: Dr. Wade Anunson, Chiropractic Society of Wisconsin
Date: April 27, 2021
Re: Senate Bill 115 relating to Continuing education program sponsors for chiropractors, chiropractic technicians, and chiropractic radiological technicians

I would like to thank Senator Testin and the members of this Committee for allowing our State Organization, the Chiropractic Society of Wisconsin (CSW), to testify in support of SB 115. We also want to thank Senator Petrowski as well as Representatives Spiros and Moses for their authorship and support of this legislation. We also appreciate that Senator's Testin, Bradley and Kooyenga have co-sponsored this legislation. We also wish to thank Senator Erpenbach for his positive votes the last two session as a member of the previous Senate committees we testified before.

My name is Dr. Wade Anunson and I am the President of the CSW. Joining me today in testifying in support of this legislation will be Dr. Patti Schumacher, Dr. Brian Wussow, Dr. Lona Cook, Judith Jolly who is a nurse and public member on our board of directors and Dr. Steven Conway. We have several of our members here to register in support.

Today our simple request is to allow our organization with over 400 Wisconsin based members to provide continuing education courses or "CE" to our members by passing SB 115. This legislation simply adds the CSW to the approved list of CE sponsors in the statutes.

The bill is almost identical to the bill from last session where we received a 11-0 vote out of the Assembly committee and a 99-0 voice vote on the Assembly floor. We received a 4-1 vote in the Senate committee and were simply waiting for a chance to be on the Senate floor and like so many bills our legislation ended when the Senate shut down due to the CoVid Pandemic.

The only difference in the bill this session from last session is the only name for addition to the statute is the CSW. The current legislation removed the Federation of chiropractic licensing boards (FCLB) based in Greeley Colorado and the American Chiropractic Association (ACA) based in Washington DC. The rationale for the modification is simple: The FCLB, through their PACE program, have the ability to review and approve CE programs, but they do not have the administrative abilities sponsor CE in Wisconsin and would not be able to fulfill the duties as outline in the rules. The ACA indicated that they did not have an interest in or would support being included in the past legislation and thus were not included in this current legislation.

Focusing now on the rationale behind the CSW's request for the inclusion in the Statute, unlike the statutes and rules associated with all of the other Wisconsin-licensed healthcare providers, the statutes related to the chiropractic profession are very unique and written to only allow specifically named organizations to be able to sponsor CE programs. Please note this was not done by accident. It was a very calculated effort that was included in a previous budget bill motion by the WCA to restrict competition and provide a single organization, the Wisconsin Chiropractic Association (WCA) with a very distinct advantage.

For several years the Wisconsin Chiropractic Association has been the only Wisconsin-based chiropractic organization allowed to sponsor CE courses to Wisconsin Chiropractors, CT and CRTs. The only other organizations that by law can sponsor CE are all located outside of Wisconsin and are limited to the 16 US chiropractic colleges and the International Chiropractic Association.

Because of this unique and very anti-competitive law the WCA monopoly can be demonstrated very easily in that the WCA has been able to sponsor approximately 60-80 programs each year, while the CSW has been restricted to zero programs for over 9 years.

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It is important to note that the only organization that has ever registered against our efforts to obtain sponsorship rights to provide CE is the Wisconsin Chiropractic Association. It is also important to note that in 9 years they have never testified at a single hearing to provide the legislators their rationale for opposition.

This is our first hearing of the new session and we sincerely hope that the members of this committee listen to our testimony and once again vote to remove the unfair and anticompetitive language and replace it with a level playing field that allows our organization the same rights and opportunity that is currently afforded to the WCA.

We also sincerely hope that the testimony today will demonstrate that the CSW is on equal footing with the WCA. Even with the inequity of the CE process, which dramatically limited our funding sources, the CSW provides the same member services that the WCA does for its members. Actually, the WCA is catching up to the CSW in providing health insurance options for their members. We have been providing that benefit for several years and they just were able to obtain the service this month.

Continuing Education programs provide a funding source for state associations outside of dues revenue. In fact, the financial revenues from CE almost always exceed member dues funding. The CSW has been greatly harmed by the inability to sponsor CE programs for its membership. The loss can easily be calculated in the **millions** of dollars over the last 9 years. It should not be the government's position to pick winners and losers. SB 115 does not give the CSW any special advantage. SB 115 simply changes a statute that was specifically designed to favor a single in-state chiropractic organization and fence out any other in-state competitors.

