



MINUTES

9th Annual Forum ■ in conjunction with DC2017
March 15, 2017 ■ Washington, D.C.

In attendance:

Name	Attending on behalf of the following:
Dale Atkinson, Keynote Speaker	Federation of Associations of Regulatory Boards
Damiano Costa	World Congress of Chiropractic Students
Paul Fisher	Chiropractic Board of Australia
Pat Frank	Canadian Chiropractic Examining Board
Kristin Grace, ICRS Vice Chair	New Zealand Chiropractic Board, Council on Chiropractic Education Australasia
Rosalyn Hayles	General Chiropractic Council (UK)
John Hyland	National Board of Chiropractic Examiners International Board of Chiropractic Examiners
Wayne Minter	Chiropractic Board of Australia
Gerald Olin	Canadian Chiropractic Examining Board
Jon Schwartzbauer	Federation of Chiropractic Licensing Boards
Angela Sinclair	New Zealand Chiropractic Board

Attending via GoToMeeting:

(many thanks to Damiano Costa and Jim Duncan for facilitating the electronic connection)

Lisa Richard, ICRS Chair, also representing the Federation of Canadian Chiropractic
Donna (Liewer) Cohen, Volunteer

Guests from CCE-International:

Michael Shobbrook, Retiring Chair
Jean Moss, Chair
Stefan Pallister, Vice Chair
Olivier Lanlo, Treasurer
Kristi Randhawa, Executive Secretary

Apologies from Lisa Richard and Donna Cohen for their inability to attend due to airport snow closures, and from Penny Bance who was delayed because of the snow. Regrets from Phillip Donato and Bevan Goodreid as well.

As acting Chair, Kristin Grace opened the meeting at 9 AM with introductions. She noted that several attendees might be called away from time to time due to concurrent meetings.

1. Defining the issues - roundtable discussion

Attendees reported on various challenges facing their regulatory systems throughout the world. The status of regulation and risks to agencies and the protection of the public were enumerated by the attendees for their countries. In particular, centralizing licensure and regulation or combining individual boards under overarching super boards was discussed. Several jurisdictions are in the process of updating current regulatory legislation. The complexities of overlapping scopes of practice and inconsistencies in permitted scope was also explored. Attendees noted that the core issue of chiropractic responsibility to diagnose prior to commencing treatment is still under pressure in some jurisdictions.

With respect to mobility, some boards reported that registrants relocating to new jurisdictions sometimes have problems understanding the differences in legislative requirements between their former and current locations. The use of laws & rules (jurisprudence) examinations and ethics testing was discussed. The importance of early education of students about the professional requirements of chiropractic was stressed, as was continuing access to practitioners via seminars and other avenues throughout their careers. Government agreements designed to reduce trade restrictions can also have inadvertent consequences for professional regulation, as individual practitioners are much more likely to move about than in past years. Particular challenges are posed to regulatory agencies when individuals have been practicing in nonregulated countries.

Variations among jurisdictions with respect to continuing professional development (CPD) was also discussed.

2. **Keynote Presentation: The Reality of Regulation**

Dale J. Atkinson, Esq., Atkinson & Atkinson, and also executive director of the Federation of Associations of Regulatory Boards (FARB) – Chicago, Illinois

Speaker Atkinson described the objective of his presentation, which were to examine the fundamentals of regulation and why it exists, to explore the legislative, legal, and public protection perspective of regulatory structure, and to encourage questions and future thinking from attendees.

He described fundamental differences between government-issued public regulation and private sector, voluntary standards such as certifications. He then drilled down to the regulatory tools provided at national, state, municipal and private levels. Because of the sometimes conflicting objectives of regulators and professional associations, he emphasized the critical importance of retaining a clear separation between self-promotion and public protection.

His presentation then focused on the critical importance of uniformity, and noted the importance of participating in associations of regulators both within and among professions, at the state/province and also national/international levels. His vision of the future imagines increasing emphasis on associations of regulatory boards to help remove ineffective and unnecessary differences among jurisdictions and nations, and better utilization of their services to substantiate education, examination, and experience. He concluded by opening discussion about the possibilities inherent in the ICRS, and how the participants see the future of this emerging service organization.

