



# Cape Integrative Health

8-10 Hill Way, Unit A  
Cape Elizabeth, ME 04107

P: 207.799.9950  
F: 207.799.9951

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Monday, March 31, 2025

To: Members of the Joint Standing Committee on Education and Cultural Affairs

Re: LD 828, An Act to Allow Chiropractors to be Designated as School Health Advisors

Dear Members of the Committee,

Good morning, Senator Rafferty, Rep. Murphy and distinguished members of the Education & Cultural Affairs committee. My name is Dr. Zev Myerowitz Jr. I am a resident of Cape Elizabeth and a lifelong resident of the State of Maine. I am the current president of the Maine Chiropractic Association and the CEO of Cape Integrative Health, the largest Integrative practice in Maine offering urgent care, regenerative medicine, chiropractic, physical therapy, and acupuncture specialties. I will be testifying in support of LD 828.

This bill is about restoring student access to qualified healthcare providers for their school related services such as physicals, concussion management, and return to play guidelines, which have been lost for the last decade due to arbitrary discrimination by the Maine Board of Nursing.

This bill is a professional extension of a 2015 non-discrimination bill (H.P. 675 - L.D. 978 An Act To Promote Patient Choice and Access to Health Care). That bill was necessary to prevent an insurer from discriminating against a chiropractor acting within their scope. This bill prevents a *health care professional* from discriminating against a chiropractor acting within their scope. Specifically this bill prevents school nurses from refusing to recognize chiropractic exams, physicals, and related student-athlete services (such as concussion management and return to play guidelines) when performed by a chiropractor acting within their scope. The purpose of this bill is patient-centered. We currently manage sports injuries, including initial exams, as part of our regular day-to-day activities. We manage an athlete's care from start to finish, but are currently unable to certify an athlete, whose care we just managed, to return to play. By officially designating chiropractic as a recognized healthcare profession that can serve as a school health advisor, this bill would require that the Maine Board of Nursing recognize the chiropractor's training and authority in performing some, or all, of the services required by the school health advisor.

Attached to my testimony are multiple determinations made by the Maine Chiropractic

Licensing Board affirming that performing these services is well within our scope of practice. The chiropractic licensing board is the only entity that is qualified to make this determination as it's our own specialty. The Maine Board of Nursing, or any other health profession licensing board, is completely unqualified in determining the training of a chiropractor. The enforcement of a policy based on unqualified recommendations is as ridiculous as a chiropractor determining what a brain surgeon can and cannot do.

Physical exams performed by chiropractors have been refused by the Maine Board of Nursing for well over a decade. I am enclosing in my testimony a 2017 letter from the assistant Executive Director of the Maine Board of Nursing, stating that it is the opinion of the board that chiropractors are not qualified in performing medical examinations. Attached in my testimony is a letter from the MPA attesting that the reason the MPA will not recognize chiropractic physicals is directly due to the Maine Board of Nursing's decision.

While the Maine Board of Nursing is welcome to their opinion on the qualifications of another specialty, it is inappropriate for that opinion to determine policy. It is even more inappropriate when that policy conflicts with the opinion of the specialty's own licensing board (in this case the Chiropractic Licensing Board) affirming that chiropractors are qualified in performing this service. This is further affirmed by the National Board of Chiropractic Examiners, the Council on Chiropractic Education, and the Department of Education.

I am submitting testimony from a Nurse Practitioner, whom is a colleague of mine, supporting the position that chiropractors are more than qualified to perform these services. While I believe the impetus behind this issue is a lack of education on behalf of the Maine Board of Nursing, the end result is that students suffer. Services often have to be duplicated or delayed due to access restriction, a completely unnecessary complication. If a chiropractor was performing a school physical next to a physician, an osteopath, or a nurse practitioner, an observer would find us performing identical exams, billing identical codes, and receiving identical reimbursement.

I encourage you to support LD 828.

*Sincerely,*

Zev Myerowitz Jr. D.C., Dipl. Ac. (IACA), cSSHP, DABCA., ART, M.S., LAc., Dipl. Ac. (NCCAOM), CSCS

MCA President

Director: Health Services

Cape Integrative Health

8-10 Hill Way Unit A

Cape Elizabeth, ME 04107



PAUL R. LEPAGE  
GOVERNOR

STATE OF MAINE  
BOARD OF NURSING  
158 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0158

KIM ESQUIBEL, PhD, M.S.N., R.N.  
EXECUTIVE DIRECTOR

December 11, 2017

Emily Poland, RN  
School Nurse Consultant  
23 SHS  
Augusta, ME 04333-0023

Dear Ms. Poland:

This will reply to the Questionnaire for Addressing Questions Regarding Nursing Practice dated September 19, 2017.