The CSW continually creates new and innovative programs for our members, including a statewide educational program we call ChiroKids Day that educates parents and children about the importance of a healthy spine and nervous system. The CSW has created two public service videos to describe the tragic downward spiral of health consequences that opioid use produces. The CSW has created a Chiropractic First campaign to again educate Wisconsin healthcare consumers about non-drug chiropractic options for pain. The CSW public service videos have been requested by other state and national associations as well as colleges to be played for their members and students.

Unfortunately, I now need to very briefly discuss an unfounded allegation against the CSW that falsely labels our organization as an "anti-vax" organization. It is a completely false accusation and has zero relevance to the ability of the CSW to be a sponsor of CE program, but unfortunately, the cancel culture type action was successful enough in convincing some members in the Capitol of this lie that it resulted with a Senator withdrawing as a co-sponsor.

As many of you fully understand from your campaigns just because your opponent creates a negative political statement about you, it doesn't mean it is true. In fact, I am certain that you will agree with me that almost every single time it is simply a false statement created with the intent to cast doubt about your character.

Since we are forced to deal with the false accusations, we felt it was important to publicly state our position. Our position on vaccines has been and continues to be crystal clear. We are not an anti-vaccine organization.

I would like to specifically point out that while we are NOT anti-vaccine, we are against government vaccine mandates. Being against mandates does not conflate to being anti-vaccine. There is a very distinct differentiation between the two positions. Personal freedom to determine what is best for families is an essential factor in our position against government mandates of vaccines, but the CSW never has been and never will advocate for anti-vaccine positions.

The core of the vaccine issue is associated with an approved Life University CE program that was held in the Dells. Our patients trust us to provide them with all aspects of healthcare services including vaccines. The approved CE program provided vital data for our members to help them with their patient's questions. The data could not have come at a more needed time for our members.

Please also note that the Life CE program was approved by the Chiropractic Board of Examiners for CE for not only chiropractors, but chiropractic technicians and chiropractic radiological technicians. The vaccine CE program was one of several CE programs that the CSW supports for its members. Next month we are partnering with Life University on a CE program associated with the opioid crisis. Are we then to be considered anti-medicine simply because we are providing our members with educational material on opioids? Of course not.

Opioids and vaccines are both contemporary medical topics along with many other topics that the CSW continues to partner with Life to bring necessary CE programs to our members in Wisconsin.

I hope that explanation closes the door on the false anti-vax accusations against our organization and we can focus solely on the purpose of this legislation which is to modify a blatant anti-competitive statute and bring fairness and a level playing field for the CSW to compete on.

In Summary:

The CSW is a strong viable and growing chiropractic organization. The CSW has the administrative abilities to sponsor CE programs for its members. There is no rational reason for the continued exclusion of the CSW to sponsor CE programs for its members. SB 115 simply creates a fair and level playing field for both the WCA and the CSW. We are equal associations and should be treated equally. Please support and vote for passage of SB 115.

Thank you.

To: Members of the Senate Public Benefits, Licensing and State-Federal Relations Committee
 From: Dr. Lona Cook, Chiropractic Society of Wisconsin
 Date: April 27, 2021
 Re: SB 115 relating to Continuing education program sponsors for chiropractors, chiropractic technicians, and chiropractic radiological technicians

Thank you Senator Testin and members of this Committee for allowing me to testify in support of SB 115. My name is Dr. Lona Cook. I am the recent Past President of the CSW.

I am asking you to support SB 115, which simply allows our association to provide Continuing Education (CE) to our members.

The CSW is a strong and viable state-wide chiropractic organization that can easily administer and sponsor CE programs in Wisconsin. During my tenure as the CSW President, the CSW grew in membership and we added several member benefits such as group health insurance.

Today I am excited to share just a few of our amazing member benefits. I will start with our statewide educational programs that our association conducts every year. It started, when we created a very special day to educate the public on the benefits of chiropractic for children. The CSW's ChiroKids Day is an awesome collaboration of all of our members joining together on a single day to provide information on spinal health starting from pre-school up to parents out in the community.

Our members have been invited into whole school districts at all age levels to provide wellness related programs:



Our members also put up billboards around the state:



We also had members on radio and TV helping to spread the message of being pro-active with your body and health.

Each year our program grows. We have assisted the Minnesota Chiropractic Association to successfully start a similar program in their state.