3. **Regulatory responsibilities for the conduct of professionals in non-regulated jurisdictions**

This wide-ranging discussion opened with a brief history provided by Paul Fisher, noting the issue had originally been raised by the WFC after concerns about unprofessional conduct by certain practitioners and the lack of regulatory authority. On behalf of Phillip Donato, Wayne Minter and Paul Fisher presented a draft position statement Donato prepared at the previous request of ICRS.

Attendees noted that this will always be a legislatively driven, jurisdictional issue. As the group explored the possible position statement, they were led to an in-depth discussion of the purposes and direction of the newly incorporated ICRS. They agreed that any position documents created and adopted by ICRS will always be supportive of regulation and its continued development in service to public protection, and never designed to dictate to members how they should conduct their own regulatory processes.

It was agreed that this draft represented the first time the new ICRS has faced the idea of position papers. The group reviewed a sample position paper adopted by the international medical association of regulators (IAMRA), observing the consistent use of terminology such as support, encourage, benefit, improve, and the clear focus on public protection.

There was discussion about how and when to use the word “legislated” rather than “regulated” as many countries without legislation have associations and therefore forms of self-regulation

that are different than legislative regulation. “Misconduct” was also discussed, noting the additional complexities posed by criminal and/or civil charges in addition to violations of professional legislation and/or standards.

The current status of professionals working or teaching in nonregulated countries was further explored, noting present reliance on self-declarations, background checks, exams, and letters of reference from registered practitioners. It was also noted that most regulated jurisdictions do not have authority over the conduct of their licensees/registrants if these individuals leave the geographic jurisdiction. The emerging aspects of “telepractice” are also challenging this current model.

Ultimately, the group determined that this initial draft of an aspirational document should remain in committee for an indefinite period, noting that the relative newness of the ICRS as an incorporated organization would make it difficult to take on such a complex issue at this time. Appreciation was expressed to Phillip Donato for excellent work in developing this draft as it also brought out organizational processes within ICRS that will need to be addressed.

4. ICRS Incorporation

Via GoToMeeting, Donna Cohen reported that the ICRS is now formally incorporated with Articles of Incorporation filed as a Canadian non-profit organization based out of Toronto. The Articles represent the consensus of Steering Group over a series of meetings during the past year. The three current officers of the ICRS board (chosen by consensus of the Steering Group) are the minimum required by Canadian law until the bylaws are adopted, at which point it is envisioned that a larger board will be empowered. Presently the board members are Lisa Richard – Chair; Kristin Grace – Vice Chair; and Phillip Donato – Treasurer.

Cohen explained that the bylaws task force (Pat Frank, Penny Bance, Phillip Donato) had completed a careful review of the initial draft bylaws (again intended to represent the vision of the Steering Group). This committee report is presently going to the initial three-member board. The next step for the board will be to review the committee recommendations and prepare a final draft for discussion with the full Steering Group. After the board adopts a final version, the ICRS will be able to begin to process memberships. An annual general meeting will need to be held within 18 months of the date of original incorporation (March 12, 2017). The membership will then vote to elect a larger board and to ratify the bylaws.

The attendees explored possible dates and settings for the ICRS’ first AGM, observing that the last two meetings have been held in North America. Locating elsewhere would help to equalise the economic burden on attendees and to involve potential new members and groups. ECU’s 2018 conference will be held in Budapest in the spring. Gerald Olin volunteered to try to find out from WFC when and where their 2018 fall educational conference will be held. A decision on the AGM will be made with the Steering Group once these facts are obtained.

Lunch

5. Mobility issues

Key obstacles to ideal practitioner mobility were noted by the attendees to include varied and inconsistent regulations; lack of clarity, understanding and access to information; differing requirements for temporary vs. permanent relocation.

