

Chiropractic Patients in Michigan Fight for Insurance Equality

Wes Thorp

Chiropractic patients in Michigan are one giant step closer to having freedom of choice in their healthcare, due to the successful efforts of the Michigan Chiropractic Society (MCS) to get the state's top insurance regulator to speak out against discrimination in reimbursement.

What's happening in Michigan, to help chiropractic patients gain equal reimbursement, is a textbook example of the fruit of chiropractic unity, that began more than two years ago when three chiropractic groups merged into the 720-member MCS.

It's leading to a massive statewide effort by chiropractic patients to shine the spotlight of public attention on discriminatory efforts by insurers, who obstruct chiropractic treatment that patients both need and want.

More than a year ago, when chiropractors throughout the state found a growing number of their patients' insurance policies contained limitations on chiropractic services with no limits on medical care, the MCS mobilized a team of DCs, chiropractic insurance experts, lawyers, and lobbyists.

The MCS team presented Michigan Insurance Commissioner Dhiraj N. Shah with massive evidence that the state's 1966 Insurance Equality Law was being flagrantly violated. That law states, that if a health policy provides reimbursement for a service that may legally be performed by a licensed chiropractor, podiatrist or psychologist, then reimbursement cannot be denied.

For more than a year, the state's insurance commissioner considered the MCS' request for an official statement, putting insurance companies on notice, that such discrimination is illegal and that the law would be enforced.

Meanwhile, the number of chiropractic patients in Michigan needing treatment, but victimized by discriminatory limitations, grew on a daily basis. MCS files started to bulge with examples of how MD dominated insurers were tightening the noose on patients who were trying to get relief, but were denied care by their physician of choice, the chiropractor.

Then in early October, relief came when Commissioner Shah issued Insurance Bulletin 90-07 to all health and disability insurers. The bulletin reminded the insurance companies that defining the term "physician" to exclude chiropractors (acting within the scope of their license), "and limiting the number of or maximum benefit for treatments or services performed by podiatrists, psychologists or chiropractors, (while not placing limits on the same treatments and services performed by other practitioners) would be improper under Section 3475."

"Section 3475" is the portion of state law which addresses insurance equality.

To get Michigan's insurance enforcement machinery moving, the MCS has sent a "red alert" to its membership and other DCs to get their patients with discriminatory policies to file complaints to the state Insurance Bureau, state lawmakers, and the MCS central office.

State insurance regulators have promised to investigate and act on complaints in a prompt manner. Companies determined to be in violation of the law will be told to change; if they refuse, financial and legal sanctions will be taken.

The vital element in this effort is patient participation. The MCS has prepared and distributed to its members and other DCs (through its newsletter) a factsheet on how best to help their patients in filing a complaint.

DCs were given the proper complaint form to photocopy and distribute to their patients. The MCS also advised members how to help their patients write the narrative of the complaint: be succinct, it was suggested, but have the patient clearly show how this policy puts no limits on being treated by MDs or DOs, but does limit treatment from DCs.

Patients are being urged to send copies of their complaints to state lawmakers. The goal is to show legislators how their constituents are being denied healthcare they want, need, and are entitled to.

All this is being coordinated by MCS executive director, Dave Callanan, who is tracking complaints as they wind their way through the bureaucratic process. DCs will be kept informed through a running log of complaints and results in the MCS Newsletter.

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