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Associated with our ChiroKids day project is our goal is to provide CE programs related to pediatric chiropractic at our district meetings. Without the ability to sponsor the CE, we cannot achieve this goal. With your support of SB 115, the CSW would be able to provide specialized CE programs to our members especially at our district meetings conveniently held around the state.

I would also like to provide you with information on the CSW's Chiropractic First program. This program includes two very special videos that the CSW produced and are now being used across the nation by multiple state and national chiropractic associations and thousands of chiropractors in their offices.

The goal of the CSW was for every single member in our association to use these videos in their offices to educate their communities on opioid abuse prevention and the opportunity for chiropractic care as a viable first solution for patients instead of turning to opioids. In a few weeks Life University will be partnering with the CSW on our long awaited CE program associated with opioids. Because of the inequality of the current laws related to chiropractic CE sponsorship we have had to wait almost 4 years to introduce this CE program for our members. Even this single CE program is not what we had envisioned as similar to the ChiroKids day concept, we want to provide this type of CE education in each district within the state to make it easier for our members to attend. We appreciate Life's willingness to do this single event, but it still does not allow us to complete our full vision for this type of education for our members. With your support to change the unfair and anti-competitive CE law, we as an organization will finally be able to perform the level of CE education that we are capable of.

I am very proud of the work our association has accomplished with our Chiropractic First and opioid awareness programs for our members. The ability for the CSW to provide CE programs will generate a new funding source our association to create the next phase of this important project.

In closing: The CSW has used our very limited resources to not only help our members, but more importantly the Wisconsin communities that we serve. Last session we achieved 11-0 and 99-0 in the Assembly and 4-1 in the Senate before we hit the same Covid wall as so many other bills. We simply request that you support SB 115 for fairness and to allow us to continue our vital community-based efforts.

 CHIROPRACTIC
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To: Members of the Senate Public Benefits, Licensing and State-Federal Relations Committee
From: Dr. Brian Wussow, Chiropractic Society of Wisconsin
Date: April 27, 2021
Re: SB 115 relating to Continuing education program sponsors for chiropractors, chiropractic technicians, and chiropractic radiological technicians

Thank you Senator Testin and members of this committee for allowing me to testify in support of SB 115. I also wish to extend our sincere appreciation to Senator's Petrowski and Representatives Spiros and Moses for sponsoring this legislation and Senator's Testin, Bradley and Kooyenga for your co-sponsorship of this bill. Senator Erpenbach your previous votes of support continue to be greatly appreciated.

I am Dr. Brian Wussow from Middleton, Wisconsin. I recently finished my first 29 years in practice and I'm just as excited about the next 29 as I was for the first. As a full time practicing chiropractor, I would just like to say thank you for your time and your consideration of this piece of legislation.

Today I am here to testify not only as a practicing chiropractor but also as the CSW Vice President and Chair of the Continuing Education Committee. This Committee is responsible for working with Life University to put together all continuing education for the association for license renewal. When I first began reaching out to speakers, I was amazed at the support we received as an organization from so many in the profession. Many speakers were very excited for the opportunity to speak in Wisconsin...they had never been offered an opportunity.



One of the things I love about the volunteer work I get to do on this Committee is bringing in a wide variety of speakers. Many in the profession, due to time, family commitments or finances, are forced to do most, if not all of their continuing education in the state and preferably close to home. Year after year, with the full support of Live University we bring the biggest names in chiropractic to the state. Opening up the marketplace to allow more in-state opportunities is extremely important and vital to the growth and development of the profession.

The result has been that the CSW/Life CE conventions are now the largest attended in the State. The recent Life vaccine CE program had over 400 chiropractors and 100 chiropractic technicians in attendance. In fact, the demand for this CE program was so great that the numbers do not reflect the actual interest to attend, but the capacity of the room at the hotel. We had to shut down registration when we hit full capacity. The vaccine information was timely and of great interest to not only Wisconsin chiropractors, but we had chiropractors from Minnesota, South Dakota, Illinois, Iowa and Kansas. To further demonstrate that the program was not anti-vax, as of this week the CE program content is being packaged for CE approved viewing for the remaining 49 states.

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As mentioned by Dr. Anunson, unlike the other healthcare providers, the chiropractic statutes are written to only allow specifically named organizations to provide CE programs in Wisconsin. The Wisconsin Chiropractic Association (WCA) has had a monopoly on CE in Wisconsin for several years and is the only Wisconsin based chiropractic organization allowed to provide CE courses in our state. This monopoly puts the CSW at a very distinct and unfair competitive disadvantage.

