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Pulling Up the Ladder

By Ralph Stephens, BS, LMT, NCTMB

Human nature never ceases to amaze me. The latest disappointment comes from the hierarchy of the chiropractic profession. Chiropractic is gaining ground rapidly in its goal to be recognized as "mainstream health care." Unfortunately, it is following in the footsteps of its oppressors, the AMA, and attempting to create its own monopoly and enforce it the same way the allopathic cartel enforces its monopoly: government regulation.

Chiropractic is trying to "pull the ladder up behind themselves." It must not be allowed to do so.

James D. Edwards, DC, chairman of the Board of the American Chiropractic Association, is proudly touting a piece of model legislation he hopes will be passed in each state. This proposed bill can easily be interpreted to seriously curtail massage therapy's scope of practice. The proposed legislation would amend existing chiropractic laws to add specific, legally tight language defining manipulation and adjustment, and make it unlawful for non-chiropractors to "manipulate." Of course, MDs and DOs are exempt from this legislation. It's not that MDs have any training in joint manipulation, but nobody dares to limit the scope of the "gods of allopathy." As written, this legislation could easily be used to persecute and prosecute massage therapists and bodyworkers. It must be changed or defeated wherever it is introduced.

This bill defines "spinal manipulation" as:

The application of a direct thrust or leverage to move a joint of the spine at the end of passive movement, but without exceeding the limits of anatomical integrity.

This could be interpreted as the "pelvic stabilization," muscle energy stretch taught for years by NMT organizations. It could quite possibly be interpreted as Active Isolated Stretching© , PNF stretching or any of several other common techniques used by massage therapists.

The proposed law goes on to define "spinal adjustment" as:

The application of a precisely controlled force applied by hand or by mechanical device, to a specific focal point on the anatomy of the individual, for the express purpose of creating a desired angular movement in skeletal joint structures, in order to eliminate or decrease interference with neural transmission and correct or attempt to correct a vertebral subluxation; spinal adjustment utilizes, as appropriate, short lever force, high velocity force, short-amplitude or specific line-of-correction force to achieve the desired angular movement, as well as low force neuromuscular reflex technique procedures.

There goes myofascial stretching, PNF, muscle energy work, zero balancing, traction, joint mobilization, body mobilization, possibly tapotement, and lots more.

The DC leadership will tell you ignore my warning. They will tell you that they do not intend to interpret the new legislation as I have, and that massage is not the target of this legislation. However, the language of the proposal allows it to be used against anyone. This proposed law, where passed, will be used against anyone who gets in the way of some DCs cash flow. Rarely does a patient file a complaint with a regulatory board. It is almost always another professional, from the same or another profession, complaining that the person in question is harming the income of the person filing the complaint by doing too much good. Of course that is not how it is written up. It will be written up that some massage therapist is endangering the public by doing chiropractic by using leverage and neuromuscular procedures to correct skeletal alignment. (That's posture.) Using the language proposed in this model legislation, the massage therapist would be found in violation.

This legislation is an escalation of the ongoing turf battle between chiropractors and physical therapists over who can do (and more importantly, who can bill insurance for) physical therapy modalities and joint manipulation. Insurance again! You see, what they are really fighting over is cash flow. The PTs and DCs are getting into each other's insurance pies. Regulation and scope of practice is all about cash flow and protecting licensed practitioners from open prosecution. In this country and many others, health care is carefully regulated to prevent the wrong people from doing too much good, which is bad for the cash flow of those allowed to do more good than others.

The DC leadership seem to forget that most of what they do is not original. Manipulation of joints with both slow and rapid movements can be traced back to long before chiropractic existed - through osteopathy, through the bone setters of Europe to the Swedish gymnastics and medical movements, and probably back to ancient Greece. The true heritage of joint manipulation most likely belongs to massage therapists. (That comment should generate some e-mail!) However, the leadership of the massage profession abandoned that heritage some time ago. Considering the level of training the majority of massage therapists are now receiving, it is probably just as well.

Do not let the DCs pass this law in your state unless its language is clearly changed to exempt massage and bodywork techniques. Where are our beloved national associations on this issue? Don't wait for them. If your legislature is in session, it is your responsibility to protect yourself, your business and your patients. Yes, even one person can have a huge impact on legislation. You can be that person. Be vigilant and be vocal.

(Author's note: I am a huge fan of chiropractic. I receive it regularly. I was in practice with a DC for several years. I am not attacking the chiropractic profession. I am only calling attention to the actions of its leaders in hopes of preventing the messy scope-of-practice fight between DCs and LMTs that will eventually result if efforts to pass this legislation is successful.)

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