The Board at its December 6-7, 2017 reviewed the practice form you submitted. The Board stated that a registered professional nurse cannot accept a medical clearance for full participation or limitations due to injury in the school activities from a chiropractor because the information is not a medical clearance but rather a chiropractic assessment.

If you have any further questions, please contact me.

Sincerely,

Virginia E. deLorimier, MSN, RN  
Assistant Executive Director



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OFFICES LOCATED AT: 161 CAPITOL ST., AUGUSTA, ME  
<http://www.maine.gov/boardofnursing/>

PHONE: (207) 287-1133

FAX: (207) 287-1133

Arthur Selander, D.C.  
Chairman



Linda Duffy  
Clerk

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION  
DIVISION OF LICENSING AND ENFORCEMENT  
Board of Chiropractic Examination & Registration  
(207) 582-8723

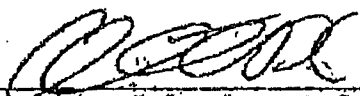
August 11, 1993

Lisbon Chiropractic Center  
888-4 Lisbon Road  
Lisbon Falls, ME 04252  
ATTN: Dr. Slocum

Dear Dr. Slocum:

Chiropractors may complete medical examinations and reports for school children. Chiropractors may also write reports for excuses from school or physical education. These reports for examination or excuses from school or physical education shall be accepted by the appropriate authorities at the school as per Maine State Law.

I have enclosed a page from the 1993-1994 Chiropractic Licensure and Practice Statistics manual for your file. If you have any further questions please feel free to contact me.

  
Arthur R. Selander, D.C.  
Chairperson

ARS/djb

cc: Linda Duffy



STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL  
AND FINANCIAL REGULATION  
OFFICE OF LICENSING & REGISTRATION  
BOARD CHIROPRACTIC LICENSURE  
35 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0035

COPY

ANGUS S. KING, JR.  
GOVERNOR

ANNE L. HEAD  
DIRECTOR  
ANITA KNOPP, D.C.  
CHAIR

January 27, 1999

Richard Bruns, D.C.  
371 Union Street  
Bangor, ME 04401

Re: Chiropractors and School Physical Exams

Dear Dr. Bruns:

I have enclosed for your convenience a copy of the Chiropractic Law 32 MRSA subchapter 451 the Chiropractic Rules.

Chiropractors are trained to perform physicals in their professional education as referenced in the Board of Chiropractic Licensure Rules Chapter 1 Section 5 Examination B.

- "2. 1,200 hours of basic sciences . . . "
- "3. 1,400 hours of pre-clinical technique including diagnosis . . . "
- "4. 700 hours of clinical training including the examination of blood specimens and urinalysis . . . "

The laws and rules do not provide a cookbook list of each procedure a chiropractor performs to determine a diagnosis; be it observation, palpation or auscultation. However, the board requires a diploma from a chiropractic college accredited by the U.S. department of education in addition to completion status of the National Board of Chiropractic Examiners Parts I, II, III.



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PHONE: (207)624-8600 (Voice)

(207)624-8653 HEARING IMPAIRED ONLY

FAX: (207)624-8637

Professional standards for entry level doctors are determined by the chiropractic educational community, the National Board of Examiners and the Federation of Chiropractic Licensing Boards. It is the responsibility of our professional board to confirm that applicants have working knowledge of those minimum standards and confirm continual education of licensed Chiropractor's. So that the public trust is safe.

Chiropractors are trained to perform physical exams be it for schools or industry. The results of these examinations may excuse patients from physical education, work activities or other activities.

Sincerely,

Anita V. Knopp, D.C.

AVK/tjh



STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL  
AND FINANCIAL REGULATION  
OFFICE OF LICENSING & REGISTRATION  
COMPLAINTS & INVESTIGATION  
35 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0035

JOHN ELIAS BALDACCII  
GOVERNOR

ANNE L. HEAD  
DIRECTOR

January 30, 2008

Dr. Gerald A. Nadeau, P.A.  
336 Center Street  
Auburn, ME 04210

Dear Dr. Nadeau:

This letter is a response from the Board of Chiropractic Licensure to your letter addressed to the Board, dated October 23, 2007, regarding concerns about whether a chiropractor is legally authorized and qualified to perform student athletic physicals.

Chiropractors are allowed to perform student athletic physicals. Physical exams are within chiropractors' scope of practice, and are done on a regular basis in the course of treatment of a chiropractic patient. Chiropractors are trained to perform physical exams during their education, and must pass a State licensing examination covering subject areas pertinent to physical exams, including anatomy, physiology, symptomatology, chemistry, pathology, dietetics, and bacteriology.

