

Humpty Dumpty and Workers' Compensation

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Throwing Good Money After Bad

Once again, chiropractic and my office have been faced with another proverbial "last resort" and asked to clean up the mess made by the world of medicine. Like the childhood story of Humpty Dumpty after his fall, we DCs are put in the position of "all the King's horses and all the King's men" who are responsible for putting "Humpty Dumpty back together again."

Case in point: A middle-aged female employee of Sears fell at work.

My diagnosis was a slight left sacroiliac sprain, nothing too serious that a few weeks of adjustments and spinal exercises couldn't have helped. After only a few office visits, her workers' compensation adjuster flatly refused any continued chiropractic care, forcing her to go to their surgeon instead. Using threats such as refusal to pay for her lost wages, as labeling her a possible malinger for refusing "proper" medical care, this patient reluctantly agreed.

Two years and four back surgeries later -- a hemilaminectomy at L5, a coccygectomy, instrumentation and fusion of her left SI joint and subsequent explantation of the hardware (pedical screws implanted in her left SI joint), then replacement of the screws -- she reappeared at my office. Her surgeon has now identified the L4-5 level as the cause of her continued pain and has proposed additional surgery, although facet blocks at that level were of no benefit. This surgeon has made a career off this one patient, and he obviously has no intention to stop milking this cash cow!

Her surgical bill has exceeded \$200,000, she's in worse pain than ever and now she admits that she should have stayed with chiropractic care instead. She presently lives on pain pills (to little effect other than keeping her stoned), and her husband is also distraught because his wife cannot carry on a simple conversation because of her constant back pain and the effects of medication. Both are now retired, but their life-long dream of traveling are gone since her failed surgeries. Indeed, her entire life has been turned upside-down by these unnecessary surgeries.

To make matters worse, at her workers' compensation hearing to determine her permanent disability, the WC attorney had the gall to blame her initial chiropractic care for her condition, telling the judge that chiropractic adjustments made her worse, even though he had no proof and the patient totally disagreed! To his way of thinking, the four unnecessary and ineffective surgeries weren't to blame, and the scapegoat was the chiropractor, not the surgeon!

Has workers' compensation gone insane? This is not an isolated example. Here in Georgia, it's next to impossible for injured workers to get authorization for chiropractic care despite the plethora of research that has proven spinal manipulative therapy is faster, safer and cheaper than medical care. Yet anyone who has ever worked with this organization knows of their biased attitude toward chiropractic and the problems WC patients encounter.

Coincidentally, recently I had the pleasure of having lunch with a member of the board of examiners. I told him of this patient's problem and our professional dilemma of being snubbed by workers' compensation despite our proven effectiveness with low back problems. This DC had wondered the same thing, and had the opportunity to ask workers' compensation representatives to explain this odd situation. Their informal, unofficial response to his question ("Why is WC so biased toward chiropractic in light of the positive research of our success with this number one injury among workers?") was shocking.

He was ruefully told by the WC spokesperson, "That's exactly why we don't like you chiropractors, because you are cheaper and faster!" Apparently, in the good ol' boy medical system, the more WC pays out, the more they can charge, so there's more money for everyone. In this light, anyone like us who can lower the expenses of WC injuries is a threat to their fat-cat system!

I also had the opportunity to ask the same question of a WC nurse with a very negative attitude who came by my office to investigate another LBP case under my care: "Why are you so negative about chiropractic care?" Her response was simple: "If they have surgery, they only go once." (Her first wrong assumption.) "But if they go to a chiropractor, they have to keep coming forever!" (Her second wrong assumption.)

I almost fell out of my chair upon hearing her convoluted logic, and I responded by saying, "For the price of one surgery, I can give this patient care for her next four lives! And besides, what makes you think back surgeries are effective, considering the AHCPR's written opinion that 'Surgery has been found to be helpful in only one in 100 cases of low back problems?'" I even gave her a copy of this report, which she begrudgingly took, obviously unimpressed!

Of course, she had no good response to my question since she was totally unaware of the AHCPR guideline and the recent research from Manga, Meade or the many WC studies that have proven emphatically that chiropractic care is the best solution to these injuries. Her bias was well established by her superiors, and there was nothing I could say to change her mind. As I told her, "Don't let the facts get in the way of your opinion!"

What can we do to stop this surgical predation upon injured workers as long as the profit motive prevails in these programs? Despite the fact that the law allows injured workers to go to a chiropractor, the obvious bias of WC administrators is the largest bottleneck workers face in their recovery. This obviously exploitive profit-motive of WC is an insidious problem that closes the gate for anyone who wants the freedom to choose between surgery or chiropractic care.

I'm tired of playing the proverbial "last resort" trying to clean up the messes of the surgical predators. Whereas "all the King's horses and all the King's men" might have been able to help put Humpty Dumpty back together again, what can be done to a patient after four unnecessary back surgeries? This poor woman is a victim of an unscrupulous WC system and predatory surgeons. Her life is changed forever, yet it's good for their business!

What can we do to change this nonsense? Legally, injured workers are entitled to go to chiropractors, assuming they can get past the medical gatekeepers. For the few that do enter our profession through this small gate, they still must face a workers' compensation system that has proven itself very negative about our care, despite manipulative therapy being faster, cheaper, safer, longer-lasting, and with three times the patient satisfaction rate compared to surgery. Patients are being railroaded to ineffective surgeries because it's good for the WC and medical system that profits by unnecessary back

surgery upon patients. Unfortunately, my patient is just one example of thousands of cases every year who are being mismanaged by an unscrupulous WC system that seems out of control. Just what can we do?

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