



November 5, 2015

Honorable Jeffrey D. Kyle
Clerk, Third Court of Appeals
209 W 14th Street, Room 101
Austin, TX 78701

Re: Texas Association of Acupuncture and Oriental Medicine v. Texas Board of Chiropractic Examiners and Yvette Yarborough, Executive Director in Her Official Capacity, No. 3-15-00262-CV

To the Honorable Members of the Third Court of Appeals:

Please accept this amicus curiae letter on behalf of the International Federation of Chiropractors and Organizations (IFCO) regarding the above referenced matter. The IFCO's mission is to protect, promote, and advance chiropractic as a separate and distinct profession dedicated to the detection and correction of vertebral subluxation for the better expression of life. IFCO is aware of the tension between the Texas Board of Chiropractic Examiners and the Texas Association of Acupuncture and Oriental Medicine, and

requests the court reverse the decision by the District Court and render judgement in favor of the Texas Association of Acupuncture and Oriental Medicine.

The unique service of chiropractors is to locate and correct spinal misalignments that are interfering with the proper function of the nervous system (vertebral subluxations). Although a myriad of disorders and diseases find resolve through chiropractic care, the actual goal of care is to improve the well-being of the nervous system. Many people (including some chiropractors) view chiropractic care as a “natural healing modality” and as such believe all non-surgical interventions are in their domain. This is not in the best interest of the public.

Each jurisdiction has statutes and regulations to define what chiropractors are allowed to do. Chiropractors have strived to maintain the practice of chiropractic as a unique and non-duplicative service in all states.

The Association of Chiropractic Colleges has a statement agreed upon by all chiropractic colleges in the world defining what chiropractic is:

Chiropractic is a health care discipline which emphasizes the inherent recuperative power of the body to heal itself without the use of drugs or surgery.

The practice of chiropractic focuses on the relationship between structure (primarily the spine) and function (as coordinated by the nervous system) and how that relationship affects the preservation and restoration of health. In addition, Doctors of Chiropractic recognize the value and responsibility of working in cooperation with other health care practitioners when in the best interest of the patient.

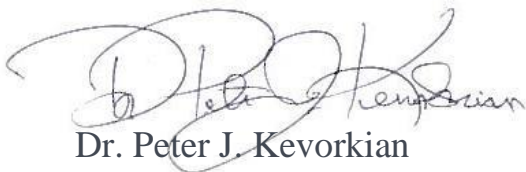
The Association of Chiropractic Colleges continues to foster a unique, distinct chiropractic profession that serves as a health care discipline for all. The ACC advocates a profession that generates, develops, and utilizes the highest level of evidence possible in the provision of effective, prudent, and cost-conscious patient evaluation and care.¹

¹ The Association of Chiropractic Colleges, 2.0 ACC Position on Chiropractic, available at http://www.chirocolleges.org/paradigm_scope_practice.html

The IFCO supports collaboration of chiropractors with other health care providers. We contend that maintaining excellence in professional services is determined by clearly defining the objective of care.

It is the IFCO's position that the practice of chiropractic remains under the regulation of the board of chiropractic and the practice of acupuncture remains under the regulation of the board of acupuncture. To allow encroachment of one profession into another does nothing to advance either profession, creates confusion in the minds of the consumer and is potentially harmful to the public.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dr. Peter J. Kevorkian". The signature is fluid and cursive, with the first name "Peter" being particularly prominent.

Dr. Peter J. Kevorkian

Board Chair – International Federation of Chiropractors and Organizations

IFCO

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Certificate of Amicus

Pursuant to Rule 11 of the Texas Rules of Appellate Procedure, this will confirm that ACAOM has not incurred any legal fees related to the drafting of this letter. The undersigned is an employee and the Executive Director of ACAOM and neither ACAOM nor the undersigned have received or will receive any direct compensation for the drafting or submission of this amicus letter.

/s/ Dr. Peter J. Kevorkian

Dr. Peter J. Kevorkian

Certificate of Compliance

I certify on behalf of *Amicus Curiae*, that this *Amicus* letter contains 485 words according to the word count feature of the software used to prepare this amicus letter.

/s/ Dr. Peter J. Kevorkian

Dr. Peter J. Kevorkian

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing

Amicus letter has been served to all attorneys of record as listed below on November 5, 2015.

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/s/ Dr. Peter J. Kevorkian

Dr. Peter J. Kevorkian