






**TO:** The Professional Practice Committee

**FROM:** Douglas E. Lentivech  


**SUBJECT:** Proposed Amendment to Sections 52.14 and 73.1 of the Regulations of the Commissioner of Education Relating to the Requirements for Chiropractic Education Programs and Education Requirements for Licensure as a Chiropractor

**DATE:** September 26, 2019

**AUTHORIZATION(S):**  

#### **SUMMARY**

#### **Issue for Discussion**

Should the Board of Regents amend §52.14 of the Regulations of the Commissioner of Education relating to the requirements for chiropractic education programs and amend §73.1 of the Regulations of the Commissioner of Education relating to the education requirements for licensure as a chiropractor?

#### **Reason(s) for Consideration**

Review of policy.

#### **Proposed Handling**

The proposed amendment will be presented to the Professional Practice Committee for discussion at the October 2019 meeting of the Board of Regents. A copy of the proposed amendment is included as Attachment A.

#### **Procedural History**

At the October 2018 Regents meeting, an update on the practice of chiropractic was presented to the Professional Practice Committee for discussion. A Notice of Proposed Rule Making will be published in the State Register on October 23, 2019. Supporting materials are available upon request to the Secretary to the Board of Regents.

## **Background Information**

Education Law §6554 authorizes the Department to establish educational requirements for the profession of chiropractic. The Council on Chiropractic Education (CCE) is the only agency approved by the United States Department of Education to accredit Doctor of Chiropractic Programs (DCP). Effective January 2014, the (CCE) changed its requirements for student admissions to a DCP. These changes included raising the number of hours of undergraduate study to at least 90 hours (3 years) with a G.P.A. of not less than 3.0 on a 4.0 scale. Currently, New York State requires 60 hours (2 years) of undergraduate study. The 90 hours adopted by the CCE include a minimum of 24 semester hours in life and physical science courses, at least half of which are required to have a laboratory component. The CCE's preprofessional preparation requirements also includes a well-rounded general education program in the humanities and social sciences deemed relevant by the CCE for successful completion of the DCP curriculum. The CCE's revised requirements also provide some flexibility in the prerequisite coursework, which enables DCPs to admit students, who may have an applicable foundation for a Doctor of Chiropractic degree, but may be lacking in New York State's prescribed science courses. With the exception of New York State, all other states follow the CCE preprofessional education requirements.

Sections 52.14 and 73.1(a) of the Regulations of the Commissioner of Education, which date back to 1963, state that the preprofessional education requirements for a person seeking chiropractic licensure in New York must specifically include courses in "general chemistry, organic chemistry, biology or zoology and physics." There are concerns that these nationally unique preprofessional education requirements may be creating a barrier to licensure for otherwise well qualified chiropractic licensure candidates, who received their education outside of this State, because they may be unable to meet these requirements. In recent years, New York State has seen a decrease in the number of chiropractic licensure applications, which may be due to, at least, in part, candidates applying for licensure in states with education requirements that better match their preprofessional studies. Thus, there is concern that continuing to mandate these unique preprofessional requirements may further contribute to this decline in licensure applications, which could decrease New Yorkers' access to chiropractic services.

Additionally, pursuant to Education Law §65513(3) and §73.4 of the Regulations of the Commissioner of Education, Doctors of Chiropractic licensed in New York State may order for diagnostic purposes those clinical laboratory services which are contained within the required coursework of all registered doctoral programs in chiropractic in this State and the study of which the licensee has successfully completed in a course of study satisfactory to the Department. Attachment B is a list of the clinical laboratory tests that Doctors of Chiropractic are permitted to order, these tests include blood tests; urine tests; microbiology tests; and stool analysis.

The proposed amendments to §§52.14 and 73.1(a) of the Commissioner's regulations are designed to address the above-referenced situation by conforming them to the national preprofessional education standards by requiring the completion of not

less than 60 semester hours of preprofessional postsecondary education, with a minimum of 24 semester hours in life and physical science, which may include, but not be limited to, courses in general biology, human anatomy, physiology, general chemistry, biochemistry, physics, biomechanics and kinesiology, and, of these 24 semester hours, half shall include a laboratory component. However, it is important to note that it is not anticipated that the proposed amendment to the preprofessional education requirements would result in any changes to the list of the clinical laboratory tests that Doctors of Chiropractic are permitted to order (see, Attachment B).

