

## News in Brief

Editorial Staff

### Controversial Florida PIP Law Under Review

After Circuit Judge Terry P. Lewis issued a partial injunction against the Florida personal injury protection law (HB 119) passed last March and effective Jan. 1, 2013, putting a halt - at least temporarily - to the portion of the law that requires a finding of an emergency medical condition as a prerequisite for payment of PIP benefits, the state's Office of Insurance Regulation quickly filed an appeal.

Adam Levine and Luke Lirot, attorneys for the Florida PIP Defense Fund (a group assembled specifically to fight the law) immediately filed an emergency motion to vacate that stay of the injunction. A hearing was held in Judge Lewis' courtroom on April 1. As of press time, Judge Lewis has just rendered a decision vacating the stay and upholding the injunction. The case could ultimately end up before the state's Supreme Court.

Attorney Adam Levine commented on the April 1 hearing, saying that "Judge Lewis provided us with a very fair hearing which lasted more than twice as long as it was originally scheduled for."

Levine and Lirot reviewed the law with Judge Lewis and presented him with 63 affidavits. According to Levine, under cross-examination, the state's witness, Sandra Starnes of the Florida Office of Insurance Regulation, admitted that the "statistics" upon which the 2012 PIP Act were based, were provided entirely by the insurance industry, and no oversight or independent verification was ever undertaken by the OIR.

"In the end, Luke and I believe it was clear to the Court that we are representing all Floridians and that the state OIR is only concerned with helping PIP insurance carriers," said Levine. "One wonders what the PIP insurer profits are and whether it was ever necessary for the state to approve the rate increases of the past, based on data supplied by the PIP insurers themselves. We remain cautiously optimistic regarding the outcome of this hearing."

In a [May 6, 2012 article](#) in *DC* ("Florida PIP Reform Limits Driver Benefits, Including Chiropractic") railing against the new law, the Florida Chiropractic Association explained the impact of the legislation on Florida chiropractors:

"Effective on policies renewed or issued after Jan. 1, 2013, Florida drivers will still be required to carry at least \$10,000 in PIP coverage; however, many of the current key provisions of the benefit will change. The full \$10,000 benefit becomes available only to accident victims who are diagnosed with an extreme "emergency medical condition"; a determination that cannot be made by DCs per HB 119. In these situations, follow-up care may be provided by a DC upon referral, provided the care is consistent with the original diagnosis.

"Additionally, a new tiered benefit of up to \$2,500 is alternately available for patients diagnosed with a non-emergency medical condition. This \$2,500 diagnosis / treatment benefit is available to DCs, MDs and DOs. In both scenarios, patients must present themselves for care within 14 days of the accident or there is no PIP coverage."

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## D'Youville Chiro. Students Learning Art of Co-Managing

From February-April 2013, fourth-year students in [D'Youville College's](#) chiropractic program participated in a unique multidisciplinary simulation that allowed the students to "improve their patient interaction skills and develop interdisciplinary communication by co-managing patient cases with students from physical therapy, occupational therapy, physician assistant, pharmacy, nursing and dietetic students." D'Youville, which offers degree programs in all seven health disciplines, developed four simulation scenarios that allowed students to co-manage a male or female patient ("played" by professional actors from the local theater scene who had rehearsed with faculty on their role as a patient with specific health issues) for six months. College officials say they hope to make the simulation program an annual spring curriculum activity.

"Feedback from the students has been very positive; many of them enjoy the opportunity to educate each other on the strengths of their profession," said Dr. Lisa DeMarco, assistant professor of chiropractic at D'Youville.

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## And the Award Goes To...

The latest recipient of the NCMIC Foundation's Jerome F. McAndrews, DC, Memorial Research Fund Award is James Whedon, DC, MS. Dr. Whedon received the award at the Association of Chiropractic Colleges Educational and Research Agenda Conference (ACC-RAC) in March. The NCMIC Foundation created the award to honor Dr. McAndrews' "longtime support of the scientific and practical advancement of the study of chiropractic." Past award winners include Drs. Pierre Côté, Deborah Kopansky-Giles, Sidney Rubenstein and Simon Dagenais.

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## F4CP Recognizes Major Contribution by ChiroTouch

ChiroTouch recently presented the Foundation for Chiropractic Progress with a substantial donation: \$114,000, to be exact. In addition to the donation, the chiropractic practice-management software vendor ran a special promotion toward the end of last year whereby purchasing doctors donated a portion of their payment to the foundation and received complimentary membership. Thus, in addition to the monetary support, the initiative led to 300 new members joining the foundation.

"We are eager to support the initiatives of the Foundation for Chiropractic Progress towards pushing positive messages into the marketplace about the tremendous benefits of chiropractic care," said Robert Moberg, president of ChiroTouch. "ChiroTouch is deeply entrenched within this profession and we greatly respect our opportunities to provide support with more than just great software."

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