As this year continues to bring us seemingly endless things to concern ourselves with, the third quarter of 2021 sees the continued battle for freedom of individual choice to consent to health care, both with the ongoing X-ray situation in British Columbia and the vaccination debate regarding COVID-19.

On the British Columbia front, on August 16, 2021, Oakley et al. published a paper, Radiophobia Overreaction: College of Chiropractors of British Columbia Revoke Full X-Ray Rights Based on Flawed Study and Radiation Fear-Mongering in Dose-Response discussing how radiophobia has been harnessed for support of the amendments to the British Columbia Professional Conduct Handbook. These amendments have restricted the ability for patients in that province to access the most specific forms of chiropractic, such as NUCCA, due to the belief that spinal manipulative therapy and a chiropractic adjustment are synonymous. As we know, although an adjustment may occur with a manipulation, objective criteria must be monitored and found to be altered positively to differentiate a thrust from an adjustment. This concept is basic, but unfortunately it seems to not be accepted by some in our profession. This is a must-read paper for all our membership to enhance our understanding of the issue, as our colleagues in British Columbia continue to deserve and receive our support and encouragement.

continued on pg. 2
Relevant to this conversation on risks of radiation, in the Journal of Alzheimer's Disease (AD), a pilot study done at Sunnybrook Hospital in Canada by Cuttler et al. (published April 6, 2021), found that low dose radiation may have very positive effects on the cognition of patients with severe AD. If you haven't read this paper, you are missing out! The idea is that low doses of radiation may stimulate a protective effect against oxidative stress. According to the authors, the ideal low dose is between 0.1 - 0.5 Gray (Gy) and that adverse effects of radiation begin to occur around 3 Gy. Those of you that have watched my presentations on radiation dose in recent years may remember that Gy is the amount of radiation emitted from an X-ray unit (Absorbed Dose). Equivalent or Effective Doses are measured in Sieverts or REM and is the radiation that has entered the body. Relative to NUCCA X-rays in the Migraine study, the Absorbed Dose from our image-guided intervention with plain film images was 352 RAD or 3.52 mGy (0.00352 Gy); fortunately, this means that a NUCCA series is far below what these authors would seem to consider either therapeutic or damaging.

Elsewhere, following credible evidence, on May 13, 2021, the Canadian Association of Radiologists released a Position Statement ‘Discontinuing the Use of Gonadal and Fetal Shielding for Patients.’ In my home province of Alberta, on August 17th, our Association and College amended x-ray requirements to remove the recommendation for gonadal shielding (thank you Dr. Aurora Ongaro). This shift in long-time policy is in part because despite decades of research on the subject, no link has been established between the radiation exposure levels from diagnostic imaging with X-ray and any hereditary changes.

On a related note, this past May the FCLB (Federation of Chiropractic Licensing Boards) issued a resolution attempting to support the right of chiropractors to utilize diagnostic imaging in clinical practice. The FCLB was formed in 1926 and, as described on their website, their purposes “deal with maintaining high, uniform standards in areas related to chiropractic licensure, regulation, discipline, and education.” “Eligible members of the FCLB include boards having jurisdiction to license or regulate the practice of chiropractic in the states, provinces, commonwealths or territories of the United States of America, Canada, Australia, Mexico, and other countries.” A piece of language in the May 1, 2021, resolution 2-21 regarding informed consent of material risk of X-ray, was of concern to NUCCA and UCRF. (Please find a more complete copy of the official correspondence within this publication under a separate header.) The Boards of both NUCCA and UCRF felt that the language used by the FCLB might “prevent patients from getting necessary diagnostic imaging, fail to receive appropriate diagnostic information, and potentially lead to increased iatrogenic injury”. We, therefore, requested “that the FCLB clarify the original intent of the resolution and what is meant by ‘material risk’.” The FCLB President Carol J. Winkler, D.C. responded to our inquiry on August 12, 2021, with clarification. Within the letter importantly was the statement, “…radiographic procedures in chiropractic settings have no oncogenic and genotoxic effects.”