The Board hopes that this response assists you with answering your question.

Sincerely,

Paul Morin, D.C.  
Chairperson

Cc:

Carrie Carney, Assistant Attorney General  
Geraldine Betts, Administrator  
Jan Roberts, Complaint Officer  
Kelly McLaughlin, Board Clerk

PHONE: (207)624-8860 (Voice)



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Paul R. LePage  
Governor

STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL  
AND FINANCIAL REGULATION  
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION  
**BOARD OF CHIROPRACTIC LICENSURE**  
35 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0035

Anne L. Head, Esq.  
Commissioner

Geraldine L. Betts  
Administrator

November 29, 2018

Kathy A. Boulet, D.C.  
675 Main St, Ste. 18  
Lewiston ME 04240

Dear Dr. Boulet:

At its November 28, 2018 meeting, the Board of Chiropractic Licensure addressed your August 7, 2018 letter regarding whether the scope of practice for a chiropractor in Maine allows him or her to perform school physical examinations. The Board discussed the correspondence and stated that physical exams are within Maine chiropractors' scope of practice.

The definition of "chiropractic methodologies" includes "...diagnostic techniques...utilized within the chiropractic profession..." See 32 M.R.S. § 451(3). Physical exams are done in the regular course of treatment of chiropractic patients. Maine chiropractors are qualified to perform physical examinations as they are trained to perform these examinations during their required professional education. Additionally, Maine chiropractors must take and pass a State licensing examination that covers areas pertinent to physical exams including: anatomy, physiology, symptomology, chemistry, pathology, dietetics, and bacteriology.

The Board hopes that this response addresses your request.

Sincerely,

Dr. Paul N. Morin, D.C.  
Board Chairperson

Cc: Members, Board of Chiropractic Licensure Board



901 54th Avenue / Greeley, Colorado 80634 / Tel: 970-356-9100 / [www.nbce.org](http://www.nbce.org)

July 6, 2018

Kathy Boulet, DC, DABCA, FICC  
675 Main Street, Suite 18  
Lewiston, Maine 04240

Re: Doctors of Chiropractic Performing Medical Physical Exams including Medical School Sports Physical Exams

Dear Dr. Boulet,

As Directors of the Written Examinations and Practical Testing departments of the National Board of Chiropractic Examiners (NBCE), we are pleased to provide comment on the testing components required of chiropractors to perform examination and diagnostic evaluations common to medical physical exams including medical school sports physical exams.

The NBCE develops and administers examinations required for chiropractic licensure in all fifty states, including extensive and comprehensive testing to assess the competency of examinees to provide physical exams.

This testing that all doctors of chiropractic must complete prior to being licensed meets all elements required in medical physical exams including medical school sports physical exams. Over 75% of the Part III test, the NBCE Written Clinical Competency Examination, is dedicated to assessing the academic and clinical competency to interpret physical examination findings and obtain appropriate diagnoses. Additionally, over half of the total stations of Part IV of the NBCE practical exam, with standardized patients, assess the doctor's actual abilities to perform examinations, interpret the findings, provide a diagnosis, and develop an appropriate treatment plan.

The fact that Maine requires successful completion of all NBCE examinations for licensure attests to the education, clinical training, and competency of the chiropractors licensed in Maine, and is verification of their ability to perform medical physical exams including medical school sports physical exams.

The Doctor of Chiropractic degree accreditation process requires extensive didactic and clinical training of chiropractors to perform physical exams, including orthopedic and neurologic evaluations, and the NBCE examination ensures successful applicants have demonstrated their competency to provide such examinations.

In addition, please use the link below to access the 2015 Practice Analysis of Chiropractic. This extensive document helps define the content areas tested on the Part III and Part IV examinations and is used to educate and inform State Licensing Boards and legislators as to the practice patterns of full time chiropractors across the United States.

<https://www.nbce.org/news/practice-analysis-of-chiropractic/>

We hope this information is helpful in the process of allowing Maine chiropractors to perform this useful service, and we welcome you to contact us with any questions.

