

MCA Journal



2006 MCA CONVENTION Returning to Ocean City, Annual Meeting to Feature Revamped Roster of Programs

The MCA invites you to attend its revamped 2006 Fall Convention and Continuing Education Forum at the Clarion Resort Fontainebleau Hotel in Ocean City, MD on October 6-8, 2006. The weekend conference will offer up to 15 hours of approved CE with this year's speakers



bringing you up to date on new developments in contemporary topics including including the changing Chiropractic demographics, preparing educationally and clinically for an aging population, and performing the most appropriate tests in assessing patients in a timely and efficient manner.

MCA has also added several exciting features this year! Chief among these is a new program, Grand Rounds, featuring real case presentations designed to help sharpen your clinical skills. You will hear the case history of actual patients and the methodology involved in diagnosis (what tests, e.g. X-rays, blood tests needed to be performed in these cases and why) and then an evidence-based plan of patient management will be discussed. This program will be offered both on Saturday and Sunday, with different case studies being presented each day.

Another new Convention highlight this year is Alumni Night during Saturday evening. Turn back the clock and join your fellow alumni for cocktails and light fare in the cabanas at poolside sponsored by your alma mater. Participating schools include: New York Chiropractic College, Life University, National Chiropractic College, and Logan College of Chiropractic.

Additionally, the Convention will feature 10 hours of CE for Chiropractic Assistants on Saturday, October 7. Doctors Larry Plotkin and Alan Sokoloff will present "Injury Prevention for the Chiropractic Assistant: The CA's Role

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Welcome New Members

ACTIVE MEMBERS

Marina V. Alterman, D.C.
Clarksburg, Md.

Aaron Cidor, D.C.
Logan Valley Chiropractic
Altoona, Pa.

John Howard Hoot, D.C.
Annapolis, Md.

Sean Samuels, D.C.
Irvine, Calif.

Sean Williams, D.C.
Ocean City, Md.

Melissa K. Yoon, D.C., D.A.C.B.R.
Yoon Radiology Consultation
Perry Hall, Md.

STUDENT MEMBERS

Catharine Niblack
Port Orange, Fla.

Thomas Young
Port Orange, Fla.

CA MEMBERS

Bonnie Bell
Glen Burnie, Md.

Meridith Alicia Greenhow
Indian Head, Md.

Letizia Mahoney
Columbia, Md.

Maryland Chiropractic Association

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Baltimore, MD 21230
(410) 625-1155

FAX: (410) 752-8295

E-MAIL: MCA@assnhqtrs.com

www.MarylandChiro.com

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President's Update

Donald Hirsh, DC

See You in October!

I have a confession to make. For years (and I mean years), I came to the MCA Convention only because Board members had to attend. I hated going. (I feel better already now that I got that off my chest.) Don't get me wrong, I didn't hate them because they were bad, it was because I felt I was on the outside looking in. Everyone knew each other, except me of course. They all laughed and hugged, and their kids all played with each other. The spouses all hung out together like one, big family. People actually came because they wanted to be there. Can you believe that?

Well, now that I am the President of the MCA, I am on the inside looking out. I love our conventions now, and we are working to recreate the camaraderie of conventions of years ago. During my tenure as president, I have focused most of my efforts on how to make the MCA more of a collection of ideas, places, education, and friendships for a wider circle of people. To this end, we formed the Women's Forum so that our female colleagues have a group to call home. We formed the Business Forum so our business minded colleagues have a means of expressing their entrepreneurial side. We have added an alumni night so that you can mingle with fellow alumni from your chiropractic school. For singles, we are having a singles night out, and for families, a family night out (earlier bedtime I'm afraid).

I want you to come to our Convention and feel welcomed and a part of the MCA. I expect that each of you will be able to find a way to make the MCA a deeper part of your life, and like me, end up on the inside looking out. See you in October.

Sincerely,

Donald W. Hirsh, DC

Have YOU Been Receiving *MCA Update*?

The Maryland Chiropractic Association has been distributing *MCA Update*, the association's e-mail newsletter for well over a year. Have you been receiving a copy in your email? An additional benefit of membership in MCA, this e-newsletter provides members with the latest news concerning chiropractic in Maryland.

If you did not receive *MCA Update* in your email during August, please call MCA headquarters at 410-625-1155 to confirm that we have your correct email address on file.

The *MCA Update* is distributed to members the first week of every even month (February, April, June, August, October, and December) so members can stay abreast of the latest news concerning legislative action, MCA's education offerings, etc. during months when the *MCA Journal* is not mailed.



In addition to providing members with the most up-to-date information, one of the added benefits of monthly coverage is allowing for monthly classifieds for those chiropractors who may have an unexpected staff shortage.

Convention

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in the Understanding and Treatment of Sports Injuries." This course will help the chiropractic assistant to learn about injury prevention while performing their normal work duties. It will include proper biomechanics, along with other tips to avoid injuries. This will also be beneficial to their patients being treated as well, as these tips can be passed along. Afterwards CA's will learn the proper procedures and administrative process for filing AMI patient claims during the seminar, "AMI Risk Management Updates."

With outstanding recreational activities planned, the 2006 MCA Convention is a great opportunity for a weekend getaway with industry friends. You will definitely benefit from the MCA's impressive list of exhibitors and speakers, so get your registrations in early for a weekend of learning and fun!

Registration and further information is available online at www.marylandchiro.com/2006convention.htm.