As you understand this further, I hope you can see why it makes what is happening in British Columbia even more quizzical. There must be a driver behind this action, but patient protection is unlikely to be playing a significant role. In the care of the craniocervical junction, there is no doubt that the clinical benefits of image-guided interventions far outweigh any possible detriment. The actions of the College in British Columbia (CCBC) seem even more outrageous in the shadow of the actions by the FCLB and the Canadian Association of Radiologists.

On the COVID-19 front, public health mandates appear to be acquiring previously unimaginable power over personal choice – a medical ethics challenge that is supported by a seemingly desperate and fearful population generally educated by media outlets. On August 17th, the International Chiropractors Association issued a policy statement regarding health freedoms, which the NUCCA Board of Directors unanimously voted to endorse. This statement is available to read immediately following this letter.

There is a great need for engagement by thoughtful, dedicated chiropractors in the regulatory decision-making process as well as on the boards of chiropractic organizations and colleges. We, NUCCA members, need to be present on these boards and committees so that we can proactively support decisions that have been clinically demonstrated to be in the public interest. It takes time for research to catch up to the wisdom generated by decades of clinical practice, and in the meantime, the researchers require guidance that can be provided by your knowledge. Be sure to pay attention and engage with the

www.nucca.org
Whereas the United States is a nation founded with the recognition of our inalienable rights to life, liberty, and the pursuit of happiness; and inherent to this is the right of individual healthcare decision making.

Whereas there are over 70,000 licensed Doctors of Chiropractic in the United States;

Whereas the International Chiropractors Association is the oldest, continuously functioning professional association representing Doctors of Chiropractic in the United States;

Whereas, the Nuremberg Code, which is widely regarded as the most important document in history of ethics in medical research, states the voluntary consent of the human subject is absolutely essential with respect to experimentation on human subjects, according to “Fifty Years Later: The Significance of the Nuremberg Code” published by Shuster in the New England Journal of Medicine:

“This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision.”

Therefore, be it resolved, that the International Chiropractors Association, representing healthcare providers, maintains that every individual must retain their freedom of choice with respect to any healthcare product, procedure, or medication.

Be it further resolved, that the International Chiropractors Association opposes the mandating of any healthcare product, procedure, or medication.

And be it further resolved; that the International Chiropractors Association strongly opposes the use of medical mandates that constrain the practice of doctors of chiropractic and their staffs and limit their clients’ access to care.

As an ICA member, if you are experiencing limitations to your health freedom in the United States, please contact the ICA at chiro@chiropractic.org

Approved August 12, 2021

FALL CONFERENCE  November 11 – 13, 2021

Are You Registered?!
Registration is OPEN for our upcoming Fall 2021 Conference in Minneapolis, MN. Click here to register!
We are excited to offer new, breakout style courses for our in-person attendees while also offering a virtual alternative for any members that are unable to travel. You can view full conference details here.

Thursday, November 11:
- NEW Settleback Event: Mark your calendars for a new, fun socializing event our Collegiality Committee is currently planning. More details to come!

Friday, November 12:
  ▪ Career Fair: 12:00 – 1:00pm
    Have room for an internship, preceptorship, or associate? Join us over the lunch hour to promote any open positions you have at your practice. $75 for Doctors / FREE for students.
  ▪ President’s Reception/Banquet: 7:00 – 9:00 p.m.
    Join us for an evening of celebration and recognition! $65/each and can be purchased when you register for the conference.

Hotel Information
Location:
Hilton Minneapolis/St. Paul Airport Hotel
3800 American Boulevard East
Bloomington, MN 55425

Hotel Reservations:
NUCCA has negotiated a discounted room rate for doctors planning to attend the conference in-person. Mention the group NUCCA at the time of reservation to receive the special group rate of $144/night. Please make your reservations by Tuesday, October 12, 2021.
Call (952) 854-2100 to make your hotel reservation over the phone or click here to make your reservation online.
Click here for hotel shuttle service information.

STUDENT SECTION  Fall 2021
In addition to registering for the Fall 2021 Conference, we want to make sure you have all the necessary information about student hotel rooms and an opportunity to attend conference on us!

