

News Flash: Obama Victory Could Result in Full-Scope Chiropractic

James D. Edwards, DC

Pretty strong headline, isn't it? Well, guess what? There's not a shred of hyperbole in it. President Obama's victory truly gives the chiropractic profession its best chance ever to achieve the long-desired goal of full scope of practice on a national basis.

Hopefully, I now have your attention, and you will take the time to read how a historical "perfect storm" formed that could indeed result in reimbursement for almost all services provided by doctors of chiropractic! Here are the exciting facts and background.

During his campaign, President Obama proposed many things, including universal health care for all Americans. Here is President Obama's exact description of his health care plan, taken directly from his campaign Web site: "Establish a National Health Insurance Exchange with a range of private insurance options as well as a new public plan based on benefits available to members of Congress that will allow individuals and small businesses to buy affordable health coverage."¹

President Obama's position is amplified in the "Frequently Asked Questions" page of his campaign Web site: "If you do not have insurance you can choose to enroll in the new public plan, which will offer benefits similar to what every federal employee and member of Congress gets."²

Basic Option Preferred Provider (Enrollment codes 111/112)	Standard Option Preferred Provider (Enrollment codes 104/105)
Up to 20 spinal manipulations	Up to 12 spinal manipulations
Initial office visit	Initial office visit
Initial set of X-rays	Initial set of X-rays
PT modalities (listed below)	PT modalities (listed below)
\$0 deductible / \$20 co-pay	\$0 deductible / \$15 co-pay

It just doesn't get much clearer than that, does it? President Obama's proposed universal health care plan is based on the Federal Employees Health Benefits (FEHB) plan. It's that simple. With the Democrats controlling both houses of Congress now, there is a good chance that his health care plan will be adopted.

So, you are probably thinking, *that's great, but how many decades will the chiropractic profession have to fight to be included in this plan?* Well, fasten your seat belt because here is the wonderful news - chiropractic is already included.

That's right, you heard me correctly. Solely as a result of the ACA's lawsuit against the national Blue Cross Blue Shield organization, chiropractic is already included in the FEHB plan. As a true insider who was a participant and witness to the 2001 events that resulted in chiropractic being added to this plan, I want to give you a very brief overview about how this tremendous victory occurred.

When the ACA sued Trigon Blue Cross Blue Shield, the "Blue Cross Blue Shield Association" (BC/BSA, the national BCBS organization) was also named as a defendant. That organization let it be known in early 2001 that it was very interested in settling out of court. During the settlement negotiations, ACA Legal Counsel Tom Daly surprised BC/BSA by proposing that BC/BSA add chiropractic to the FEHB Program. After being sensitized to the fact that BC/BSA actually had that authority [it is the sole carrier overseeing/administering the FEHB plan], the organization agreed to Daly's proposal. ACA Chairman Dr. J. Michael Flynn, after consulting with fellow ACA Executive Committee members (then-ACA President Dr. James Mertz and myself), quickly closed the deal.

On May 2, 2001, the ACA and the BC/BSA reached a formal agreement to initiate an ongoing settlement process, and ACA stipulated to the dismissal of claims against BC/BSA, which also agreed to initiate a framework to address chiropractic coverage and reimbursement problems on a state-by-state basis. Most importantly, BC/BSA agreed to include a first-ever chiropractic benefit in the BC/BS Federal Employee Health Benefit Program!

97001 - Physical Therapy Evaluation	97026 - Infrared Therapy	97112 - Neuromuscular Re-Education	97533 - Sensory Integration
97002 - Physical Therapy Re-Evaluation	97028 - Ultraviolet Therapy	97113 - Aquatic Therapy/Exercises	97542 - Wheelchair Management Training
97010 - Hot/Cold Packs	97032 - Electrical Stimulation	97116 - Gait-Training Therapy	97545 - Work Hardening
97012 - Mechanical Traction	97033 - Electric Current Therapy	97124 - Massage	97546 - Work Hardening Add-On
97014 - Electrical Stimulation	97034 - Contrast Bath	97139 - Physical Medicine Procedure	97750 - Physical Performance Test
97016 - Vaso-Pneumatic Device	97035 - Ultrasound	97140 - Manual Therapy	97760 - Orthotic(s) Management Training
97018 - Paraffin Bath	97036 - Hydrotherapy	97150 - Group Therapeutic Procedures	97799 - Physical Medicine Procedure
97022 - Whirlpool	97039 - Unlisted Modality	97530 - Therapeutic Activities	S9131 (HCPCS) - Home PT, Per Diem
97024 - Diathermy	97110 - Therapeutic Exercises	97532 - Cognitive Skills Development	

So, now you are probably asking yourself, *is the current FEHB plan really full scope of practice and if so, what does it include?* You be the judge. The 2008 chiropractic benefits afforded to federal employees and members of Congress are listed in the table above. The table below lists all the different physical therapy and rehabilitative treatments covered and reimbursed under the current federal employee health care plan when provided by a chiropractor.

And there you have it: the history of how chiropractic was included in the Federal Employees Health Benefits plan, the outstanding coverage of the plan that has already resulted in more than \$1 billion (yes, billion) in reimbursement for chiropractic treatments, and the tremendous opportunity the chiropractic profession now has to finally be reimbursed for full scope-of-practice services.

Should full scope-of-practice chiropractic ultimately be included in universal health care coverage, this profession can thank ACA Legal Counsel Tom Daly, Past ACA Chairman Dr. J. Michael Flynn, and the leadership of the ACA for having the courage to file the lawsuit, and especially the thousands of National Chiropractic Legal Action Fund contributors who made the lawsuit possible.

References

1. <http://origin.barackobama.com/issues/healthcare>.
2. www.brackobama.com/pdf/Obama08_HealthcareFAQ.pdf.

JANUARY 2009