Partnering for Quality

MCA and AMI Work Closely on Quality Initiative for Chiropractic Care

The Maryland Chiropractic Association (MCA) is continuing to work closely with Alternative Medicine Integration of Maryland (AMI) as it manages the Quality Initiative for Chiropractic Care on behalf of CareFirst BlueCross BlueShield. The MCA supports AMI's commitment to collecting clinical data on patient care and measuring the resulting effectiveness of chiropractic care on patient health and cost outcomes.

Recently, an analysis of the data collected to date was performed to determine how many network doctors were participating in the Quality Initiative as required contractually by CareFirst. The results of that analysis showed a number of CareFirst network doctors of chiropractic were not compliant with the data collection process.

The MCA, believing that this Quality Initiative represents a significant opportunity to demonstrate the value and efficacy of chiropractic care to the health insurance industry, met with AMI to discuss the issues raised by non-compliance and the resulting impediment to advancing the benefits of our healing profession. Most importantly, AMI provided the MCA with the opportunity to be a proactive part of the solution with CareFirst BlueCross BlueShield on behalf of our members.

The MCA would therefore like to take this opportunity to thank all of its members who have given of their time and resources to participate in this Quality Initiative. We would also like to take this opportunity to encourage all those who have not done so to take advantage of the training sessions currently offered by AMI and begin submitting the required patient outcome data by September 1, 2006 to avoid further action by CareFirst. Let us all make the most of this unique opportunity to validate what our patients and we have known for years...chiropractic works! Let's make the most of it!!!

Official Notice

MCA Membership to Elect Officers

During the annual membership meeting of the Maryland Chiropractic Association which will take place on Saturday, October 7, 12:30 p.m., at the Clarion Resort Fontainebleau Hotel in Ocean City, officers and directors for the coming year will be elected. The following shall serve as due notice of the recommendations to the members.

As provided for in the MCA Bylaws, additional nominations are welcome in the following manner: "Article VI, Section A, Paragraph 2 - Additional nominations may be made provided they are made in writing, endorsed by at least ten (10) General Members in good standing, with the written consent of the nominee and received by the Secretary of the Association not less than ten (10) days in advance of the Fall meeting. The Secretary shall be responsible for seeing that all those members with the privilege of voting are notified of any additional nominations, in writing, immediately. There shall be no nominations from the floor unless an unopposed and announced candidate should withdraw his or her name from consideration."

The following doctors of chiropractic nominated for the 2007 administrative year are:

President - Donald Hirsh DC, Laurel

1st Vice Pres. - Richard Schmitt DC, Bowie

2nd Vice Pres. - Alan Sokoloff DC, Glen Burnie

Secretary - Howard Lewis DC, Fallston

Treasurer - John DeMaio DC, Gambrills

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Baltimore - Adam Fidel DC, Pikesville

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Jim Levan DC, Kensington

Stephanie Chaney DC, Annapolis

Chiropractic Alert

ACN/MedRisk to Initiate WCC Program in MD; Limited Opt Out Protections Explained

Paul Henry, DC, MCA Legislative Chair

ACN Group has announced the expansion of their agreement with MedRisk for treating injured workers in Maryland's WCC system beginning September 1, 2006. The following notice is currently being distributed by ACN:

MedRisk
MARYLAND CHIROPRACTIC NETWORK PROCESS
MedRisk's toll-free numbers: (800) 225-9675 or (800) 992-9675

MedRisk has distributed to their customers a list of all MedRisk Network Participating Chiropractic Providers. Your practice is listed and will be shared with doctors, adjusters and other specialty providers. MedRisk will be working jointly with each of these clients to market the MedRisk Network to insurers and panel physicians to direct care to the Providers who participate in the MedRisk Network. Referrals will be generated from a variety of sources, including physicians, employers, case managers and MedRisk directly. However, before initiating treatment on patients insured by these carriers, you must notify MedRisk or fax to us your patient information form to obtain preauthorization for payment.

Proper identification of all MedRisk patients insures timely claims processing! This should be done at the time of the patient's referral. **Regardless of the referral source, any Worker's Compensation patient insured by a MedRisk client should be considered a MedRisk patient.** Please identify these patients as MedRisk patients and, following their initial evaluation, fax the following information to MedRisk:

1. The Patient Information Form (containing patient demographics)
2. A copy of the patient's Initial Exam/Evaluation Report.

MedRisk's Fax Numbers: (610) 768-5242 or (610) 768-5243

Any of these patients treated at your facility whose workers' compensation insurance carrier is a MedRisk chiropractic client must be identified as a MedRisk patient! This ensures correct and prompt reimbursement for your facility, all bills for any of these patients need to be sent to the address below.

MAIL CLAIMS TO:
MedRisk, Inc.
2701 Renaissance Boulevard
P.O. Box 61570
King of Prussia, PA 19406

CHIROPRACTIC OPT OUT RIGHTS

Pursuant to HB686, effective July 1, 2006, Maryland chiropractors may opt out of workers' compensation panels. This law reads as follows:

ARTICLE – INSURANCE
Section 15-125

(C) (1) A carrier that uses a provider panel for health care services may not require a health care provider as a condition of participation or continuation on the carrier's

provider panel for health care services, to also serve on a provider panel for workers' compensation services.

(2) A carrier may not terminate, limit, or otherwise impair a contract or an agreement with a health care provider or terminate or limit the employment of a health care provider, based on the health care provider's election not to

serve on a provider panel for workers' compensation services.

APPLICATION OF OPT OUTS BEFORE AND AFTER JULY 1

This law further states:

This Act shall apply to contracts or agreements between health insurance carriers and health care providers that are executed on or after July 1, 2006.