The WCA performs approximately 60-80 CE programs each year for DCs and more for CTs and CRTs. As noted the CSW is allowed to perform zero programs. We have partnered with Life Chiropractic college for 1 CE convention a year. The total for the 9 years the CSW has been an organization is between 540-720 for the WCA and zero for the CSW.

As a Committee and an organization, trying to put on CE opportunities without being able to sponsor the CE is challenging both logistically and financially. The combination puts us at a huge competitive disadvantage. You have heard me mention Life University. We are appreciative of their support, but until this year they have only agreed to do one CE program a year with the CSW in Wisconsin. We were happy to have that single opportunity as it needs to be noted that it has not been easy for the CSW to find or keep an approved program sponsor partners to provide the CE programs in Wisconsin. In the early stages, the Wisconsin Chiropractic Examining Board began a series of improper denials of CE programs applications with any chiropractic college that partnered the CSW, specifically if the seminar location was to be in Wisconsin.

We understand that the WCA has been claiming that multiple CE options exist for chiropractors, and they only provide a small percentage of all of the approved CE on the Chiropractic Examination Board approved list. What they have failed to explain is that the WCA provides over 95% of all of the approved courses **held in Wisconsin**. The entire list of approved courses includes programs in Alberta Canada, California and Florida. If you specifically look for programs only held in Wisconsin, they are almost all WCA programs.

Before I close, I would like to discuss the CE sponsorship of programs for the Chiropractic Technician and Chiropractic Radiological Technicians. This bill allows the CSW to also provide CE programs to CTs and CRTS. This change will handle a very unique aspect of CT and CRT training. For 9 years the CSW has had the authority to train and certify CTs and CRTs through CSW educational certification programs, but the restrictive statute that we are asking you to change has prevented the CSW from sponsoring CE to the same individuals we trained and certified. That's how unfair this law is.

By allowing the CSW to become a program sponsor of CE, the legislature will remove the WCA's monopoly and open up the free market in Wisconsin to bring in fairness and real competition which can only result in greater choice and lower prices for chiropractors, CTs and CRTs.

Thank you for your time and I sincerely request your supporting vote of YES for SB 115.



CHIROPRACTIC
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To: Members of the Senate Public Benefits, Licensing and State-Federal Relations Committee
From: Dr. Patti Schumacher, Chiropractic Society of Wisconsin
Date: April 27, 2021
Re: SB 115 relating to Continuing education program sponsors for chiropractors, chiropractic technicians, and chiropractic radiological technicians

Thank you Senator Testin and members of this committee for allowing me to testify in support of SB 115. I also wish to extend our sincere appreciation to Senator's Petrowski and Representatives Spiros and Moses for sponsoring this legislation and Senator's Testin, Bradley and Kooyenga for your co-sponsorship of this bill. Senator Erpenbach your previous votes of support were greatly appreciated.

My name is Dr. Patti Schumacher. I am a member of the CSW Board of Directors and practice in Marshfield Wisconsin.

I had the honor of being appointed to serve on the Wisconsin Chiropractic Examining Board for two terms. The majority of my tenure on the Board was as Chairperson. I also served for multiple years as the Board's liaison for CE program approval.

Prior to my joining the Chiropractic Examining Board, the members on the board were comprised primarily of WCA affiliated members. The controversy surrounding Board's handling of the Wisconsin entrance exam that was failing almost every doctor who attempted it, the arbitrary denials of CE programs for organizations that were associated with the CSW and the arbitrary denials of the CSW's chiropractic technician certification courses that were essentially identical to the approved WCA certification courses were pretty much well known in the Department.

Upon joining the Board with 2 other new members and assuming the Board Chair and the CE program liaison positions, I immediately terminated the practice of arbitrary and unfair denials of valid CE programs. This action resulted in fairness and stability to the CE approval process for all sponsors of CE programs for several years.

It is difficult to state the exact number of CE programs that I reviewed over the years, but it was hundreds of programs each year. That experience allows me to testify today with certainty that the CSW as an organization has the proper administrative systems in place to properly sponsor CE programs in Wisconsin. In reality, they have had the ability for 9 years. The only reason that they could not sponsor CE was not based on their abilities, but the solely the result of the anti-competitive statute that we are here today to ask you to change. There is zero-absoluteluy zero rationale for the exclusion of the CSW as a CE sponsor in Wisconsin.