Sincerely,



Andrew Gow, DC, L Ac  
Director of Practical Testing  
Research & Development



Bruce Shotts, DC, Dipl Ac, MS  
Director of Written Examinations



7-20-2018

Dr. Kathy Boulet  
675 Main Street, Suite 18  
Lewiston, Maine 04240

In response to your inquiry of 6-19-2018 concerning the capability of chiropractors to perform full medical evaluation/sports physical examination I refer to the standards set by the Council on Chiropractic Education (CCE) as the minimum competencies expected for graduates of a Doctor of Chiropractic program. The standards set have similar outcomes to those set by the Association of American Medical Colleges as to the minimum competencies of a medical school graduate (AAMC). The competencies and outcomes in the areas of Assessment and Diagnosis between both the CCE and AAMC demonstrate equivalent expectations in the performance of full medical evaluations/sports physical examinations.

CCE Clinical Education Meta-Competencies A graduate of a CCE accredited DCP is competent in the areas of:

**META-COMPETENCY 1 - ASSESSMENT & DIAGNOSIS** Assessment and diagnosis require developed clinical reasoning skills. Clinical reasoning consists of data gathering and interpretation, hypothesis generation and testing, and critical evaluation of diagnostic strategies. This dynamic process includes the collection and assessment of data through history, physical examination, imaging, laboratory tests and case-related clinical services.

**CURRICULAR OBJECTIVE:** The program prepares students to –

- A. Compile a case-appropriate history that evaluates the patient's health status, including a history of any present illness, systems review, and review of past, family and psychosocial histories for the purpose of constructing a differential diagnosis and directing clinical decision-making.
- B. Determine the need for and availability of external health records.
- C. Perform case-appropriate examinations that include evaluations of body regions and organ systems, including the spine and any subluxation/segmental dysfunction that assist the clinician in developing the diagnosis/es.
- D. Perform and utilize diagnostic studies and consultations when appropriate, inclusive of imaging, clinical laboratory, and specialized testing procedures, to obtain objective clinical data.
- E. Formulate a diagnosis/es supported by information gathered from the history, examination, and diagnostic studies

**OUTCOMES: Students will be able to –**

- 1) Develop a list of differential diagnosis/es and corresponding exams from a case-appropriate health history and review of external health records.

2) Identify significant findings that may indicate the need for follow-up through additional examination, application of diagnostic and/or confirmatory tests and tools, and any consultations. 3) Generate a problem list with diagnosis/es.

**AAMC - EPA 1 Bulleted List: Gather a history and perform a physical examination**  
*Expected behaviors for an entrustable learner*

- Information gathering and physical exam maneuvers:
  - Obtains a complete and accurate history in an organized fashion.
  - Identifies pertinent history elements in common presenting situations, symptoms, complaints, disease states (acute and chronic).
  - Obtains focused, pertinent histories in urgent, emergent, and consultation settings.
  - Identifies and uses alternate sources of information to obtain history when needed, including from family members, primary care physicians, living facilities, and pharmacies.
  - Performs a complete and accurate physical exam in logical and fluid sequence.
  - Performs a clinically relevant, focused physical exam pertinent to the setting and focus of the patient visit.
  - Identifies, describes, and documents abnormal physical exam findings.
- Scientific foundation and/or reasoning skills:
  - Demonstrates clinical reasoning in gathering focused information relevant to a patient's care.
  - Links current findings to those from previous patients.
  - Uses analytic reasoning and activation of prior knowledge to guide process.
- Patient-centered skills:
  - Demonstrates patient-centered interview skills (attentive to patient verbal and nonverbal cues, patient/family culture, social determinants of health, need for interpretive or adaptive services; demonstrates active listening skills).
  - Demonstrates patient-centered examination techniques that reflect respect for patient privacy, comfort, and safety (that is, explaining physical exam maneuvers, telling the patient what the physician is doing at each step, keeping patients covered during the examination).

As evident by the similar outcomes of the expected performance of chiropractic school graduates versus medical school graduate's chiropractors are trained and qualified to perform full medical examination/school sports physical.

Please let me know if I can be of any further assistance.

# LOGAN UNIVERSITY

1851 Schoettler Road, Chesterfield, MO 63017  
(636) 227-2100 | [www.logan.edu](http://www.logan.edu)



Vincent DeBono, DC  
Dean of the College of Chiropractic

**From:** Zev Myerowitz drzev@me.com  
**Subject:** Fwd: Request for Discussion  
**Date:** March 19, 2025 at 10:26 PM  
**To:**



Begin forwarded message:

**From:** Robert Reed <mainechiroed@gmail.com>  
**Subject:** Fwd: Request for Discussion  
**Date:** March 17, 2025 at 9:20:40 PM EDT  
**To:** MCA Legislative Cttee <MCALegislativeCttee@capitolinsights.com>

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----- Forwarded message -----

**From:** Trottier, Alana <atrottier@capeelizabetschools.org>  
**Date:** Thu, Jan 16, 2025 at 7:29 AM  
**Subject:** Re: Request for Discussion  
**To:** Robert Reed <mainechiroed@gmail.com>  
**Cc:** <abukerschoolnurse@gmail.com>, mckennal@sad1.org <mckennal@sad1.org>, <djordan@aos92.org>

Hi Bob,

I am so sorry for the delayed response. I was waiting for our Board of Directors meeting before I responded.