This Act may not be construed to authorize a health care provider to terminate, limit, or otherwise impair any contract or agreement with a health insurance carrier that was executed on or before June 30, 2006.

MEDRISK OPT OUT

If you have not executed a MedRisk contract before July 1, 2006 and receive such a contract, you may elect to opt out

of the WCC portion of the contract by writing the following to MedRisk, Inc., 2701 Renaissance Blvd., P.O. Box 61570, King of Prussia, PA 19406:

"I have elected to opt out of the Workers' Compensation Provider Panel portion of your contract and request an acknowledgement of my election to opt out. Please maintain my position as a participating provider in the health care portion of the contract."

CONTRACTS EXECUTED BEFORE JULY 1, 2006

MCA is reviewing the provisions of contracts signed prior to July 1, 2006 which are primarily MAMSI contracts and will have further information for members at the MCA Fall Convention in Ocean City on October 6-8, 2006.

Any preliminary questions should be directed to Joel R. Kruh, Esq., at 410-695-6626.

Board of Examiners *Update*

NEW DEPUTY DIRECTOR AND INVESTIGATOR HIRED

The Board recently hired Mr. Christopher Kelter and Ms. Teresa Thornton respectively as its new Deputy Director and Investigator. They replace outgoing Deputy, Gwen Wheatley and Investigator, Paul Murphy. Senior Investigator, Mr. David Ford remains in his position of managing the investigative unit of the Board. Mr. Kelter will primarily serve to manage the massage therapy program, serve as acting director in the absence of the Executive Director. Ms. Thornton will primarily be assigned to investigate formal complaints involving certified massage therapists and registered massage practitioners.

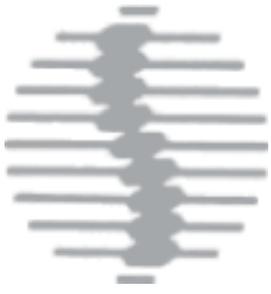
REGULATORY BOARD UPDATE IN PROGRESS

The Board completed its review of regulatory changes following several months of discussion and re-drafts. The draft revamped regulations will now move forward to the regulations coordinator and Office of Attorney General for procedural and legal review. From there, they will hopefully move forward to the Health Secretary's office for final approval. The Board will continue to keep all licensees informed as these regulations move forward.

Do You Have Any News You Would Like to Share with Members?

We Want to Hear It!

Has something exciting happened to you? Have you been involved in new research or community service programs? Have you received an award or honor? Have you had any new additions to the family? Has your practice been making headlines? If you have any news you would like to share with members via MarylandChiro.com or *MCA Journal* please let us know! Also, if you have any ideas for topics you would like to see articles on or if you would like to submit content please contact Eric Grammer at (410) 625-1155 or ericgrammer@assnhqtrs.com.



ICA *Report*

By Eric Huntington, DC
ICA Maryland Delegate

Chiropractic Champion Lane Evans to Retire from Congress

The Honorable Lane Evans, (D-IL), member of the US House of Representatives for more than two decades, will retire from Congress at the end of the current session. Rep. Evans, a native of Rock Island, Ill., represents the state's 17th Congressional District, and is serving his twelfth term in the U.S. House of Representatives. A well-known and highly respected figure within chiropractic circles, Evans has earned the gratitude of the chiropractic profession by sponsoring more chiropractic legislation than any other sitting federal legislator and for being an accessible, straightforward and consistent advocate for chiropractors and chiropractic patients. Evans is retiring due to serious health reasons.

The Ranking Democratic Member of the House Veterans' Affairs Committee, Cong. Evans is recognized as a leading advocate of veterans in Congress, and was key in securing the much heralded permanent chiropractic benefits program for veterans. During his Congressional career, Rep. Evans sponsored eight specific chiropractic initiatives for veterans.

A Vietnam-era Veteran of the U.S. Marine Corps, Rep. Evans has been active throughout his career in the promotion of chiropractic services for the U.S. military and for military dependents and retirees. He has personally authored, sponsored and/or co-sponsored a dozen initiatives in this arena.

Evans was a frequent speaker at ICA's chiropractic legislative conferences and spoke on many occasions at chiropractic colleges and to chiropractic organization meetings in his home state of Illinois. "Representative Evans always kept his constituents as his highest priority," said ICA Board Member J. Richard Burns, a constituent of the Congressman from East Moline. "Once when a group of Illinois DCs were in Washington for a legislative workshop, Mr. Evans actually excused himself from a committee meeting which he was chairing to meet with us. I thought he would give us a polite "hello" and go back into his meeting. He sat and listened attentively for twenty minutes to our thoughts, not once acting like he was in a hurry or not interested in our conversation. I had always been a fan of Mr. Evans, but that meeting solidified my feelings. I appreciate everything Mr. Evans has done for the people of our great nation and the state of Illinois," said Dr. Burns.

In acknowledgement of his legislative leadership, Cong. Evans was recognized by the International Chiropractors Association (ICA) as "America's Most Outstanding Public Servant" in 2004, and has, over the years, received a host

of other chiropractic awards from ICA, ICA's affiliated state association in Illinois the Illinois Prairie State Chiropractic Association, as well as numerous other chiropractic professional organizations.

"The chiropractic profession owes much of the legislative progress we have achieved in the past decade to the years of developmental work and the hands-on leadership of Rep. Lane Evans," said ICA Legislative Committee Co-Chairperson Dr. Michael S. McLean. "Mr. Evans has been a steady, effective and understanding advocate, and a truly selfless, dedicated and service minded leader, combining qualities that are rare in life, let alone the American political process. He will be sorely missed and long remembered," said Dr. McLean.