Jon Schwartzbauer reported that FCLB has sample, model regulatory language designed to cover temporary travel related to teaching, sports, mission service or disaster relief.

A. FCLB Chiropractic Passport Program

Jon Schwartzbauer offered a PowerPoint presentation about the FCLB’s new Passport program, which will debut in conjunction with the Federation’s annual conference in May 2017. Chiropractic Passport is designed as an international public registry of licensed chiropractors and a reputable program and service for credentialing chiropractic professionals.

The program will promote regulation in countries that don't yet have chiropractic licensing and advance temporary licensing in jurisdictions that don't yet offer it. A Chiropractic Passport will provide information that the individual has a valid chiropractic license in good standing, and will include both CIN-BAD and professional background checks. Additional verification of specialty certification, diplomates, and endorsements is also planned. The badge will include a head and shoulders photo to enable those who are being treated to have greater confidence that their practitioner is properly credentialed.

Schwartzbauer explained that currently, only 13 US jurisdictions have legislative language that addresses travel to treat to teach. The Chiropractic Passport will serve as a resource to both boards and applicants. It will be available to FCLB member boards.

Lisa Richard noted that provincial regulators in Canada have the ability to issue temporary licensure for Canadian chiropractors in good standing within their respective jurisdiction if they are travelling with a team.

Additional discussion regarding mobility ensued, with some countries noting very low numbers of international applicants. Damiano Costa reported on the continuing progress of the in-depth survey undertaken by the WCCS on mobility issues. Surprisingly, most students envision themselves practicing in a country other than where they were educated. Further, he noted that current students and recent graduates are very confused about core regulatory concepts such as accreditation.

ICRS plans to coordinate with WCCS and WFC by website links of various resources relating to applications for licensure or registration and the necessary requirements.

6. Chiropractic Accreditation

Guests from the CCEI executive committee joined the meeting. Retiring chair Michael Shobbrook introduced the rest of the CCEI executive committee. He explained that CCEI is not an accrediting agency, but its members are. He mentioned that CCEI is also incorporated in Canada, and is eager to maintain a healthy relationship with ICRS. He noted that accreditation serves as the intersection where students are passed along to regulators. Tying into the previous discussions on mobility, he cited good standing, good education and a good competency assessment as the three pillars of mobility.

Shobbrook reported on several CCEI initiatives. The "International Framework," available on the CCEI website, outlines the essential components for chiropractic accrediting agencies, and was developed after a lengthy process of surveys, discussion, and compilation. They are also presently working on updating articles of incorporation, bylaws, and many CCEI policies.

Mentioning the rapid growth of the profession and educational programs in Latin America, Shobbrook reported on recent meetings with chiropractors there who hope to set up an accrediting council for Latin America.

The chiropractic programs in Durban and Switzerland are also seeking further accreditation. In addition, new educational programs are under discussion in Canada, Australia, Spain, and Italy. CCEI has also met with WCCS students to help create and maintain a better flow of information to students and to explain the importance of accreditation. At this time, no additional discussions have taken place with CCE-US.

With respect to Korea, there has been activity indicating the formation of a local accrediting agency, CCE-Korea, although its legal status and capacity to operate is unclear. Since such a group may be developed to accredit limited or 'standardization' programs, not full programs, there is potential for confusion about whether these program graduates would achieve all competencies and be of an 'international' standard. Further confusion could arise as Korea does have a fully accredited program at Hanseo University, but other Korean programs are unlikely to achieve that standard in the near future.

Jon Schwartzbauer expressed appreciation to CCEI for continuing to send representatives to FCLB conferences to help spread awareness of global educational issues among US regulators.

Finally, Shobbrook reiterated the importance of ICRS to support regulation of chiropractic, to collaborate and to support international improvement in the regulation of chiropractic. He affirmed the interest of CCEI in collaborating with ICRS to ensure excellence in chiropractic regulation worldwide.