### **Related Regents Items**

[October 2018 Update on the Profession of Chiropractic](http://www.regents.nysed.gov/common/regents/files/1018ppcd2.pdf)

(<http://www.regents.nysed.gov/common/regents/files/1018ppcd2.pdf>)

### **Timetable for Implementation**

It is anticipated that the proposed amendment will be presented for adoption at the January 2020 Regents meeting, after the publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the January meeting, the proposed amendment would become effective January 29, 2019.

## Attachment A

### AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 6504, 6507, 6551, and 6554 of the Education Law

1. Section 52.14 of the Regulations of the Commissioner of Education is amended, as follows:

Section 52.14. Chiropractic.

Admission requirements to a college of chiropractic shall include the following preprofessional education: 60 semester hours of college study, [including courses in general chemistry, organic chemistry, biology or zoology and physics.] with a minimum of 24 semester hours in life and physical science, which may include, but not be limited to, courses in general biology, human anatomy, physiology, general chemistry, biochemistry, physics, biomechanics and kinesiology, and, of these 24 semester hours, at least half of such hours shall include a laboratory component.

2. Subdivision (a) of section 73.1 of the Regulations of the Commissioner of Education is amended, as follows:

(a) To meet the professional education requirement, the applicant shall present evidence of the completion of not less than 60 semester hours of preprofessional postsecondary education, [including courses in general chemistry, organic chemistry, biology or zoology, and physics,] with a minimum of 24 semester hours in life and physical science, which may include, but not be limited to, courses in general biology, human anatomy, physiology, general chemistry, biochemistry, physics, biomechanics and kinesiology, and, of these 24 semester hours, at least half of such hours shall include a laboratory component, and a program of chiropractic education consisting of either:

(1) . . .

(2) . . .

## Attachment B

### Clinical Laboratory Tests Approved for Chiropractic

The following tests may be ordered by Doctors of Chiropractic licensed in New York State to be performed by clinical laboratories certified by the New York Health Department:

#### Blood Tests

A

- Acetylcholine receptor antibody
- Acid phosphatase
- Acid phosphatase, prostatic (RIA)
- ACTH (RIA)
- Activated partial thromboplastin test (aPTT)
- Adrenocortical function profile (17-OH corticosteroid, 17-ketosteroid)
- Alanine transferase: ALT (SGPT)
- Alcohol
- Aldolase (ALD)
- Aldosterone
- Alkaline phosphatase
- Alkaline phosphatase, isoenzymes
- Albumin
- Allergen testing:
  - PRIST (paper-radioimmunosorbent)-total IgE antibodies
  - RAST (radioallergosorbent) - allergen-specific IgE antibodies
- d-Amino levulinic acid
- Ammonia
- Amylase
- Angiotensin-1 converting enzyme
- Antidiuretic hormone: ADH (vasopressin)
- Alpha 1-antitrypsin
- Arthritis profile: ANA, ASO, CRP, RA latex, uric acid
- Aspartate transaminase: AST (SGOT), AST/ALT ratio
- Australian antigen (HBsAG)
- Autoantibodies:
  - anti-DNA
  - anti-ENA
  - anti-glomerular basement membrane
  - anti-IF
  - anti-Mit
  - anti-Myocardial

- anti-nuclear
  - anti-parietal cell
  - anti-reticulin
  - anti-SM
  - anti-striational
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## B

- Bile acids
  - Bilirubin: total, direct and indirect
  - Bleeding time tests
  - Blood groups: ABO, Rh, MN
  - Bone marrow aspiration (interpretation)
- 

## C

- Calcitonin (RIA)
  - Calcium: total, ionized
  - Carbon dioxide: total (SMAC)
  - Carboxyhemoglobin
  - Carcinoembryonic antigen (CEA)
  - Cardiac risk profile (cholesterol, TG, HDL, LDL, VLDL, LDL/HDL ratio, cholesterol/HDL ratio)
  - B-Carotene
  - CBC with and w/o differential
  - Cephalin flocculation test
  - Ceruloplasmin
  - Chloride
  - Cholesterol: total esters
  - Cholinesterase, plasma
  - Coagulation factors: qualitative
  - Cold agglutinins
  - Complement: total; C3 C4 quantitative
  - Coomb's: direct, indirect
  - Copper
  - Cortisol (RIA) Cortisol: pre and post suppression
  - Coumadin (Warfarin)
  - C-peptide C-reactive protein (CRP)
  - Creatine
  - Creatine phosphokinase (CPK): total, isoenzymes
  - Creatinine
  - Cryoglobulin
  - Culture, blood
- 