Anyone within the chiropractic community who wishes to show their respect and appreciation for Mr. Evans efforts is encouraged to send a card or letter to: The Hon. Lane Evans, US House of Representatives, 1535 - 47th Avenue, Suite 5, Moline, IL 61265.

CMS Seeks Chiropractic's Input on Medicare Demonstration Project

Health policy analysts from the Schneider Institute for Health Policy at Brandeis University in Waltham, Massachusetts have been retained by the Centers for Medicare and Medicaid Services (CMS) to conduct an in-depth analysis of the current Medicare chiropractic demonstration project that began in April 2005. The International Chiropractors Association (ICA) has been contacted by this analysis group to assist in the collection of data on the project from the field practitioner's point of view. The analysts are also contacting other state and national organizations for similar input. This demonstration project was authorized by Congress in 2003 to, according to the CMS news release of November, 2004 to, "...evaluate the feasibility and desirability of covering additional chiropractic services under Medicare beyond the current coverage."

The demonstration project is being conducted in the states of Maine and New Mexico and portions of Illinois, Iowa and Virginia. The statute authorizing the project specified that the demonstration must include at least four sites, two of which were required to be rural, two urban and in addition, one of the rural and one of the urban sites were required to be in a health professional shortage area. The project is scheduled to end on March 31, 2007, unless extended by Congress and an interim report is

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due to be submitted to Congress in the Spring of 2008, with a final analysis to be provided to the Congress before the end of 2009.

"ICA appreciates the opportunity to provide input on behalf of participating doctors because of the potential good or harm this study is capable of doing to the chiropractic profession," said ICA Medicare Committee Chair Dr. Michael Hulsebus. ICA has offered its assistance to the analysts in collecting data on the project and has undertaken a survey of ICA members in the demonstration areas. As well, ICA has offered to collect data from any doctor of chiropractic involved in the project and invites members and non-members alike to submit any comments, concerns and observations on the project by e-mail to chiro@chiropractic.org, or by US mail to: Medicare Project Analysis, International Chiropractors Association, 1110 North Glebe Road, Suite 650, Arlington, VA 22201

Information from doctors in the field on all aspects of this project is important, and DCs are asked to provide information on their experiences with the project including but not limited to areas such as:

- What motivated you to participate or not participate in the demonstration program,
- The clarity and detail of information provided by your Medicare carrier about the details of the project,
- The degree to which carriers were prepared to conduct the project,
- Whether there were inconsistencies in the various waves of information distributed by carriers about the project,
- Whether claims for non-adjustment services were processed appropriately and how timely was the receipt of payments for those services,
- Whether reimbursements for non-adjustive services were adequate and consistent with reimbursements from other third-party carriers for similar services,

All data collected by ICA will be forwarded without edit to the program analysis team.

ICA did not support the legislation authorizing the Medicare demonstration project because of concerns that such projects can only delay major progress in securing permanent reforms and because of language in the legislation that stipulated that the project must be "budget neutral." CMS has defined the budget neutral concept to mean that, "Aggregate Medicare provider payments may not exceed amount that would have been paid in absence of demonstration. If demonstration is not found to be cost neutral (based on its estimated impact on Medicare Part A and Part B costs), CMS will recoup excess costs via payments made to all Medicare chiropractic service providers."

CMS indicated that such excess costs would likely be deducted from Medicare fee schedules in calendar years 2010 and 2011. "ICA continues to hold that such a funding mechanism, where the costs of this project will come out of the pockets of DCs providing adjustive care, is simply ridiculous and clearly not in the best interests of the profession," said Dr. Hulsebus. ICA believes that any Medicare expansion initiative should focus on enhancing the quality and availability of needed patient care and include program-wide coverage for x-rays and exams.

While ICA did not support the legislation authorizing the project, ICA is committed to assisting analysts in developing a complete, fair and objective review of the demonstration project in order to protect the profession and Medicare patients alike from any skewing or misrepresentation of the project data. "ICA believes the Brandeis University team is also dedicated to a fair review of the program and we look forward to a productive engagement with them in the analysis process," said Dr. Hulsebus.

More information on this project can be obtained from CMS via the Internet at:
<http://www.cms.hhs.gov/DemoProjectsEvalRpts/MD/itemdetail.asp?filterType=none&filterByDID=-99&sortByDID=3&sortOrder=ascending&itemID=CMS024103>.

Partners *Pavillion*

Saluting MCA's 2006 Partners!

Silver Partners

Anabolic Laboratories, Inc.
<http://www.anaboliclabs.com>

Nutri-West Mid Atlantic
<http://www.nutriwest.com/distrib/index.htm>

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American Specialty Health Network
<http://www.ashcompanies.com>

Medical Resources, Inc.
<http://www.mrii.com/mrii/servlet/Servlet?site?page=home&id=34&category=1>

World Connections, Inc.

U C-PAC

Need

James LeVan, D.C.
C-PAC Treasurer

Greetings MCA Members! Is it hot enough for ya? Hopefully by the time you are reading this, the heat wave will have calmed down a bit. At the moment it is sweltering! Still, for my money, I'll take the heat over the cold and snow of winter. I hope you are all having a good summer with the chance to get away from work once in a while.

