

October 20, 2021

The Honorable Richard Neal  
Chairman  
Committee on Ways and Means  
1102 Longworth House Office Building  
Washington, DC 20515

The Honorable Frank Pallone  
Chairman  
Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, DC 20515

The Honorable Kevin Brady  
Ranking Member  
Committee on Ways and Means  
1102 Longworth House Office Building  
Washington, DC 20515

The Honorable Cathy McMorris Rodgers  
Ranking Member  
Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Neal, Ranking Member Brady, Chairman Pallone, and Ranking Member McMorris Rodgers:

On behalf of the physician and medical student members of the American Medical Association (AMA), I am writing to express our opposition to H.R. 2654, the “Chiropractic Medicare Coverage Modernization Act of 2021,” which would amend the Social Security Act’s definition of physician to extend Medicare coverage for services furnished by chiropractors beyond the manual manipulation of the spine.

A recent survey found that 27 percent of patients incorrectly identified chiropractors as medical doctors.<sup>1</sup> This legislation would exacerbate such patient confusion and prompt further misconceptions and false expectations regarding the care they receive. H.R. 2654 would authorize chiropractors to use the title “physician” under the Medicare Part B program and be paid the same rate as allopathic (MD) and osteopathic (DO) physicians for manual manipulation of the spine as well as for any other medical services chiropractors are licensed to perform. By removing the current “manual manipulation” limitation in the Social Security Act, this bill opens the door for other services, which chiropractors have not been specifically trained to provide and which could potentially put patient safety at risk, to be covered by Medicare.

The AMA strongly supports the team approach to patient care, with each member of the team playing a clearly defined role as determined by his or her education and training. While we greatly value the contribution of chiropractors to the physician-led care team, their training is not equivalent to the four years of medical school, three-to-seven-years of residency training, 200 hours of osteopathic manipulative medicine education and clinical experience (for DOs), and 10,000-16,000 hours of clinical training that is required of physicians. In order to be recognized as a physician with an unlimited medical license, medical students’ education must prepare them to enter any field of graduate medical education and

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<sup>1</sup> Baseline & Associates conducted an internet survey of 802 adults on behalf of the AMA Scope of Practice Partnership, July 12-19, 2018. The overall margin of error is +/- 3.5 percent at the 95 percent confidence level.

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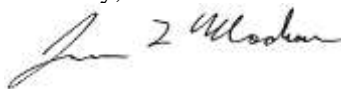
include content and clinical experiences related to each phase of the human life cycle.<sup>2</sup> Conversely, chiropractic students must complete only 24 semester hours of life and physical science courses and a minimum of 4,200 hours of combined classroom, laboratory, and clinical experience.<sup>3</sup> Many state chiropractic licensing boards do not even require a Bachelor's degree.<sup>4</sup> Moreover, chiropractic students are not required to complete a residency training program and do not undergo the level of subsequent training that MD and DO medical students receive.

As such, given their relatively limited education and training, chiropractors' scope of practice is appropriately restricted under Medicare to treatment by means of manual manipulation, i.e., by use of the hands. This limitation is aligned with chiropractic training and the treatments that chiropractors most often provide involving "common musculoskeletal complaints, including but not limited to back pain, neck pain, pain in the joints of the arms or legs, and headaches."<sup>5</sup> However, as currently written, H.R. 2654 would authorize the Centers for Medicare & Medicaid Services (CMS) to cover *any* medical service a chiropractor could be licensed to perform. In a state with overly broad or permissive licensure regulations, H.R. 2654 would establish a pathway for coverage and payment for chiropractors providing medical services for which they may have very limited or no formal training.

Even the American Chiropractic Association (ACA) web site states that "At a minimum, if passed in its current form, the legislation would include evaluation and management (E&M) codes, therapy codes including but not limited to CMT [Chiropractic Manipulative Treatment], and certain diagnostic and X-ray codes." The ACA further claims that "chiropractors will be able to bill Medicare for the full scope of their services allowed by their state, provided they have completed documentation training in the form of a one-time webinar or similar process, as determined by CMS." The AMA is concerned that permitting chiropractors to bill Medicare for the full and likely expanded scope of their license in a given state will lead to an unnecessary redistribution of scarce Medicare resources away from physician practices to non-physician practitioners for services that they lack sufficient training and expertise to perform. Such expansion could increase overall Medicare costs and jeopardize the health and safety of Medicare patients.

We appreciate your consideration of our concerns about H.R. 2654 and would be happy to provide any needed assistance to support you in opposing this bill.

Sincerely,



James L. Madara, MD

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<sup>2</sup> [https://medicine.vtc.vt.edu/content/dam/medicine\\_vtc\\_vt\\_edu/about/accreditation/2018-19\\_Functions-and-Structure.pdf](https://medicine.vtc.vt.edu/content/dam/medicine_vtc_vt_edu/about/accreditation/2018-19_Functions-and-Structure.pdf).

<sup>3</sup> [http://www.cce-usa.org/uploads/1/0/6/5/106500339/2018\\_cce\\_accreditation\\_standards.pdf](http://www.cce-usa.org/uploads/1/0/6/5/106500339/2018_cce_accreditation_standards.pdf).

<sup>4</sup> <http://directory.fclb.org/Statistics/EducationTesting-US.aspx>.

<sup>5</sup> <https://handsdownbetter.org/about-chiropractic/>.