

## Arizona Governor Vetoes Chiropractic Access Bill

Editorial Staff

For nearly 15 years, the chiropractic profession in Arizona has attempted to get legislation passed to include chiropractic care among the health benefits offered by HMOs. It looked as if that dream would become a reality when the state legislature passed Senate Bill 1394 in April. The bill stipulated HMOs to provide benefits for reasonable and necessary services provided by licensed, practicing chiropractors, and required HMOs to allow their patients reasonable access to chiropractors throughout the state. Under the bill, the HMOs would still have the right to choose their panel of providers and use a nonchiropractic gatekeepers to determine utilization.

Arizona Association of Chiropractic President Dr. Iversen said the bill would "protect the patient's right to choose and a step to achieve parity for the chiropractic profession."

Chiropractors in Arizona had reason to rejoice when the bill passed both the House and the Senate. At a fundraiser earlier in the year in which the AAC raised more than \$3,000 for Governor Hull, she had indicated to the association that the timing was right for such a bill, and that she would allow the political process to determine the legislation's outcome.

As such, when SB 1394 was finally passed in late April, there was no reason to believe that the bill wouldn't become Arizona law. Yet when push came to shove, Governor Hull backed down and vetoed the bill.

### Misleading Figures

In a letter detailing the reasons for her action, Governor Hull cited an estimate from the Joint Legislative Budget Committee that providing the chiropractic care would cost the state \$1.04 million in fiscal year 1999. The JLBC also found that Arizona-specific information showing chiropractic care to be more expensive than other medical treatment for workers in the state compensation fund. In addition, the governor made mention of another JLBC study that projected the bill would boost HMO premiums 2-4 percent.

However, AAC Secretary Donald Dearth has found some inconsistencies with the sources quoted by Governor Hull. According to Dr. Dearth:

"The actuarial study provided by those opposed to SB 1394 claimed to increase the cost of insurance by 2-4 percent. The error in the study added the cost of chiropractic care but did not account for the decrease in costs for the replaced medical and physical therapy services. The other erroneous statistical information was a several year old Arizona industrial "study" produced before preauthorization and case review became routine for care provided by chiropractors through the state compensation fund. Industrial cases do not require a gatekeeper, so the study isn't an accurate comparison."

In addition, the governor did not take into account the numerous studies showing chiropractic care to be more cost-effective than medical intervention for treating back conditions, plus the greater

level of satisfaction of patients with chiropractic.

Governor Hull was inundated with phone and e-mail messages, faxes and letters from small business owners asking her to veto SB 1394.

Led by the Arizona Chamber of Commerce, more than 30,000 small business owners were contacted to urge Governor Hull to veto the bill. About 1,200 responded with letters and e-mails to the governor, which had the desired effect.

It's Not Over Yet

Clearly, the veto of the bill is a setback to the profession in Arizona. Although the bill was vetoed, the AAC leadership found some solace in the fact that this was the first bill of chiropractic coverage for HMO participants to be passed by the legislature. "We owe a debt of gratitude to those members of the legislature who remained committed to our legislation. Their votes of support in the face of tremendous opposition allowed us to achieve something we have never done before."

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