There is some very good news! Dr. Neil Cohen has volunteered to take over the job of CPAC treasurer. You may remember the fundraiser Neil put on last summer for Jim Brochin. It was at his house and it was one of the best I've ever attended. And I've attended a few. At any rate, Neil feels confident that he can improve on my bookkeeping methods by incorporating a computer. I think a chisel and stone tablet work just fine, but that's just me. He does have prior experience with a treasurer's duties, and I am convinced he will do a terrific job. I know he will enjoy working with Joel Kruh and Tom Shaner and the Legislative Committee to promote our common interests in Annapolis.

I really hope I will be seeing you all at the MCA Convention in Ocean City! It should be fun and enlightening. It is also a great way to see old friends and get a change of scenery, not to mention supporting your state association. I'm particularly looking forward to the addition of Grand Rounds to the lecture schedule. Also, I must admit, the chance to play a round of golf in early October near the ocean is pretty tempting. I do think it's going to be a truly enjoyable convention and the more people who come, the better it will be.

As always, the following list reflects the contributions received by CPAC in the past 12 months. My heart-felt thanks to everyone on it and here's hoping it will grow even larger under the care of Dr. Cohen.

President

(\$1,000 or more per year)

Maryland Chiropractic Association

Governor

(\$500 - \$1000)

Dr. Lisa Bailes
Dr. Richard Kappes
Dr. Richard Schmitt

Senator

(\$365 - \$499)

Dr. Paul Henry
Dr. James LeVan
Dr. Beth Tedesco

Delegate (\$100 - \$364)

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Dr. Lisa Brown	Dr. John Kibby	Dr. Steven Silverston
Dr. Neil Cohen	Dr. Audie Klingler	Dr. Roger Smith
Dr. Charles Cooper	Dr. David Koronet	Dr. Alan Sokoloff
Dr. Michael K. Cramer	Dr. Daniel Kraus	Dr. David M. Sortiso
Dr. Louis Crivelli	Dr. Brian Krupinsky	Dr. Young-Sung Song
Dr. Enid Cruise-Brooks	Dr. Blaise LaVorgna	Dr. Norman Spector
Dr. James G. Daniel	Dr. Leonard Leo	Dr. Diane L. Taber
Dr. John DeMaio	Dr. Howard Lewis	Dr. Melissa Tobin
Dr. Jeffrey Deschamps	Dr. Steven Mahoney	Dr. Jeffrey Wallace
Dr. Paul Ettlinger	Dr. Lucinda J. Mitchell	Dr. Stephen Wander
Dr. Stewart J. Falk	Dr. Brian Morrison	Dr. Ronel Williams
Dr. Adam M. Fidel	Dr. Jonathan Nou	Dr. Daniel T. Wise
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Dr. Nicole Ganz	Dr. Anthony Ricci	Dr. Mariella Young
Dr. Joel Goldwasser	Dr. Mark Roberts	Dr. Mahmoud Zia-Shakeri
Dr. Troy Henderson	Dr. Asher Rodriguez	

Please send your contribution to Dr. James LeVan, 10605 Concord St., Ste. 206, Kensington, MD 20895.

Member (\$25 - \$99)

Dr. William J. Boro	Dr. Eric A. Fisher	Dr. Carol Roberts
Dr. Peter Dexheimer	Dr. Robert J. Reier	

ZERO ZIP ZILCH

That's the number of times NCMIC will require anyone to settle.

Protecting your name and reputation are top priority with NCMIC ... That's why NCMIC Doctors of Chiropractic are never required to settle.

Thanks to NCMIC's outstanding malpractice coverage and its unwavering "Consent to Settle" benefit, no case will ever be settled without your approval.

Some companies *say* they have consent to settle but read their fine print. You'll see buried clauses and hidden terms that mandate you to face an

arbitrator if the insurance company thinks you're being "unreasonable!"

You can count on NCMIC to do what's right for our policyholders, not what's quickest and most economical. When we say, "*no case will ever be settled without your approval,*" we stand by our word – no strings attached. You can be certain that your good name will be protected unconditionally with malpractice coverage from NCMIC because "We Take Care of Our Own®."



If you want to take your malpractice case to court and fight for your reputation, NCMIC will back you all the way.

For an information kit and rate quote about NCMIC's Malpractice Protection return the coupon or call toll free 1-800-769-2000, ext. 6121.

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Chiropractic Solutions®
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YES!

I want to safeguard my future career and income. Tell me more about NCMIC's Malpractice Protection. Rush me a free information kit and rate quote. Mail coupon to: NCMIC, P.O. Box 9118, Des Moines, IA 50306-9118.

Name _____

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City _____ County _____ State _____ ZIP _____

Daytime Phone (____) _____ FAX (____) _____

E-mail Address _____

Your e-mail address will never be shared or sold. It will be used to send you important notices.

Do you currently have malpractice coverage? Yes No

If "yes," when does your coverage renew? Month _____ Year _____

Name of company _____

6121-MCA Journal

ACA Update

By Audie Klingler, DC - ACA Maryland Delegate

Humana Agrees to Proposed Settlement with Chiropractors, Non-MD Providers for \$3.5 Million

Humana has agreed to a class action settlement resolving claims on behalf of chiropractors and other health care providers in *Solomon v. Anthem, et. al.*, pending before Judge Frederico Moreno of the U.S. District Court for the Southern District of Florida. The ACA participated, through its counsel, in the settlement discussions and is a signatory to the proposed class action settlement agreement. If approved by the Court, Humana will pay \$3.5 million to fund payments to class member chiropractors and other health care providers as well as fees and costs advanced by class counsel.