I would like to follow on the issue of CE sponsorship of programs for the Chiropractic Technician and Chiropractic Radiological Technicians. For my entire term on the Board I approved the multiple CSW CT and CRT certification programs. There has been zero issues associated with their certification programs. Yet, during my same term on the Board, based on the same restrictive statute that we are asking you to change, the CSW was prohibited from applying for CT and CRT CE programs to maintain the certificate the same individuals the CSW trained and certified. That's how unfair this law is.

I have mentioned "affiliated" members on the Board of Examiners. To clarify, all members are appointed by the Governor and confirmed by the Senate. However, the members may be affiliated through professional membership to one of the two chiropractic associations. Prior to my appointment, the Board was very heavily weighted to WCA members, which resulted in the controversial and arbitrary denials of CE programs associated with the CSW as discussed previously. I was able to build a balanced Board and throughout my two terms there was harmony and fairness on the Board primarily reflected in the CE approval process. Upon my departure, the Board once again shifted back to be heavily WCA member dominated.

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We are aware that the WCA is circulating on a word document a concept for an amendment to SB 115 that purports to continue to prohibit the CSW from being included in the statute as an approved sponsor. This document was shared with select legislators but has not been available for the CSW to review. It is our understanding that the WCA proposal creates a second-tier type process for the CSW. The CSW would not be included in the statute with the WCA as an approve sponsor, but instead somehow the Board of Examiners would have new authority to approve or deny CE program applications from the CSW.

We as an association completely reject the WCA proposal. The CSW is an equal to the WCA. We need to be treated fairly, which simply means inclusion in the statute along with the WCA. Based on the long history of the WCA affiliated members on the board acting in arbitrary ways to the detriment of the CSW, the WCA amendment proposal to have the WCA dominated Board of Examiners be the gatekeeper for CSW CE applications would only continue their monopoly on CE programs.

After 9 long years, it is time for fairness. The previous cumulative votes have been 119 in favor and only 1 in opposition of the inclusion of the CSW in the statutes. It is time for this legislation to find the finish line. Please support the passage of SB 115.



To: Members of the Senate Public Benefits, Licensing and State-Federal Relations Committee
From: Judith Jolly, Chiropractic Society of Wisconsin
Date: April 27, 2021
Re: SB 115 relating to Continuing education program sponsors for chiropractors, chiropractic technicians, and chiropractic radiological technicians

Thank you Senator Testin and members of this committee for allowing me to testify in support of SB 115. I also wish to extend our sincere appreciation to Senator's Petrowski and Representatives Spiros and Moses for sponsoring this legislation and Senator's Testin, Bradley and Kooyenga for your co-sponsorship of this bill. Senator Erpenbach your previous votes of support were greatly appreciated.

Good morning, my name is Judith Jolly. I am a resident of Pardeeville Wisconsin, a registered nurse and a public member of the Chiropractic Society of Wisconsin.

I have been a patient and proponent of chiropractic for over 20 years. I turned to chiropractic care after a cycling injury, and it was the best healthcare decision that I have ever made. I am now a runner who puts in over 50 miles a week, and it's my chiropractor who keeps me going strong.

It was an honor to have been asked to join the CSW board as a public member about 18 months ago. I have attended three conferences and the education provided to me has enhanced my knowledge about chiropractic and even helped enhance my nursing practice.

I have been a practicing RN for over 25 years. This is the third state that I have practiced in, and the first state that does not require continuing education credits. I have, however, chosen to continue to complete CE credits, as I feel that this is of benefit to me personally, and to the patients that I serve.

In the state of Wisconsin, there are several nursing associations. As I currently practice as a homecare nurse, I am a member of the Wisconsin Professional Homecare Provider (PHP) organization. This organization advocates for nurses who provide a much-needed service to the children and adults with complex medical needs in our communities and allows them to remain in their homes with their families.

It would be unfathomable to me that if a CE requirement for nurses be introduced in Wisconsin, something that I wholeheartedly support, an organization such as the Wisconsin PHP might be denied the opportunity to provide CE credits for their members, in favor of a larger organization.

And yet, this is what the state is currently doing, with regards to the chiropractic profession. This anti-competitive practice needs to end. And it needs to end now.

The state should not be in the business of favoring one professional organization over another, which is why I am asking you to vote in favor of SB115.

Thank you.

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