

## **ACA Goes to Court**

Editorial Staff

ABINGDON, Virginia - The American Chiropractic Association's legal team, led by attorney George McAndrews, brought its case against Trigon Blue Cross/Blue Shield and the Blue Cross/Blue Shield Association into federal district court on December 20.

In August 2000, the ACA, the Virginia Chiropractic Association, five chiropractors, and 18 chiropractic patients filed suit against Trigon, et al., alleging conspiracy, racketeering, extortion, mail fraud and anti-trust violations.

The ACA argued against two motions filed by Trigon, et al.: one to dismiss the case, and one seeking a change of venue. Trigon, et al., argued that it conducts no business in the district.

William Shields, attorney for the co-plaintiff, the Virginia Chiropractic Association, argued to the court that Trigon had inequitable policies of paying doctors of chiropractic less than medical doctors for rendering similar treatments.

Judge James Jones delayed ruling on the motions to dismiss and on the change of venue. He ordered that the national Blue Cross/Blue Shield Association provide one company official to be questioned by Mr. McAndrews regarding any contacts in the district, and granted the ACA 30 days to complete its deposition. After that time, both sides will have an additional 20 days to brief the court on the question of venue.

"What this outcome says to me is that our battle has just begun," commented ACA President Dr. James Mertz. "The Blue Cross/Blue Shield lawsuit is being watched by the entire insurance industry," he observed.

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