

Chiropractic Patients' Freedom of Choice Act Reintroduced in House

Editorial Staff

WASHINGTON, D.C. - On March 3, 1999, Rep. Wes Watkins (R-OK) introduced the "Chiropractic Patients' Freedom of Choice Act" into the U.S. Houses of Representatives. The legislation proposed to amend title XVIII of the Social Security Act to "provide reimbursement under the Medicare program for all physicians' services furnished by doctors of chiropractic within the scope of their license." The legislation sought to address the limited access to chiropractic for Medicare beneficiaries, that of "manual manipulation of the spine to correct a subluxation."

What happened to that bill? Well, on March 9, 1999, the legislation was referred to two committees: House Commerce and the House Ways and Means. Ways and Means referred it to the Subcommittee on Health on March 17, 1999; House Commerce pawned it off to the Subcommittee on Health and Environment on March 30, 1999. And there it died.

Now, almost exactly two years to the day of the bill's introduction, March 6, 2001, the same bill, word-for-word, has been reintroduced by Rep. Watkins. The bill does have a new number: H.R. 902. As before, the bill is to be referred out to two House committees: again to the House Committee on Ways and Means; the second committee is a different one: the Committee on Energy and Commerce.

Will the fate of 902 be that of its clone? Whatever the outcome, the legislation is one of three key aspects of chiropractic's quest for a greater role in the affairs of federal health care. The other two areas are chiropractic's status in the Veterans' Administration, and within the Department of Defense (the military services).

According to the American Chiropractic Association (ACA), the proposed legislation would not add or require coverage of a single new service under the Medicare program, but would simply provide beneficiaries access to currently covered Medicare services when performed by doctors of chiropractic. The ACA cites Medicare's current coverage of diagnostic x-ray services when performed by allopathic and osteopathic radiologists. Under the proposed legislation, patients would also receive coverage for diagnostic x-ray that were furnished by a chiropractor, as taking x-rays falls within a chiropractor's legal scope of practice.

"This situation has deprived both beneficiaries and the program itself of the health benefits and cost savings that might result from full and open competition between doctors of chiropractic and other Medicare providers," asserted ACA President Dr. James Mertz. "Numerous research and actuarial studies all point to the fact that chiropractic services could save the Medicare program billions of dollars each year," he added.

Dr. Mertz noted that a majority of states have adopted "health provider freedom of choice" laws. "It's time for Medicare to get in step with the health care innovations taking place in the states by adopting a similar patient freedom of choice proposal."

The bill specifies that the amendment to the Social Security Act would apply to services furnished

on or after January 1, 2002.

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