In addition to the cash fund described above, terms of the proposed settlement agreement with Humana include:

- Changes in Humana's business practices, intended to make its claims editing process more transparent and reduce confusion and disagreement over payments.
- Online information provided by Humana to help providers understand its payment decisions.
- More options for chiropractors and other health care providers to challenge Humana payment decisions in the future, if necessary.
- Independent external reviews to resolve billing disputes.
- The appointment of an ACA representative to a newly formed Humana health care provider advisory committee, which will provide a means of direct communication on issues and concerns.

"We are extremely pleased that Humana has agreed to compensate chiropractors and other non-MD providers for claims that were previously and wrongly denied," commented ACA President Richard Brassard, DC. "More importantly, however, we are heartened that Humana has committed to improving its business practices in the future and are hopeful that other networks and insurance companies will follow suit. Doing so can only benefit the nation's health care consumers, who also deserve fair treatment and reimbursement."

As part of the settlement, doctors of chiropractic will be permitted to assign their portion of the recovery to the ACA, if they wish to do so.

A copy of the settlement agreement can be accessed online at http://www.acatoday.com/pdf/Humana_Settlement.pdf. Once the Court approves the settlement, ACA will provide more details on how individual DCs can recover damages. For more information on ACA's managed care initiatives, visit ACA at http://www.acatoday.com/level2_css.cfm?T1ID=14&T2ID=121.

Significant Medicare Payment Changes Proposed by CMS

The Centers for Medicare and Medicaid Services (CMS) released a proposed notice on June 29 setting forth proposed revisions to work relative value units and revising the methodology for calculating practice expense (PE) relative value units (RVUs), which are two of the components of determining the Medicare physician fee schedule. The proposed rule is the culmination of efforts of the American Medical Association (AMA) Relative Value Update Committee (RUC) and CMS and meets a congressionally mandated five-year review.

Among other things, the rule recommends a significant increase in reimbursement for higher-level evaluation and management (E/M) codes (99204-5, 99213-15, 99221-23, 99231-33, 99239, 99242, 99243-45, 99251-55, 99281, 99282-85, 99291, 99292), resulting in a projected increase in Medicare spending of approximately \$4 billion dollars. This increase triggers a congressionally mandated budget neutrality provision to be applied to all physician level CPT codes across the board, resulting in an overall decrease in reimbursement for those providers who do not commonly use the higher level E/M codes. Doctors of chiropractic face an estimated decrease in overall Medicare reimbursement of 8 percent.

The final form of the rule is likely not due until late 2006, with current suggested implementation in Jan. 2007. This date would coincide with decisions about other components of the physician fee schedule, specifically the "sustainable growth rate" (SGR); many doctors may remember in February of this year when the SGR was frozen due to the Deficit Reduction Act.

When combined with the June 29 proposed rule decrease of 8 percent, this year's prospective SGR cut of 4.6 percent would result in a 12.6 percent decrease in reimbursement for doctors of chiropractic in Medicare in the year 2007. All of these factors remain a fluid situation depending on the actions of Congress over the next few weeks. However, the ACA finds the total potential impact unacceptable to doctors of chiropractic and is pushing aggressively for a delay in the implementation of the proposed rule as well as a halt to the SGR cut. ACA's legislative team will be making comments, lobbying, and ensuring that CMS is aware of the issues. Moreover, ACA will continue to point out to legislators that allowing doctors of chiropractic throughout the nation to bill for the E/M (and other) services which are being studied in the Medicare Chiropractic Demonstration Project would help alleviate the overall impact of these combined cuts.

ACA Announces Position on CCGPP Low Back Pain Draft

The ACA Board of Governors has viewed with dismay the recent exchange of attacks and counterattacks surrounding the Low Back Pain draft and those who have commented on it. Many unkind, unnecessary and questionable statements have been made, on both sides, and the attention given to these salvos threatens to distract the profession from the substantive matter at hand — the creation of a representative and accurate report of effective treatments for low back pain.

Like many associations, ACA formed a committee to review the Low Back Pain draft, and we encouraged our members to read the document and offer their own opinions to the CCGPP. Upon its approval by our Executive Committee, we sent our response directly to CCGPP on June 28. When asked, we have shared it with other individuals and associations. However, we chose not to disseminate our statement widely, so as to allow members of the profession the opportunity to draw their own conclusions without ACA's undue influence. This desire may have been naïve, and it certainly has been overtaken by the tenor of the current debate. For this reason, we are publicly sharing our review committee's report (www.acatoday.org/pdf/EVP_ResponseCCGPP.pdf) and our public statement (www.acatoday.org/pdf/EVP_CCGPP_PublicStatement.pdf).

The most important point to take from our position statement is that this draft is still a work in progress. It is the first draft of the first chapter of a seven chapter document. Taken in this context, one can see that while the precedents set by this draft will determine the processes followed in the future, it is important to note that the CCGPP panel is still determining the most effective way to communicate its findings to the profession. There will be a learning curve, and constructive criticism can help move the panel along this curve.

ACA's statement points out that the document lacked sufficient input from doctors in the field, and offers a number of recommendations to encourage more participation. Furthermore, we agree with many who have expressed concern about the transparency of the review, revision and consensus-building processes to be followed from this point forward.

We note that CCGPP has recently added text to its Web site describing the review process; this text is a good first step but in our opinion does not provide sufficient detail. We call on CCGPP to provide more information and to open the lines of communication that have been damaged by the exchanges of the past two weeks.

