

## National Association of Chiropractic Attorneys Warns of E-Commerce Deals

Michael J. Schroeder, Esq.

The National Association of Chiropractic Attorneys (NACA) met in Charleston, South Carolina on November 10, 2000. NACA members are the attorneys around the country that represent state chiropractic associations, state chiropractic licensing boards, and chiropractic colleges. Along with their usual exchange of information regarding developments in different states, the main item that was discussed by NACA during its general session was the issue of chiropractic e-commerce deals. After extensive discussion, many of the new chiropractic e-commerce deals that are being pitched to chiropractic doctors by entrepreneurs, NACA unanimously adopted the following cautionary resolution:

The National Association of Chiropractic Attorneys cautions chiropractic doctors to carefully scrutinize e-commerce business relationships that involve marketing or sales to a chiropractic doctor's patients. The National Association of Chiropractic Attorneys notes that federal and state laws relating to fee splitting and patient confidentiality are not suspended simply because a business relationship involves e-commerce.

NACA Vice President Mike Schroeder, from California, commented on the adoption of this resolution that was unanimously adopted.

The NACA attorneys were concerned because many of these e-commerce deals are being pitched to chiropractic doctors and chiropractic doctors are being told that the usual rules relating to receiving rebates or commissions for patient referrals don't apply. This is simply not true and we wanted to make that clear. This resolution is not intended to comment on any particular e-commerce deal, but rather was passed in the hope that chiropractic doctors would consult with their individual attorneys before jumping into any e-commerce deals that involve making a profit on patient referrals.

### NACA Elections

NACA re-elected Paul Lambert (Florida) president; Michael Schroeder (California) vice president; Bob Hirtle (Connecticut) treasurer; and David Morrison (Arizona) secretary.

*Michael J. Schroeder, Esq.  
Santa Ana, California*

*Editor's note:* Michael Schroeder is counsel for the law firm of Hart, King & Coldren. He has represented many chiropractic associations over the last 18 years. He has formed over 400 integrated health care practices since 1982. He is the vice president and General Counsel for the National Chiropractic Council, one of the largest providers of chiropractic malpractice insurance in the country, and for the last 14 years has been vice president of the National Association of Chiropractic. In 1995, NACA named him Attorney of the Year.

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