7. Chiropractic Examinations

A. On behalf of IBCE and NBCE, John Hyland reported on some personnel changes and continued progress in computer based testing. Following some challenges with the previous system, new developments will ensure system stability and position computer based testing for international use.

IBCE has been working with Japan to create a register of practitioners who have passed the examinations, and is now assisting South Korea as well.

Hyland explained that diagnostic imaging testing is moving toward digital imaging, following studies that suggest increasing use of the new technologies in chiropractic practice. The transition to testing in these areas poses some unique challenges, including standardizing competencies, discrepancies among equipment, and dealing with advanced forms of diagnostic imaging. Hyland suggested regulators should be aware of these new trends in testing and give consideration to regulatory implications.

Current accreditation requirements ensure that students are learning all core chiropractic competencies which include imaging, but standard x-ray imaging is decreasing and may not be a core competency in the future. Other technologies relating to teaching and practice are also evolving quickly, and these have a notable impact on examiners.

Hyland also commented on the telehealth aspects of practice (particularly with respect to reading diagnostic images) and how it impacts on licensure and regulation with issues involving delegation, referral, restrictions, etc.

On behalf of CCEB, Pat Frank reported on the increase in need for testing accommodations and the levels of accommodations required.

8. ROUNDTABLE UPDATES

A. Chiropractic Board of Australia – Wayne Minter and Paul Fisher reported on a recent CBA forum on professionalism, with one presentation on the board's website. An additional forum on continuing professional development is coming up. Advertising issues sometimes reveal scope of practice issues. A presently high level of advertisement complaints may result in a need to establish a system to evaluate risk levels of complaints in order to manage them effectively.

B. General Chiropractic Council – Rosalyn Hayles described similar issues with advertising complaints. One organization lodged 25 complaints a month with the board, creating a challenge to review the volume of claims and whether they are justified. The standard for guidance on advertising is also under review, and corollary impact on issues with scope of practice. She noted the regulation landscape could change at any point in time. They are also evaluating the detail of CPD records submitted by each practitioner. She observed that all of these are learning processes as they seek to better protect the public.

C. Federation of Chiropractic Licensing Boards – Jon Schwartzbauer reported on the increasing participation in the FCLB's certification of chiropractic assistants. He said that FCLB has started offering CA testing at outside events with good success. He noted there are over 30 US states that now recognize PACE to evaluate the quality of CPD programs and to record/report attendance. Preparations are well underway for the May 3 – 7, 2017, annual conference in Orlando, Florida.

- D. **World Congress of Chiropractic Students** – Damiano Costa described the WCCS participation at the fall 2016 educational conference of WFC and ACC in Montreal. The survey of current and recent graduates now stands at over 1500 participants. Results show that 82% of students are interested in practising abroad. The survey also revealed a significant lack of understanding about accreditation and regulation. The final report will be shared with ICRS. Costa also notified ICRS attendees that he is nearing the end of his term as WCCS president and may not be able to continue to participate as much in regulatory meetings.
- E. **New Zealand Chiropractic Board** – Kristin Grace and Angela Sinclair described current efforts to update CPD auditing and related CPD issues. Advertising policies are in place and policies addressing cultural competency are under development.
- F. **Federation of Canadian Chiropractic** – Via GoToMeeting, Lisa Richard described how FCC functions to bring together the chiropractic regulatory processes of the Canadian provinces. Presently, FCC has three councils that are functioning very well: regulatory, accreditation and specialties. The FCC has recently undergone significant update of its bylaws. The provinces are still reviewing the CCE–US decision to withdraw from CCEI.

9. Next steps for ICRS

The next meeting of ICRS will include its first AGM. The group was leaning toward scheduling with the ECU Budapest meeting in May 2018 but will gather more information from WFC as well and will follow up with Steering Group.

The next 2017 meeting of the Steering Group will be scheduled via email, most likely in May.

As Acting Chair, Kristin Grace declared the meeting closed at 5:02 PM.



Donna M. Cohen
Recording Secretary

With appreciation for the gracious assistance and notetaking by Angela Sinclair and Lisa Richard