

Problem: Self-Referral of the Refractory Patient

by the Academic Board of the American Academy of Spine Physicians

A 52-year-old female was treated by her chiropractor over a period of three months. During the last three weeks, chiropractic manipulative therapy (CMT), ultrasound and massage were no longer effective, so she sought help from an orthopedic surgeon who had treated the patient's friend. The orthopedic surgeon evaluated the patient and sent her to the physical therapist in his office. He wrote in his records that the CMT to the neck had created her neck pain and radiating right arm pain. Cervical spine X-rays showed cervical spondylosis (osteophytes and disc disease of multiple levels). When the radiating arm pain progressed in frequency and severity, the orthopedic surgeon obtained a cervical MRI and noted multiple levels of bulging discs and herniation of the C5-6 disc on the right. He told his physical therapist to stop treatment and spoke to the patient about an operative procedure. She gave permission, and the orthopedic surgeon removed the C5-6 disc anteriorly and fused C5 to C6 with a bone graft, screws and a metal plate.

Because the orthopedic surgeon recorded his opinion that the chiropractic physician caused the disc herniation and aggravated the cervical degenerative process, the patient obtained a lawyer and sued the chiropractor.

The chiropractic physician's defense lawyer contacted a neurosurgeon who collaborated with chiropractors, and asked him to review the records. The neurosurgeon said the following:

1. The progressive degenerative cervical disease predated the CMT in question.
2. The disc herniation was part of the progressive degenerative spine disease - cervical spondylosis.
3. The CMT did not change the course of the cervical spondylosis.
4. And most importantly, the chiropractor did not create the patient's neck pain and radiating arm pain, as the chiro-practor's records showed that those symptoms were the reason the woman sought chiropractic care in the first place.

The case continued on to court. Fortunately, the jury made the correct decision: The chiropractor was found not guilty of malpractice.

The Point

A patient going to an orthopedic surgeon/neurosurgeon hostile to chiropractic care can cause great problems and much anguish until the case is resolved. The chiropractic physician should refer the refractory patient to a doctor who understands the role chiropractors can play in multidisciplinary case management.

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