

Chiropractic Attorney Hold Mid-Year Meeting

Editorial Staff

NEW YORK CITY -- Twenty-seven general counsels representing the ACA, ICA, state chiropractic associations, and chiropractic colleges gathered June 7-8 for an exchange of ideas and information on chiropractic legal matters at the mid-year meeting of the National Assoc. of Chiropractic Attorneys (NACA).

Some of the featured speakers included:

- Tom Daly (ACA) spoke on the new Resource Based Relative Value Scales system (RBRVS), and instructed the lawyers how to use it.
- Liz Kincaid (NCMIC) held a seminar on sexual misconduct allegations against doctors that lead to malpractice suits.
- Bob Hirtle (Connecticut Chiropractic Assoc.) and Jim Hogan (New York Chiropractic Council) spoke on the techniques now being used to investigate doctors for Medicare and insurance fraud. Gene Bagnoli, of Continental Investigative Consultants, a fraud investigator for the government for many years, gave the attorneys insight from an investigator's perspective.
- Drs. Phillip Solla, Nicholas Napolitano, Andrew Lacerenza, and their attorney, Bill Webber, spoke on the anti-trust lawsuit the DCs filed against HMOs in Long Island, New York. "A win will benefit all chiropractors in each state by breaking the anti-competitive exclusion of chiropractors from full participation in HMOs," Mr. Webber contended. He asked the NACA lawyers to urge their associations and individual chiropractors to donate to the legal fund necessary to continue the suit.
- Don Mielke (Colorado Chiropractic Assoc.), brought the NACA members up-to-date on the new Colorado automobile no-fault law that establishes a "pool" of physicians under the Division of Insurance. Doctors who perform independent medical examinations must be selected from the pool. Upon request by an insurance company or other party, the Division of Insurance will submit the names of five physicians from the pool to the insurance company and opposing party. Each will strike two names, and the remaining doctor performs the examination. "Under the new law a chiropractor must be selected to perform the IME if the treating doctor is a chiropractor," explained Mr. Mielke. "Professional IME doctors are barred under the new law because it requires the doctors in the IME pool to be involved in active patient care for at least 50 percent of their professional time, and that they make no more than 50 percent of their income performing IMEs." Several NACA lawyers commented that they will take ideas from this Colorado law back to their states for legislative amendment suggestions.

NACA's annual meeting will be held November 8-10. For more information contact Paul Watson Lambert, general counsel, Florida Chiropractic Association, 1114 E. Park Avenue, Tallahassee, FL 32301-2651. Tele. (904) 224-9393; fax: (904) 224-9396.

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