

Another Legislative Victory for Chiropractic

NEW LAW INCREASES WORKERS' COMP VISITS TO FLORIDA DCS

Michael Devitt

Florida DCs have another reason to call their home the Sunshine State: On July 15, Gov. Jeb Bush signed into law a bill that reforms several aspects of the state's workers' compensation system. Included in the reforms are increases in the number of chiropractic visits and weeks of treatment allowed for patients in need of care, and an amendment that gives DCs the same status as medical doctors, osteopaths and podiatrists in the management of care for injured workers.

"These changes will go a long way toward improving access to chiropractic care for Florida's injured workers," noted Dr. Kyle Nevius, president of the Florida Chiropractic Association (FCA).

Added FCA CEO Debbie Brown: "Improving access to chiropractic in Florida's workers' compensation system has been a legislative priority of the FCA for several years. At last, this year the legislature and the governor were willing to consider serious reform. This was the opportunity we needed to make our case for chiropractic."

Under the new legislation, injured workers may receive a maximum of 24 "medically necessary" chiropractic treatments, up from the previous maximum of 18. In addition, the maximum length of medically necessary chiropractic care has been raised from eight weeks after the first treatment was delivered to 12. Employees who are "catastrophically injured" on the job are exempt from the limits on chiropractic care, and insurance carriers may waive the cap on treatments if more care is deemed appropriate.

The bill, introduced during the legislature's first special session, also adds chiropractors to the list of health care providers who may serve as "medical care coordinators" in a workers' compensation managed care environment. Previously, only medical doctors and osteopaths could serve in such a capacity. This designation allows a DC to be a "primary care provider" within a provider network, meaning patients can have direct access to their services in the managed care systems used by workers' compensation carriers. The designation also gives chiropractors the responsibility of managing the care of injured workers, including the ability to determine whether a patient should be referred to other health care providers and facilities for evaluation or treatment.

The bill was introduced in the Florida House and Senate as HB 25A and SB 50A, respectively, and underwent several revisions before being passed by both divisions of the legislature. Rep. Dudley Goodlette (R-Naples), who sponsored the bill in the House, believes the reforms included in the bill will make insurance more available to business owners, while making it less costly for everyone involved.

"I think we've really reached a common-sense approach that will ensure benefits for injured workers," Rep. Goodlette said. "It's definitely going to reduce fraud in the system, and I think it will reduce the workers' compensation system's inefficiency. Without any doubt in my mind, I think it will improve both the availability and the affordability of workers' compensation insurance in Florida."

The FCA and the Florida Chiropractic Society (FCS), the state's two largest chiropractic associations, played key roles in the passage of HB25A/SB50A. FCA lobbyists helped lawmakers revise the language of SB50A to make it more favorable toward chiropractic. Prior to signing the bill, Gov. Bush also heard from FCS President Dan Abeckjerr, DC, who provided the governor with an explanation of the bill's positive impact on the practice of chiropractic, including how the new legislation would improve patient care.

Additionally, Ms. Brown noted that the FCA funded a \$50,000 study by MGT of America to compare costs and effectiveness of chiropractic versus allopathic care of injured workers in Florida. According to Ms. Brown, that study clearly demonstrated the cost-effectiveness of chiropractic and its ability to return injured workers to their jobs more quickly.

"The MGT study was a tremendous tool to disprove the old myth that chiropractic was driving the cost increases in workers' compensation," said Ms. Brown. "We were able to show the right proof at the right time." "In 2002, the association successfully lobbied an important provision that made managed care no longer mandatory in the workers' compensation system. That change set the stage for this year's improvement."

Editor's note: The MGT study, "Trends in Chiropractic Treatment of Workers' Compensation Claimants in the State of Florida," can be accessed at www.fcachiro.org or www.mgtofamerica.com.

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