



## TESTIMONY

By Bryan K. Payne, DC, NRCME

Past President of the KCA/Director of Clinical Operations Cleveland University

Concerning HB 2578

Chairman Hawkins and the rest of the House Health Committee:

As a representative of the Kansas Chiropractic Association and representing more than 1100 Chiropractic Physicians in the state of KS I would like to thank you for the opportunity to submit written testimony regarding the ability for Chiropractic Physicians to return an athlete to participation after that athlete has sustained a concussion whether in sports or outside of school activities.

I have had the ability to be a part of Sports Medicine Advisory Committee through KSHSAA as well as serve on the Chiropractic Review Committee and other national associations as well as be the President of the KCA for the previous 2 years.

Chiropractic physicians are trained and educated in the diagnosis and treatment of concussions and are often times the treating physician that are treating these patients. Many athletes and their parents seek care from Chiropractors for neck and head injuries and they are often times the first providers to see the patient after they have sustained a concussion. As the first, and often times the only, provider that is treating and monitoring the progress of these injured athletes it is in the best interest of the patient to continue to see someone that is familiar with their history as well as the mechanism of injury. Research will tell you that the athlete responds better to care if the provider (regardless of provider type) is well educated and trained in the assessment and management of concussions. These types of injuries are not new to doctors of chiropractic as our education and training demonstrate a high level of competency as every Chiropractic College must adhere to the most stringent levels of education. To become a licensed Doctor of Chiropractic in the state of Kansas a person must first have a BS degree as well as graduated from an accredited Chiropractic School and pass 4 national board tests. Once licensed in the state of KS they are licensed as practitioners of the Healing Arts and are one of only 3 provider types that are licensees (MD, DO, DC) that hold that status and are therefore held to a higher standard of care.

The state of Kansas defines the practice of Chiropractic in the Board of Healing Arts Statue:

K.S.A. 65-2871. Persons deemed engaged in practice of chiropractic. For the purpose of this act the following persons shall be deemed to be engaged in the practice of chiropractic: (a) Persons who examine, analyze and diagnose the human living body, and its diseases by the use of any physical, thermal or manual method and use the X-ray diagnosis and analysis taught in any accredited chiropractic school or college and (b) persons who adjust any misplaced tissue of any kind or nature, manipulate or treat the human body by manual, mechanical, electrical or natural methods or by the use of physical means, physiotherapy (including light, heat, water or exercise), or by the use of foods, food concentrates, or food extract, or who apply first aid and hygiene, but chiropractors are expressly prohibited from prescribing or administering to any person medicine or drugs in material medica, or from performing any surgery, as hereinabove stated, or from practicing obstetrics.

This Statue, directly from the Board of Healing Arts, clearly would include the treatment and release of any person, including student-athletes, after they have sustained a concussion as there is no known drug or surgery that has proven effective when treating concussions. The treatment of choice is not dependent on pharmaceuticals and rather is dependent on the provider's education and experience with sports related injuries, specifically concussions.

Since many Chiropractic Physicians are the only source of providers in small communities across Kansas and are often times the ones to first diagnose and treat these injuries this would also put an undue burden on the parents and athletes as they would then have to go to yet another provider, that is not familiar with the child and would have to incur the added expense. As we are all well aware it is not always quick or easy to get into our PCP's (if they have a PCP) and can take up to several days to weeks to get scheduled. This additional time is time the athletes loses in participation as well as an added expense that the patient as to incur through an office visit that is redundant and unnecessary. This added burden will and has restricted athletes from participation and add additional cost to the parents.

For these reason listed above I, as well as, the Kansas Chiropractic Association and the 1100 plus Chiropractic Physicians throughout the state believe that we should be included into the providers that are licensees of the healing arts that are allowed to return an athlete to play after they have sustained a concussion.

Thank you for your time

Sincerely,

Bryan K. Payne, DC, NRMCE