



Dora
Department of Regulatory Agencies

**Division of Professions
and Occupations**
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**Colorado Medical
Board**
Marshall S. Smith
Program Director


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Governor

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Executive
Director

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Memorandum

To: Colorado State Board of Chiropractic Examiners

From: Colorado Medical Board
Marshall S. Smith, Program Director 

Date: October 26, 2012

Re: Comments in opposition to the Colorado State Board of Chiropractic Examiners noticed rule, 3 CCR 707-1, Scope of Practice Issues (Rule 7)

I am reaching out to you on behalf of the Colorado Medical Board (CMB), who has authorized me to speak on their behalf regarding this issue. The CMB has reviewed your recently noticed rule which, if adopted, would authorize chiropractors to perform subcutaneous injections. The CMB does not believe that such injections are within the scope of chiropractic as defined in §12-33-102(1.7), C.R.S. The CMB also expresses concern that the public could be harmed by such practice.

Specifically, your Rule 7 would authorize chiropractors to subcutaneously inject non-FDA approved substances such as "homeopathic and botanical medicines, vitamins, and minerals, phytonutrients, antioxidants, enzymes and glandular extracts." These substances are not specifically defined; for instance, it is unclear what constitutes a phytonutrient or glandular extract. The subcutaneous injection of such ambiguous substances present unnecessary risk to the health of prospective recipients, and could cause unnecessary harm requiring physician rescue or response. The CMB believes that such a rule exceeds your board's statutory authority because it authorizes subcutaneous injections and, separately, because it authorizes injections of substances that are non-FDA approved or undefined. Moreover, the CMB believes that these subjects fall within the CMB's legal responsibility to protect the public against the unauthorized, unqualified, and improper practice of the healing arts in this state.

Additionally, the CMB requests that it be added to your board's list of interested parties for rule making purposes.

As the Program Director for the CMB, I have become increasingly aware of scope of practice issues involving the medical and chiropractic professions. To facilitate a comprehensive and public-protection oriented approach to these scopes of practice issues, I would like to invite members of your board to participate in a joint working group. Please let me know if your board is interested in participating in such a group.