## D

- Dehydroepiandrosterone (DHEA)
  - Dehydroepiandrosterone-sulfate (DHEA-sulfate)
  - Drug screen, qualitative
- 

## E

- EBV-antibody
  - Erythropoietin
  - Estrogen, total and fractionation (RIA)
- 

## F

- Fatty acids
  - Ferritin, serum
  - Alpha fetoprotein, maternal
  - Alpha fetoprotein, tumor marker
  - Fibrin degradation products
  - Fibrinogen
  - Folate, RBC (RIA), serum (RIA)
  - Follicle stimulating hormone (FSH)
- 

## G

- Gastrin
  - Globulin count
  - Glucagon (RIA)
  - Glucose 6-phosphate dehydrogenase (G6PD), RBC
  - Glucose, fasting (SMAC)
  - Glucose tolerance: 1/2 hr, 1 hr, 1-1/2 hr, 2 hr, 3 hr, 4 hr, 5 hr, 6 hr
  - Glucose tolerance PP (2hr)
  - Glucose tolerance after cortisone
  - Glutamate dehydrogenase
  - Gamma glutamy1-transpeptidase (GGTP)
  - Glycosylated hemoglobin (Hgb A1c)
  - Glycoprotein, electrophoresis
  - Growth hormone (GH): fasting
- 

## H

- Haptoglobin
- HDL-cholesterol, HDL/LDL ratio
- Hematocrit
- Hemoglobin
- Hemoglobin electrophoresis, qualitative
- Hepatitis A antibody (anti-HAV)
- Hepatitis A antibody: total IgM
- Hepatitis B antigens: HBsAG, HBeAG
- Hepatitis B antigen with confirmation
- Hepatitis B antibodies: anti-HBc, anti-HBs, anti-Hbe
- Hepatitis C antibody
- Heterophil agglutination (Paul Bunnell, Monospot)
- Histamine
- HLA-B27
- Homocystiene
- HTLV-III (HIV) antibody
- Human chorionic gonadotropin (HCG): pregnancy test
- 5' Hydroxytryptamine (serotonin)



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I

- Immuno-electrophoresis
- Indices (RBC): MCV, MCH, MCHC
- Insulin
- Insulin antibodies
- Iodine: PBI
- Iron
- Iron binding capacity (TIBC)

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K

- 17-Ketosteroids, total

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L

- Lactate dehydrogenase, total and isoenzymes
- Lactic acid
- Lactose tolerance, 2 hr
- Latex fixation, RA factor
- Lead
- LE cell preparation
- Leucine aminopeptidase
- Leukocyte alkaline phosphatase
- Lipase
- Lipids: total, fractionation
- Lipoprotein electrophoresis and phenotype
- Luteinizing hormone (LH)
- Lyme's Profile/Serology
- Lymphocytes: T and B cells quantitative, T4/T8 ratio

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M

- Alpha 2 - macroglobulin
- Magnesium
- Mercury
- Methemoglobin
- Mucopolysaccharide inclusion bodies (PMN)
- Myoglobin

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N

- 5' - nucleotidase

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O

- Osmolality, serum
- Osmotic fragility test (RBC)

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P

- Parathyroid hormone (PTH)
- PTH-N terminal
- Pepsinogen

- pH (arterial)
  - Phosphorus
  - Platelet count
  - Potassium
  - Progesterone
  - Prolactin
  - Protein: total, A/G ratio, electrophoresis
  - Prothrombin time
  - Pyruvate kinase (RBC)
- 

## R

- RBC count
  - RBC inclusion bodies
  - RBC morphology
  - RBC survival (51Cr)
  - Renin activity (RIA)
  - Reticulocyte count
- 

## S

- Scleroderma antibody
  - Sedimentation rate (RBC): Wintrobe
  - Serum methylmalonic acid
  - Sick cell preparation
  - Sick cell screen
  - Siderocyte stain (RBC)
  - Sodium
  - Streptozyme titer (ASO titer)
- 

## T

- T3 (RIA)
  - Reverse - T3
  - T3 - uptake
  - T4 (RIA)
  - T7 (free thyroxine index)
  - Testosterone
  - Thrombin clot time (TCT)
  - Thyrobinding globulin (TBG)
  - Thyroglobulin antibody (anti-thyroid)
  - Thyroid microsomal antibody (anti-microsoma)
  -
- 