It is to be expected that a process with as much potential impact on individual doctors and the profession as a whole would generate strong feelings; had the process been met with apathy, it would have signified almost certain failure. However, for decades we've been told that a lack of research and documentation has been a root cause of our struggles with third party payers. Now that CCGPP has begun to assemble that documentation, we should allow the review and comment period, and subsequent revisions, to proceed so a fair and accurate document can be created. Calls for withdrawal of the draft at this time will undermine the review process.

ACA and ANJC Combat Inequitable Reimbursement

ACA has been working closely with the Association of New Jersey Chiropractors (ANJC) to oppose Horizon Blue Cross Blue Shield's unfair reimbursement policies. This case was first filed with the New Jersey Department of Banking and Insurance ("DOBI") in March 2004, and was referred to the New Jersey Office of Administrative Law for determination of fact. A hearing was held last month; ACA/ANJC were represented by Dr. Craig Little and Dr. Frank Stiso and by our legal counsel Tom Daly, who worked closely with ANJC counsel Jeffrey Randolph.

By all accounts, ACA's and ANJC's witnesses did an outstanding job of supporting our position, describing examples of Horizon paying other providers for services denied to DCs and of explaining the details aspects of CMT codes which are at the heart of this case. During the preliminary questions for his testimony, Dr. Little was asked if he was being paid for his testimony; he indicated that he was not but he had hoped to be reimbursed for his travel costs. This caused Horizon's lawyer to offer to "personally pay for your expenses to return to California, if you leave right now."

Because of the nature of administrative hearings, ACA and ANJC were able to introduce into evidence a number of documents which would not have been admissible in a different setting. At this time, we await the judge's decision, and are hopeful that a positive decision in this case will set a precedent and have a cascading effect in other states and with other managed care organizations.

ACA anticipates a ruling on this matter in late October, and will keep members apprised of the outcome, as well as any interim developments.

Straighten Up America Preparing to Celebrate World Spine Day/National Spinal Health Day

On Monday, October 16, 2006 the chiropractic profession and Straighten Up America will celebrate World Spine Day/National Spinal Health Day in collaboration with the United States Bone and Joint Decade. Several years ago the International Bone and Joint Decade initiated World Spine Day to call attention to the burden of spinal disability during the Decade's National Action Week.

This year World Spine Day in America features Straighten Up America as its theme. This year doctors are encouraged to get involved with public outreach educational events to empower their communities. Spearheaded by the Congress of Chiropractic State Associations (COCSA) and Life University, the effort will be teaching patients, school children, civic organizations, corporations, faith congregations and others simple enjoyable exercises to improve their spinal health. The campaign will also conduct a national kick-off event/outreach in Washington DC.

COCSA and Life University have the added benefit of collaboration with the Bone and Joint Decade and Straighten Up America is proud to be a 50th Anniversary Partner to Get America Moving, an initiative of the President's Council on Physical Fitness and Sports during its fiftieth anniversary year (1956-2006). Another prominent partner with Straighten Up is Packy PlayFair, the National Mascot for good sportsmanship.

Implementation kits to enable doctors to teach their patients and their communities Straighten Up exercises on World Spine Day/National Spinal Health Day are currently being finalized. The great news is that Straighten Up is a natural fit for nationally mandated wellness programs, designed to increase students' activity and fitness levels in schools across the nation. Schools are currently searching for activity-based programs.

Though still in its infancy as a health initiative, Straighten Up has garnered a number of accolades from health and fitness leaders including Lee Haney, past chairman of the US Presidents Council on Physical Fitness and Sports. Lee describes the program as "awesome" with "vision and much promise." In January of 2005 Tommy Thompson, then US Secretary of Health and Human Services, "commended" the individuals who developed

1. Thoroughly familiarize yourself with the "Straighten Up" exercise module and lifestyle recommendations.

2. Begin to practice the "Straighten Up" activities daily in order to improve your spinal health, posture and core stabilization. (Make sure that the activities are appropriate for you and not contraindicated by disorders which prohibit exercise and movement of your spinal column and related

joints. If you experience sharp or shooting pain while exercising, stop the activity and consult with your doctor.)

3. We recommend beginning with the Posture Pod/Flying Friends. Perform these exercises in front of a mirror before or after you brush your teeth. The Posture Pod is fun and only takes about 30 seconds to complete. You should feel refreshed and will improve your appearance and self image through

consistent performance. The Eagle, Hummingbird and Butterfly are simple and immediately invigorating. Straighten Up mirror decals will help you promote habitual performance.

4. Once you are comfortable with the exercises, you may begin to share them with others. Doctors will educate and motivate their patients/students/clients and their communities (including schools, corporations, faith congregations and civic organizations) to improve their spinal health through consistent practice of "Straighten Up". Always screen individuals carefully to make sure the exercises are appropriate for them, taking particular precautions with individuals who have disorders which limit exercise or activity and the elderly.

Making World Spine Day/National Spinal Health Day Real: What's Crucial?

Why not make a difference in your practice and your community?

Further instructions and more educational materials for getting started with Straighten Up are available at www.life.edu and www.cocsa.org or <http://media.sevensides.com>. Complete implementation kits will be available soon.

For more information about Straighten Up please contact Ron Kirk at 770-426-2709, rkirk@life.edu or Janet Jordan at 803-356-6809, cocsa@sc.rr.com.

"Straighten Up" for their "leadership in the field of spinal health."

Straighten Up is endorsed by the Congress of Chiropractic Organizations, the Presidents of the ACC Chiropractic Colleges and the World Federation of Chiropractic. The initiative has received financial support from the American Chiropractic Association, the National Board of Chiropractic Examiners, the Maximized Living Foundation and individual doctors. Straighten Up has also received participatory support from the International Chiropractors Association and World Chiropractic Association.

