

March 27, 2015

House Human Service Committee - Rep. Ann Pugh, Chair  
Rep. Sandy Haas, Vice Chair                      Rep. Patsy French  
Rep. Francis McFaun, Ranking Member        Rep. Jill Krowinski  
Rep. Larry Fiske, Clerk                         Rep. Patricia McCoy  
Rep. Steven Berry                                 Rep. Michael Mrowicki  
Rep. Paul Dame                                     Rep. Joseph Troiano

Via email to [jtucker@leg.state.vt.us](mailto:jtucker@leg.state.vt.us), Committee Assistant

RE: Senate Bill S9

Dear Honorable Representatives,

I write today with concerns about Senate bill S9 – “An act relating to improving Vermont's system for protecting children from abuse and neglect.” My expertise in caring for children comes from being a parent, and also a licensed doctor of chiropractic.

I commend the Vermont Legislature for making such tremendous efforts at opening this important dialog and trying to fix our child protection system. However, this bill creates a 10-year prison sentence for “Failure to Protect a Child.” While well intentioned, the proposed crime is so broad that just about anyone coming into contact with a child may at one time be implicated, including parents who make non-pharmaceutical, natural health choices.

As a chiropractor, I do not practice “medicine,” but I apply my training (similar in hours of basic science to those who earn an M.D.<sup>i</sup>) to offer a non-pharmaceutical approach to health care and prevention. Vermont has a much higher per capita rate of chiropractors, and naturopathic physicians, than the U.S. at large. And while I speak only for myself, many provide natural, non-invasive and/or non-pharmaceutical models of care to the approximately 40% of Vermonters who prefer this approach.<sup>ii</sup>

From my perspective, “Failure to Protect a Child” seems to wade into parental medical decision-making and health choice. How might one prove “a reasonable decision to not seek medical care or to withhold medical treatment” after a tragedy? As Allen Gilbert already said, this would require people to prove their innocence, which turns a central tenant of our criminal justice system on its head. Even parents and families who do everything possible to provide healthy and nurturing environments could be impacted and be made guilty until proven innocent.

I think that the Legislature should seriously consider dropping section 3 of the bill. The “Failure to Protect” crime is simply too broad, and may strip health choices from Vermont parents even if that is not the direct intention of this legislation. Thank you very much for your attention and hard work.

Sincerely,  
Heather Rice, D.C.  
Shelburne, Vermont

Endnotes, Dr. Heather Rice – Testimony to House Human Services Committee,  
 March 27, 2015, Senate Bill S9

<b>Subjects</b>	<b>Class Hours Chiropractic Students</b>	<b>Class Hours Medical Students</b>
Anatomy	<b>540</b>	510
Chemistry	165	<b>325</b>
Diagnosis	<b>630</b>	325
Microbiology	<b>120</b>	115
Neurology	<b>320</b>	110
Obstetrics	60	<b>150</b>
Orthopedics	<b>210</b>	155
Pathology	360	<b>400</b>
Physiology	240	<b>325</b>
Psychiatry	60	<b>145</b>
Radiology	<b>360</b>	150
<b>HOURS</b>	<b>3,065</b>	2,710
<b>Additionally Required Studies</b>		
	Spinal Manipulation Nutrition Physiotherapy Advanced Radiology	Pharmacology Immunology General Surgery
<b>Total Hours</b>	<b>4,485</b>	4,250

<sup>i</sup> - chart taken from <http://www.drkengoldman.com/chiropractic-research/>

<sup>ii</sup> <http://healthvermont.gov/research/chronic/documents/CAMTemplated.pdf>