Conference Hotel Rooms
NUCCA provides complimentary hotel rooms for students attending conference (Wednesday, Thursday and Friday nights only). If you are interested in taking advantage of one of the complimentary hotel rooms (2 students to a room), you can email info@nucca.org or you can let us know by selecting this option as part of your online conference registration. Please let us know by Friday, October 29, 2021 – this option is available on a first come, first serve basis.

NUCCA Essay Contest
Did you know each conference you have the opportunity to attend for FREE?
Students have the opportunity to submit a one-page essay that focuses around the question “What Does NUCCA Mean to You?”. If your essay is selected, your conference registration fee will be refunded! Please email your essay to info@nucca.org by Friday, October 29, 2021 to be considered. *Past winners of the student essay contest are not eligible for the Fall 2021 contest.
2021 GREGORY CIRCLE Members

**Gregory Circle Junior Bronze**
- Jonathan Chung
- Natalie Dabrowny
- Christopher Dawson
- Stanley Dombroski
- Donald Erwin
- Vince Fitzpatrick
- Michael Foran
- Patricia Gregg
- Shawn L. Hall
- Scott Hansen
- Gordon Hasick
- Jeff Hedrich
- Johanna Hoeller
- Daiki Ishiyama
- Kyrie Kleinfelter
- John Kowalczyk
- Jordan Landholm
- Terry McCoskey
- Jim Moore
- Barbara K. Read

**Gregory Circle Bronze**
- Finley Sesker
- Jack Stockwell
- Gary Thomson
- Marcella Ziska

**Gregory Circle Senior Bronze**
- Bradley Kennedy
- Michael Russamano
- Shawn Thomas

**Gregory Circle Junior Silver**
- Philip Arnone
- Jamie Cramer
- Keith Denton
- Jacob Dodds
- Lauren Dodds
- Craig Lapenski
- Ashleigh Street
- Lee Yardley

**Gregory Circle Silver**
- Kerry Johnson
- Blair Schmaus
- Benjamin Kuhn

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**LILA BAKER  Memorial Notice**

In July 2021, NUCCA member and dear friend to many, Lila Baker, passed away from complications of colon cancer. Through many conferences and years as a member, Lila brought her infectious smile and passion for upper cervical care into every room she entered. She will be sorely missed.

We extend our deepest condolences to her mother, Karrie, her family and friends, and all her colleagues at Connection Chiropractic during this difficult time. The family issues an obituary for Lila, please [click here](#) to read.

Flowers have been sent to the family on the organization's behalf. We chose a lavender fields bouquet, as purple was Lila's favorite color.
NUCCA Newsletter

The NUCCA Certification Program is an integral part of Chiropractic education, training, and development. Becoming proficient in all aspects of x-ray positioning, x-ray analysis, biomechanics, patient evaluation, set up, and adjusting are essential to the reduction of the Atlas Subluxation Complex. Many of our members are currently in the process of their NUCCA certification, and we want to highlight those that have made advancements in the last quarter.

Congrats to the following doctors for advancing in their process towards NUCCA certification:

Dr. Jordan Peel – Level 1 Candidate

Want to learn more about certification and how to get started? Click here!

REGIONAL WORKSHOP Recap

A huge thank you to Dr. Glenn Cripe for hosting our latest Regional Workshop in sunny California! The doctors were able to gather and participate in both classroom and breakout style learning. Dr. Cripe says, “The doctors were very enthusiastic and very engaged from the start to the finish of the class. I was so impressed with their eagerness to learn and ask questions. Everyone participated on a very high level and I feel we accomplished a great deal which they will be able to take to their practice to achieve even better corrections.”

Here’s a great testimonial from Dr. Joshua Stockwell:

“That was a $16,000 seminar and a million-dollar night, I’m so happy! The value of the information and instruction of that seminar is greater than any seminar I’ve ever been to.”

Thank you, Dr. Cripe! For more information on future regional workshops, click here.
AMBASSADOR MENTORSHIP Program

Our monthly virtual sessions are back after a summer hiatus! Please join our NUCCA Ambassadors on Wednesday, September 15 for a virtual question & answer session. This is open to all, but focuses on our recent graduates and student members as a way to ask specific questions about business, entering the workforce, technique, and more.