How to Get Started:

Here are some simple steps to start preparing to celebrate World Spine Day/National Spinal Health Day:

Introducing the MCA Partners Program

The **MCA Partners Program** is available to those organizations and companies which provide products and services to the chiropractic profession. We are providing partners with the opportunity to pay one annual fee that will cover all MCA events and marketing opportunities throughout the year, with some opportunities exclusive to supporting members and MCA Partners. One of the MCA's goals in instituting this program is to make it easier for vendors and sponsors to budget their year's activities. Designed with your needs in mind, the numerous benefits are a deal you won't be able to pass up!

2007 MCA Partner Application

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Please enclose the appropriate payment and mail to: **The Maryland Chiropractic Association, 720 Light Street, Baltimore, MD 21230**

Gold Partner \$2,500

- Table Top Exhibit at the March CE Forum (available to MCA Partners and Supplier Members only)
- Exhibit at the Annual Fall Convention
- 2007 Supplier Membership in the MCA
- Banner Ad in On-Line Members' Directory
- 6 Half-Page ads in the MCA's award-winning newsletter
- One-time use of the mailing list in 2006
- Hot Link to your Web site on the MCA Web Site
- Receive & be listed in MCA's informative bi-monthly newsletter

Silver Partner \$1,750

- Table Top Exhibit at the March CE Forum (available to MCA Partners and Supplier Members only)
- Exhibit at the Annual Fall Convention
- 2007 Supplier Membership in the MCA
- Banner Ad in On-Line Members' Directory
- 3 1/3-Page Ads in the MCA's award-winning newsletter
- Hot Link to your Web site on the MCA Web Site
- Receive & be listed in MCA's informative bi-monthly newsletter

Bronze Partner \$1,500

- Table Top Exhibit at the March CE Forum (available to MCA Partners and Supplier Members only)
- Exhibit at the Annual Fall Convention
- 2007 Supplier Membership in the MCA
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The MCA Sports Council Wants YOU

Is Sports Chiropractic of interest to you? Do you want to work with athletes? Do you enjoy sports? The Maryland Chiropractic Association wants you.

The MCA Sports Council provides chiropractors for various athletic events in the state and opportunities for Maryland DC's to get work experience with competitive athletes. You do not have to have a lot of experience treating athletes to belong to the Sports Council. You do not have to be a sports diplomate or a certified chiropractic sports practitioner. You just have to be a member of the MCA, be licensed to practice in the state, be interested in working with athletes and willing to work within the Sports Council protocols. That, and you will need a portable adjusting table.

The Sports Council has worked a number of events over the past year and can make itself available to work running, weightlifting, and triathlon events all around the state *if* there are enough chiropractors to be there. Call **Dave Koronet**, at 301-829-1717 or e-mail him at d.koronet@att.net (put "MCA Sports" in the subject box) if you are interested in being part of the MCA Sports Council.



The MCA Sports Council treated several athletes at the Baltimore Marathon.

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By William Esteb, Patient Media, Inc.

You probably use countless words in your patient explanations to which you assume patients attribute the same meaning as you do. Not true.

A simple example is the word "health." You and I relate health to the proper functioning of our bodies, physically, socially and mentally. The problem is, when you use the word health with patients, they think of health as feeling good, looking good, being at the correct weight or having low cholesterol numbers! Imagine what they interpret the words adjustment, subluxation, nerve interference or range of motion to mean!

During your future reports, stop frequently and make sure patients are making the right connection. "I just used the word health; what does the word health mean to you?"

Assuming that others apply the same meaning to words as we do is one of the greatest sources of miscommunication and frustration. Plan to ask!

William Esteb has been a chiropractic patient and advocate for over two decades. He is the creative director of Patient Media, Inc., a patient communication resource for chiropractors. Review his materials and request a free 64-page New Patient catalog by visiting www.patientmedia.com or calling (800) 486-2337.

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To place a classified ad in the MCA Journal, please send it in writing, along with appropriate payment, to MCA, 720 Light St., Baltimore, MD 21230. The cost for a 25-word ad is \$15 for MCA members (2 issues for \$25) or \$25 per issue for non-members. The next issue is set for distribution on November 1, 2006. The deadline for classifieds is October 15.

Associate Wanted — FT for practice in Prince George's County. Must be professional and motivated. Looking to establish a potential partnership. Salary plus bonus. PT privileges required Fax resume to 240-430-3001. (9/06)

Associate Wanted — Family practice in Columbia looking for an associate. Salary plus bonus; health insurance and malpractice insurance paid for. Send resume/info to Drsmahoney@yahoo.com. (11/06)

Associate Wanted — The SpinaLife Back Pain Centers are looking for energetic, dedicated, and hard working chiropractors with PT privileges for our Perry Hall and Lutherville locations. Call Dr. J. Mitchell Adolph at 410-256-9650. (9/06)

Associate Wanted — Amazing opportunity to practice share in well established office in AA County. Onsite acupuncturist, nutritionist, massage therapy and x-ray. Fax inquiries to 410-674-8608. (11/06)

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Associate Wanted — Established practice in Frederick, Maryland is looking to hire a full-time chiropractor with PT privileges. Salary, bonuses and benefits. Send resume to Dr. Hinchman by fax, 301-362-1171 or email, springridgechiro@aol.com. (9/06)

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Practice For Sale — Office and practice for sale on busy Baltimore County thoroughfare. Excellent for a start-up or satellite office. Email inquiries to turnkeypractice@yahoo.com. (11/06)