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Interested Party Testimony – Substitute House Bill 509  
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Chairman Johnson, Vice Chair Cirino, Ranking Member Martin and members of the Senate Workforce and Higher Education Committee, thank you for the opportunity to provide interested party testimony on Substitute House Bill 509. My name is Dr. Brandy Spaulding and I am the Executive Director of the Ohio State Chiropractic Association (OSCA).

The proposed changes to acupuncture certification in Substitute HB 509 reduces the amount of instruction hours from 300 to 100 hours by referring to the National Board of Chiropractic Examiners (NBCE) 100-hour requirement to take the national acupuncture examination. However, the proposed changes incorrectly assert that the NBCE actually provides certifications for chiropractors, creating a requirement that doesn't exist for Ohio DCs wishing to practice acupuncture.

The NBCE is a testing entity only. The NCBE website states specifically that they do not certify chiropractors for anything, including acupuncture:

“The NBCE does not certify/license chiropractors. As a testing organization, the NBCE prepares and administers examinations that state licensing boards use in their evaluation of a doctor for licensure. It is the state board, in the state where he/she will practice that reviews each candidate’s transcripts, scores and other pertinent documents from a variety of sources to determine licensure eligibility and then issues a license to practice. Please contact the state licensing board where a doctor practices to verify licensure/certification.  
”<https://www.nbce.org/about-nbce/chiropractic-care/certification-and-licensure/>.

Additionally, on the acupuncture page the NCBE says this: “The NBCE recommends a passing score of 375. Attaining an NBCE recommended passing score does not guarantee acceptance by a state licensing agency. The use of ACU scores for any purpose is at the discretion of individual state licensing boards.” <https://mynbce.org/acupuncture/>.

Therefore, the changes proposed in Substitute HB 509 for ORC 4734.283, and all the other sections listed below, would require a national certification that does not exist. The proposed language takes the responsibility for certifying acupuncture from the Ohio State Chiropractic Board and instead just requires “evidence of national certification from the national board of chiropractic examiners” and allows the chiropractor to continue practicing acupuncture as long as the chiropractor remains “in good standing with the national board...”. Neither of these



requirements are applicable because the NBCE does not certify chiropractors and it is not possible to remain “in good standing” with the NBCE. The following sections in Substitute HB 509 have references to “filing a national certificate” or a “chiropractor certified by the national board of chiropractic examiners”:

4734.141, 4734.142, 4734.15, 4734.17, 4734.283, 4734.285, 4734.286, 4734.31, 4734.311  
4734.34, 4734.36, 4734.37, 4734.38, 4734.39, 4734.49, 4734.50, 4734.55, 4734.99

If the intention is to reduce the number of hours required to obtain a certificate to practice acupuncture as a chiropractor, instead of changing all the sections listed above in a way that is not actually possible, we would suggest making the change directly to ORC 4734.211(B).

ORC 4734.211(B) “To be approved, a course of study must require the successful completion of at least ~~three~~ two hundred hours of instruction. Of the ~~three~~ two hundred hours of instruction, at least ~~two~~ one hundred and fifty hours must consist of direct clinical instruction that covers all the following:”

OAC 4734-10-02 would also need to be changed to reflect the new required hours.

OAC 4734-10-02 (D) “Board-approved acupuncture educational providers may accept transfer hours towards the required ~~three~~ two hundred hours of acupuncture education for those chiropractic physicians who have previously earned acupuncture education. The educational provider shall ensure that any accepted transferred hours are appropriate and acceptable to utilize towards the ~~three~~ two-hundred-hour course requirement as outlined in section 4734.211 of the Revised Code. The board-approved acupuncture educational provider shall reflect all transferred coursework on the chiropractic physician's final transcript.”

Also, as currently written, Substitute HB 509 proposes to reduce the educational requirements to obtain an acupuncture certificate from 300 hours to 100 hours and also does not include continuing education requirements related to the practice of acupuncture by a chiropractor. The OSCA has significant concerns that a reduction this large will have a negative impact on the educational standards, clinical knowledge and experience gained by applicants, which would not be in the best interest of providers or the patients they serve. If it is the will of policymakers to reduce the hours requirement, the OSCA would respectfully suggest consideration of a reduction from 300 hours to 200 hours instead. This would ensure that applicants continue to receive a deeper level of instruction and experience, while at the same time maintaining Ohio’s ability to remain competitive in the workforce.



Thank you Chairman Johnson, Vice Chair Cirino, Ranking Member Martin and members of the Senate Workforce and Higher Education committee for the opportunity to offer testimony on Substitute House Bill 509 and for your willingness to consider the recommendations included within. I would be happy to answer any questions you may have.