Next Session:
Wednesday, September 15
6:00pm PST / 8:00pm CST
Registration is open!
Click here to register

Settleback Session
Our Collegiality Committee continues to provide opportunities for our membership to learn and hear from doctors on topics ranging from growing your practice to specific research topics. We’ll continue our Settleback Sessions in October when we hear from Dr. Devin Young. An Upper Cervical diplomate and fellow NUCCA member, we can’t wait to hear what advice and knowledge Dr. Young can pass on to all of us. Be on the lookout for registration details to be announced in late September!

FEDERATION OF CHIROPRACTIC Licensing Boards Resolution 2-21

Members of both NUCCA & UCRF have been working collaboratively with like-minded organizations and boards to support the rights of chiropractors to determine the appropriateness of their use of ionizing radiation for patient care. As Dr. Scholten mentioned in his President’s Letter, earlier this year the Federation of Chiropractic Licensing Boards (FCLB) issued a statement attempting to support the utilization of diagnostic imaging. In an effort to avoid any misuse of their language, we asked for clarification on a specific piece in their resolution. In her response, FCLB President Carol J. Winkler provided excellent clarification that satisfied the concerns of both the NUCCA & UCRF Boards.

In the following pages you will be able to read through our correspondence with the FCLB:
- May 21, 2021 – FCLB’s Resolution 2-21 on Radiographic Imaging and Chiropractic Practice
- July 20, 2021 – NUCCA & UCRF’s written statement requesting clarification from FCLB
- August 12, 2021 – FCLB’s written response providing clarification on Resolution 2-21
- August 12, 2021 – FCLB’s written statement supporting the safe and effective use of radiographic imaging
- August 25, 2021 – Dr. Scholten’s response to FCLB, providing feedback from both NUCCA & UCRF’s Board of Directors

A special thanks to the task force that focused on this over the past few months: Dr. Jonathan Chung, Dr. Gordon Hasick, Dr. Craig Lapenski, Dr. Aurora Ongaro, and Dr. Jeff Scholten.
RESOLUTION 2-21

Submitted for consideration by Dr. Robert Frieman (MD)

Radiographic Imaging and Chiropractic Practice

Whereas, the chiropractic paradigm is based on the association between the physical structure and biomechanical function of the body and its influence on neurophysiologic integrity;

Whereas, radiographic imaging is well-established in health care for evaluating the structure of the skeletal system, its functional articulations and soft tissues;

Whereas, Doctors of Chiropractic are educated and trained in the use of radiographic imaging, its clinical indications and contraindications, and the inherent risks of ionizing radiation;

Whereas, radiographic imaging is a valuable diagnostic tool for identifying structural anomalies, abnormalities and pathologies of the spine, pelvis, intervertebral disc spaces and joint spacing, including extra spinal structures;

Whereas, most chiropractic therapeutic techniques apply mechanical forces into the body’s structure and articulations;

Whereas, information obtained from radiographic imaging is clinically relevant (AND) could be pivotal for Doctors of Chiropractic to arrive at an accurate diagnosis and an appropriate treatment plan;

Whereas, visualizing structural and articular anomalies, abnormalities and pathologies are important for manipulative forces to be administered in an appropriate and efficient manner;

Now therefore be it –

Resolved, that the Federation of Chiropractic Licensing Boards recommends:

1. That the use of radiographic imaging in patient care is at the professional judgment of the treating Doctor of Chiropractic and determined (IN CONJUNCTION WITH THE PATIENT) on a case-by-case basis; and

2. That prior to obtaining radiographic imaging, a treating Doctor of Chiropractic will inform the patient of the benefits, options, and material risks of x-ray and will receive consent from the patient to be x-rayed; and

3. That chiropractic care policies and guidelines that impose practice standards based on parameters of time before a Doctor of Chiropractic may obtain radiographic imaging potentiates an unnecessary delay which can adversely affect the efficacy of patient care and their health as consumers of chiropractic services.

