

Chiropractic's Biggest Win Ever on Capitol Hill

OPPONENTS TOLD TO "BACK OFF" AS CONGRESS APPROVES PLAN TO TEST EXPANDED MEDICARE ACCESS TO DCS

Editorial Staff

ARLINGTON, Va. - As part of legislation overhauling the 38-year-old Medicare program - passed by the House of Representatives on Nov. 22, 2003, and the Senate on Nov. 24 - Congress has authorized four two-year pilot projects designed to test expanded access to chiropractic services for America's seniors. Senator Charles Grassley (R-IA), the chief sponsor of the "Medicare Chiropractic Demonstration Project," and other pro-chiropractic members of Congress, succeeded in turning back strong opposition from the organized medicine lobby and other special interest groups. As the deadline for consideration of the bill approached, Senator Grassley even contacted one key opponent of the chiropractic provision - Senate Majority Leader Bill Frist, MD - via his electronic pager and sent the message to "Back off!"

Also included in the Medicare bill is an ACA-backed provision aimed at ensuring that Medicare beneficiaries will continue to have access to chiropractors and other physicians; it replaces a 4.5 percent physician payment cut due to take effect in January with 1.5 percent payment increases in 2004 and 2005.

"This is chiropractic's biggest win ever on Capitol Hill," commented ACA Chairman George B. McClelland, DC. "The Medicare Chiropractic Demonstration Project marks the beginning of the end of three decades of discrimination against doctors of chiropractic and chiropractic patients under Medicare. For the first time, Medicare beneficiaries will have the freedom to choose a doctor of chiropractic to provide a range of the covered services they want and need."

The ACA's efforts on the Medicare front have been gaining the attention of the national media, with prominently placed articles appearing in the *Washington Times*, *Quad-City Times* (Iowa), *Chicago Tribune* and twice in the *Washington Post*.

Senator Grassley, quoted in the *Quad-City Times*, stated, "This provision is a big step toward Medicare recognizing the comprehensive value of chiropractic services." Meanwhile, in one *Washington Post* article, Dr. McClelland is quoted as saying, "Every doctor of chiropractic and chiropractic patient in Iowa and across America should know that it was Senator Grassley who took on and defeated organized medicine and other special interest lobbyists seeking to stop this day from happening." A second *Washington Post* article notes that, "Chiropractors, who are usually at a disadvantage in political contests against physicians, won a rare victory with this legislation, which creates a new chiropractic demonstration project and increases reimbursement for chiropractic services."

An ACA-backed demonstration project within the Department of Defense (DoD) health system that was approved by Congress in 1995 led to the enactment of legislation (Public Law 103-337) in 2000, establishing a permanent chiropractic care benefit for America's active-duty military personnel. In 2002, also at the urging of the ACA, Congress approved legislation (Public Law 107-135 and Public Law 107-251) to establish a permanent chiropractic care benefit for America's veterans through the Department of Veterans Affairs health system, and to include doctors of

chiropractic in a National Health Service Corps student loan reimbursement pilot program.

"This tremendous victory is the result of many years of hard work and commitment," said ACA President Donald Krippendorff, DC. "This did not happen overnight." (See the Medicare timeline for a better understanding of this 30-year battle.)

Medicare Timeline Table

The current Medicare program imposes an arbitrary limit on the covered services that can be offered by America's 60,000-plus doctors of chiropractic and are sought by millions of older chiropractic patients. Under current law, a chiropractor may only provide Medicare beneficiaries with a single covered service (manual manipulation of the spine to correct a subluxation), despite the fact that they are licensed in all 50 states to provide additional services currently covered under Medicare, including X-rays and other diagnostic tests and physiotherapy services. The ACA has long contended that Medicare's arbitrary limit on chiropractic services is harmful to patients and costly to taxpayers.

The Chiropractic Demonstration Project, as sponsored by Sen. Grassley and to be administered by the U.S. Department of Health and Human Services, will assess how greater freedom of choice for consumers and additional competition among care providers, including doctors of chiropractic, will benefit the health of Medicare beneficiaries and provide for more efficient use of Medicare resources. The four-site, two-year demonstration will likely have a profound impact in rural and medically underserved areas, where beneficiaries will no longer be forced to visit a second or third provider to receive the full range of necessary services.

In addition to Sen. Grassley, the ACA recognized the support of the following lawmakers for the Medicare Chiropractic Demonstration Project: Orrin Hatch (Utah); Max Baucus (Mont.); Tom Daschle (S.D.); Kent Conrad (N.D.); Ben Nelson (Neb.); Chuck Hagel (Neb.); Norm Coleman (Minn.); and George Allen (Va.). Also noted were Representatives Jim Ramstad (Minn.); Earl Pomeroy (N.D.); Jim Nussle (Iowa); Clay Shaw (Fla.); Phil English (Pa.); J.D. Hayworth (Ariz.); Billy Tauzin (La.); Mike Bilirakis (Fla.); Nancy Johnson (Conn.); Leonard Boswell (Iowa); Collin Peterson (Calif.); Ken Lucas (Ky.); Rodney Alexander (La.); Steve Israel (N.Y.); Virgil Goode (Va.); Bob Filner (Calif.); Paul Gilmore (Ohio); Rob Portman (Ohio); Sam Graves (Mo.); Ed Royce (Calif.); Chris Shays (Conn.); Lloyd Doggett (Texas); Bill Janklow (S.D.); Bob Goodlatte (Va.); and Sherwood Boehlert (N.Y.).

ACA leaders also recognized the active involvement of thousands of its members and other DCs around the country who participated in a months-long grassroots lobbying effort; beginning with the ACA's National Chiropractic Legislative Conference in March 2003, as well as the efforts of individual friends of the chiropractic profession, like Mr. Kent Greenawalt, president and CEO of Foot Levelers, Inc. Also, a number of national and state chiropractic organizations played an important role in this Capitol Hill victory, including the Association of Chiropractic Colleges; the Student American Chiropractic Association; the National Association of Chiropractic Attorneys; the Iowa Chiropractic Society; the Connecticut Chiropractic Association; the Chiropractic Association of Louisiana; the Florida Chiropractic Association; the Utah Chiropractic Physicians Association; the Tennessee Chiropractic Association; and other member organizations of the Congress of Chiropractic State Associations.

Editor's note: The *Washington Post*, *Washington Times* and *Quad-City Times* articles referenced on page 38 can be accessed at the following links. Because of the transitory nature of Internet links, availability of these stories may change.

www.washingtonpost.com/wp-dyn/articles/A20154-2003Nov28.html

www.washingtonpost.com/wp-dyn/articles/A6920-2003Nov22.html

www.washingtontimes.com/op-ed/20031125-082611-2050r.htm

www.qctimes.com/internal.php?t=Search&doc=/2003/11/21/stories/local/1020751.txt

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