We are so honored that you reached out to us! Unfortunately this matter is above our purview and we have to direct you to the Maine Principals Association as this is their statement:

*"APPENDIX P ADVISORY ON SPORTS PRE-SEASON OR PREPARTICIPATION PHYSICAL EXAMS .....*

*The MPA Sports Medicine Advisory Committee recommends examination of the athletes every other year between the sixth grade and high school graduation. The complete exam should be done when the athlete enters the competitive sports program, and in most instances, this is in the sixth or seventh grade. The history portion of the PPE should be completed by the athlete and signed by his/her/their parents/guardians each year. In the off year, the athlete's health history form should be reviewed by the school nurse. If there are changes in the medical history, the school nurse should bring it to the attention of a physician and a decision can be made concerning whether the student athlete needs to have another complete physical examination, or not, before proceeding with the upcoming athletic school year. The examination can be done by a medical doctor, doctor of osteopathy, nurse practitioner, or a physician's assistant... Updated and approved by the MPA Interscholastic Management Committee and Membership: April 2005"*

Thank you for thinking of us and we hope we can collaborate in the future.

**Alana Trottier BS, RN, CCRN**  
School Nurse, Cape Elizabeth Middle School  
14 Scott Dyer Rd., Cape Elizabeth, ME 04107  
Ph. (207)799-8176 | Fax (207)767-0832  
*President, Maine Association of School Nurses*

On Wed, Jan 8, 2025 at 9:01 PM Robert Reed <mainechiroed@gmail.com> wrote:

The leadership of the Maine Chiropractic Association would like to host a meeting with leadership of the Maine School Nurses Association to discuss how chiropractic doctors can provide school sports physicals as allowed within their professional license.

If this would be possible we are willing to host and provide a location with lunch or dinner included at our expense.

Let's sit down, break bread and find out how we can best work together! We look forward to hearing from you.

Best Wishes,

Bob

Robert Reed, Executive Director  
Maine Chiropractic Association - "Maine's Voice for Chiropractic"  
2024 Chiro Congress Association of the Year

58 Albert Street  
Lewiston ME 04240

(207) 622-5421 (cell)  
(207) 782-5482 (fax)

See our website at [www.mainechiro.com](http://www.mainechiro.com)



# Cape Integrative Health

8-10 Hill Way, Unit A  
Cape Elizabeth, ME 04107

P: 207.799.9950  
F: 207.799.9951

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Monday, March 31, 2025

To: Members of the Joint Standing Committee on Health Coverage, Insurance and Financial Services

Re: LD 828, An Act to Allow Chiropractors to be Designated as School Health Advisors

Dear Members of the Committee,

Good morning, Senator Rafferty, Rep. Murphy and distinguished members of the Education & Cultural Affairs committee. My name is Jennifer Flynn. I am a resident of Auburn and practice alongside chiropractors, physical therapists, and acupuncturists at Cape Integrative Health. I will be testifying in support of LD 828.

This bill is about restoring student access to qualified healthcare providers for their school related services such as sports physicals, concussion management, and return to play guidelines.

Before practicing with a chiropractor I had little to no training on what chiropractors did. I presumed that they had limited diagnostic capability with a focus on rendering adjustments. I was fully unaware that they receive very similar examination training to medical providers including full system diagnosis and examination such as heart and lung auscultation, abdominal examination, and neurological examinations. Over the past several years I have come to respect their diagnostic capacity and feel that it is completely appropriate for a chiropractor to perform a sports physical or concussion management should they choose to.

Often chiropractors are their community's local health resource and losing this ability forces their existing patients to seek a similar services through a regional health center or urgent care. This adds unnecessary delays, excessive travel and/or costs that only preventing access to a straight forward service. This exam should not replace ongoing preventative care by a pediatrician.

In summary: If I were to perform a sports physical for a student with my chiropractic

colleague performing another similar exam in the adjacent exam room, our notes would demonstrate the comparable exam findings, billing identical codes, and receiving identical reimbursement.

I encourage you to support LD 828.

*Sincerely,*

Jennifer Flynn FNP  
Medical Officer  
Cape Integrative Health  
8-10 Hill Way Unit A  
Cape Elizabeth, ME 04107