94th Annual Congress
May 1, 2021 – Virtual Meeting
The Federation of Chiropractic Licensing Boards (FCLB) recently passed Resolution 2-21 Regarding Radiographic Imaging and Chiropractic Practice.

We agree with much of the resolution but have concerns regarding the language in #2 that suggests that chiropractors must disclose “material risks of x-ray” as a routine part of the informed consent process.

We support the perspective that a Doctor of Chiropractic is fully trained and skilled in the use of diagnostic x-rays. When duly licensed, they should have autonomy in ordering and performing radiographic imaging for the purpose of guiding chiropractic care for biomechanical and intra-procedural evaluation, as well as for identifying potential pathology. The use of terminology suggesting “material risks of x-ray” should be discussed “prior to obtaining radiographic imaging” could serve to reinforce confusion within the profession and create unnecessary alarm amongst the public about the use of diagnostic spinal radiographs.

Typical use of x-ray in chiropractic results in a small effective dose in which the benefits of the imaging to improve patient care far outweigh the risk of the amount of ionizing radiation. There is insufficient evidence to suggest the effective radiation dose provided during the clinical use of x-rays in chiropractic practice provides any meaningful deterministic or stochastic harm. In fact, current evidence indicates that biological systems may perform differently when exposed to low levels of ionizing radiation than previously theorized.

As with any diagnostic testing or treatment, we support the review of risk and benefit through an informed consent process. However, we believe that if a Doctor of Chiropractic was legislated to inform patients of “material risks of x-ray”, in the absence of evidence of harm, it may prevent patients from getting necessary diagnostic imaging, fail to receive appropriate diagnostic information, and potentially lead to increased iatrogenic injury.

Because of these issues, until sufficient evidence of harm is demonstrated, we oppose action by any jurisdictional governing body that would seek to include disclosure of the “material risks of x-ray” as part of an informed consent process.

While we support most of the resolution, we request that the FCLB clarify the original intent of the resolution and what is meant by ‘material risk’.

Adopted by:
The National Upper Cervical Chiropractic Association (NUCCA) (July 20, 2021)
The Upper Cervical Research Foundation (UCRF) (July 15, 2021)
August 12, 2021

Jeffrey N. Scholten, D.C.
President, NUCCA
4600 Crowchild Trail NW, Suite 104
Calgary, AB T3A2L6
Canada

Dear Dr. Scholten,

Thank you for your inquiry regarding Resolution #2-21 adopted at the 2021 Federation of Chiropractic Licensing Boards (FCLB) Annual Meeting of the Delegate Assembly. To provide a thorough response to your concerns, I want to provide some context to the FCLB, its Member Boards, and the resolution process. FCLB is a not-for-profit association whose membership is comprised of the governmentally-created chiropractic licensing boards of the United States and its territories as well as provinces of Canada. FCLB is recognized as a 501(c)(3) organization by the Internal Revenue Service based upon its charitable mission of providing programs and services designed to lessen burdens on state government.

An important role played by member boards is the introduction of and debate regarding resolutions. Resolutions are written submissions for consideration by the membership that determine a course of action that may be impactful to FCLB Member Boards and chiropractic regulation. The FCLB Bylaws and Resolutions Committee considers duly submitted resolutions and works with the proposer to edit, as needed, and ensure relevance to the FCLB mission. Resolutions are distributed to delegates and member boards in advance to allow for informed debate and voting.

Your inquiry addresses the following language of #2-21 contained in the second therefore be it resolved clause:

That prior to obtaining radiographic imaging, a treating Doctor of Chiropractic will inform the patient of the benefits, options, and material risks of x-ray and will receive consent from the patient to be x-rayed;

Specifically, you expressed concern that the Resolution require s or promotes a separate informed consent process prior to radiographic imaging. According to the proposer and as understood by the committee, the language of material risk was included as a method...
of requiring the discussion of radiographic procedure be present under the umbrella of informed consent using the professional judgment of the chiropractor. Intentionally having a conversation with a patient weighing and explaining the risks, benefits and options to procedures and care is required in today’s clinical setting. Technological advancement in imaging reveals that the risk related to imaging for the average patient is usually minimal. In addition, radiographic procedures in chiropractic settings have no oncogenic and genotoxic effects.