## Thyroid stimulating hormone (TSH)

- Alpha tocopherol (serum)
  - Transferrin
  - Triglycerides, fasting
- 

## U

- Urea nitrogen (BUN)
  - Uric acid
-

## V

- Vasoactive intestinal peptide (VIP)
- Vasopressin (ADH)
- VDRL
- Vitamin A
- Vitamin B1
- Vitamin B6
- Vitamin B12 binding capacity
- Vitamin C
- Vitamin D: (25-OH cholcalciferol, 1, 25-di-OH cholcalciferol)

## W

- WBC count with differential
- 

## Z

- Zinc

## **Urine Tests**

### A

- Amino acid screen
  - d-Amino levulinic acid
  - Amylase
  - Amylase/creatinine clearance ratio
- 

### B

- Bile
- 

### C

- Calcium
  - Calculi examination
  - Catecholamines, 24 hr: total, fractional
  - Chloride, 24 hr
  - Copper
  - Coproporphyrin, quantitative
  - 17-OH corticoids
  - Creatine
  - Creatinine
  - Creatinine clearance
  - Culture, colony count and sensitivity
  - Cystine, 24 hr
- 

### D

- Drug screen, qualitative
- 

### E

- Estrogens, total
- 

### G

- Glucose tolerance: fasting, 1/2 hr, 1 hr, 2 hr, 3 hr
- 

## H

- HCG (pregnancy test)
  - Hemoglobin
  - Hemosiderin
  - Hydroxyproline
- 

## I

- 5' OH-indole acetic acid (5'HIAA)
  - Insulin clearance
- 

## K

- 17-Ketogenic steroid
  - 17-Ketosteroids, alpha and beta ratio
  - Ketones, qualitative
- 

## L

- Leukocyte esterase
  - Lysozyme
- 

## M

- Metanephrines, 24 hr: total
  - Microscopic examination: RBC, WBC, epithelial cells, casts, bacteria, occult blood
  - Myoglobin
  - Mucopolysaccharides
- 

## N

- Nitrite
- 

## O

- Osmolality
  - Oxalates
- 

## P

- pH
  - Phenol
  - Phosphates
  - PKU screen
  - Porphyrins
  - Protein: albumin, BJ, electrophoresis, immunoelectrophoresis
- 

## S

- Specific gravity
- 

## T

- Testosterone

- Toxic ions: arsenic, lead, mercury
- 

## U

- Urea
  - Urea clearance
  - Uric acid
  - Urine protein, 24 hr: qualitative
  - Urobilinogen
- 

## V

- Vanillylmandelic acid (VMA)
  - Vitamin excretion: B1, B2, niacin Volume, 24 hr
- 

## X

- d-Xylose excretion

## **Microbiology Tests**

### A

- Acid fast culture
  - Acid fast stain
  - Adenovirus group titer
- 

### B

- Blood parasite examination: microfilaria, hemoflagellates and plasmodium (smear)
- 

### C

- Candida: precipitin and culture
  - Chlamydia culture
  - Chlamydial group titer
  - Coliform tests
  - Coxsackie virus
  - Cytomegalovirus (CMV), IgM
  - Cytomegalovirus (CMU), titer
- 

### E

- Echinococcus antibody
  - ELISA test for HIV antibodies
  - Enterameba histolytica antibody
  - Enterovirus antibody
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### F

- Flourescent treponemal antibody (FTA/ABS)
  - Fungi examination: wet mount and culture
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### G

- Gonococcal culture (w/gram stain)

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## H

- Herpes culture
- Herpes simplex titer (I and II)
- Herpes Varicella Zoster antibody (U-Z antibody)

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## L

- Legionnaires disease antibody
- Lyme disease serology

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## M

- Mumps antibody titer
- Mycoplasma antibody
- Mycoplasma: culture (respiratory)

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## R

- Rubella antibody: IgG, IgM
- Rubeola antibody titer

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## S

- Staphylococcal culture: blood agar, mannitol salt, coagulase
- Streptococcal culture-blood-hemolytic activity
- Streptococcal culture: screen (Group A, Group B)
- anti-Streptolysin O titer (ASO titer)

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## T

- TB skin tests: PPD (Mantoux)
- Toxoplasmosis antibody
- Toxoplasmosis IgM-specific antibody

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## W

- Well-Felix tests: Rickettsia

### **Stool Analysis**

- Amebiasis
- Fecal fat
- Fiber content
- Giardiasis
- Microscopic: ova and parasites
- Occult blood
- pH
- Porphyrins: total, fractional
- Scotch tape examination for pin worms
- Starch, qualitative
- Trypsin
- Undigested material

