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RE: #16A-66
 Proposed Rulemaking – Criminal Convictions

The Pennsylvania Chiropractic Association (“PCA”) submits the following comments related to proposed rulemaking for Regulation #16A-66.

The PCA supports a schedule of criminal convictions that may constitute grounds to issue, suspend or revoke a license to practice Chiropractic. The PCA also supports regulations that are designed to protect the health and safety of patients. While the proposed regulations are generally supported by the PCA, the PCA does not support a list of criminal convictions that are inconsistent across all health-related boards and commissions. In other words, crimes that are designated as “directly related” to a health care profession or occupation should be uniform across all professions.

In the proposed rulemaking, there are many inconsistencies among the various boards and commissions. For example, under the proposed rulemaking, 18 Pa.C.S. § 3922 (relating to theft by deception) is considered directly related to the chiropractic profession under proposed §43b.508. The same crime of theft by deception is not considered directly related to the medical profession under proposed § 43b.516.

There are over twenty-seven (27) crimes and offenses considered directly related to the chiropractic profession that are NOT considered directly related to the medical profession. There are over fifteen (15) crimes and offenses considered directly related to the medical profession that are NOT considered directly related to the chiropractic profession. Of course, there are certain crimes and offenses that relate to the scope of practice of the various licensed providers; however, there does not appear to be any discernible rationale for what appears to be two separate standards, one set of standards for chiropractors and the other for physicians.

The PCA does not support the proposed language as drafted for Doctors of Chiropractic. The PCA supports and requests consideration for one set of standards for all health care professions and commissions except where the listed offenses are specific to the scope of practice.

Respectfully submitted,

Keith M. Miller, DC
 PCA President, 2022- 2024