Historically, many practitioners have utilized radiography assessment in the development of both techniques and care plans for the purposes of better outcome measures and specific care plans. Therefore, the radiology portion of the informed consent discussion between a provider and their patient should be a positive one. The proposer notes that the language was not intended to require an additional “informed consent” discussion when material risks are not present as determined by the clinician. If the clinician determines that a material risk is not present with the proposed imaging, in consultation with the case work up, an additional conversation is simply not required. In rare cases where such risk exists, a more in depth conversation is recommended to assure transparency and protection to both the provider and the patient.

Through our Model Act, the FCLB recognizes the authority of a chiropractor to use radiographic imaging in clinical practice. In March 2021, the FCLB Board of Directors adopted a statement supporting the safe and effective use of radiographic imaging. A copy of that statement is attached.

Finally, I invite you to the 2022 FCLB Annual Meeting of the Delegate Assembly to be held May 4-8, 2022 in Denver, Colorado at the Grand Hyatt. Registration information can be found on our website. Please look for an educational session on the “Constructing and Formation of Resolutions” to assist the FCLB Member Boards.

I look forward to continuing to interact on important chiropractic regulatory issues relevant to the FCLB.

Sincerely,

Carol J. Winkler, D.C.
FCLB President

Cc: FCLB Board of Directors
FCLB Supports the Safe and Effective Use of Radiographic Imaging by Doctors of Chiropractic

The Federation of Chiropractic Licensing Boards is an association of chiropractic regulatory boards whose membership extends throughout the United States and internationally. Regulation and licensure exist across the globe to protect the public, while affording citizens to utilize duly educated and licensed doctors of chiropractic as part of their health care team.

The FCLB supports the safe and effective use of radiographic imaging by doctors of chiropractic. The educational curriculum and subsequent national testing required to obtain licensure emphasizes the importance of imaging in clinical decision making, formulation of working diagnoses and creating an appropriate treatment plan for each individual case.

In addition, such factors as underlying pathology, anomaly, degenerative changes, joint and biomechanical alterations revealed in radiographic evaluation are taught and tested within the broad lens of clinical decision making. Moreover, weight-bearing imaging of the spine may reveal clinically-relevant, specific information including: changes to vertebral facets, disc spacing, post traumatic changes of articular surfaces, and narrowing of the spinal canal and foramina for spinal nerve root passage otherwise not revealed without imaging and are important for adjustable forces to be administered in an appropriate, safe and efficient manner.

The use of radiographic imaging in patient care is determined by the professional judgement of the treating doctor of chiropractic, as a primary portal-of-entry provider, on an individual case basis in conjunction with the patient.

It is the primary mission of the FCLB to protect the health, safety and welfare of the consumer of chiropractic services by promoting excellence in chiropractic regulation. Inherent in the education and testing required for licensure is the appropriate utilization of radiographic evaluation and reporting for the purposes of treatment and case management.

Karlos Boghosian, D.C.
FCLB President

Approved by the FCLB Board of Directors – March 9, 2021
August 25, 2021

Carol J. Winkler, D.C.
FCLB President
5401 W. 10th Street
Suite 101
Greeley, Colorado 80634

Re: August 12 response to July 21 request for clarification of Resolution 2-21

Dear Dr. Winkler,

Thank you for your thorough and clear reply to our request for clarification.

I have brought your response to the regular meetings of the boards of both NUCCA and UCRF, and all board members in attendance were satisfied with the clarity that you were able to provide.

With the recent action of the non-FCLB member in British Columbia to limit the scope of chiropractors through their amendment to their Professional Conduct Handbook (based on the highly criticized Corso et al. rapid review), we felt that there was the very real concern for misuse of the language in the resolution. We believe this clarification will help avoid any future misunderstanding.

Finally, thank you for the invitation to attend the Delegate Assembly in 2022 in Denver. I will add it to my calendar and look forward to meeting you in person at that time.

Sincerely,

Read but not signed to expedite

Jeffrey N. Scholten, DC, FCCJP, PgCPain
President of NUCCA
JNS/ks