

Medicaid Fraud Recipe: Poor Children, Add Despicable DCs

"20/20" POUNCES ON FEDERAL INVESTIGATION IN INDIANA

Editorial Staff

On Friday, November 6th, the television newsmagazine "20/20" featured another expose on chiropractic pediatrics. This was not a Lifetime "New Attitudes" piece that showed the mainstream chiropractic professional at work, but a down and dirty look at Medicare fraud perpetrated in Gary Indiana at the expense of the tax payers.

The most unsettling aspect of the program was witnessing the vans of certain DCs being sent out on the street to "cruise the projects" and round up mostly black children of low-income households for "treatment." The children, sometimes picked up on the way home from school, were reportedly adjusted and sent home with candy or snacks.

The six chiropractors involved allegedly treated some children as many as 70 times in a year and billed Medicaid as much as \$112 per visit. The billings including transportation costs, and for at least one of the chiropractors, billing for spinal temperature readings for each of the children.

Background

According to Indiana Attorney General Jeffrey Modisett, criminal investigations into the Indiana Medicaid fraud began in 1996. The Gary, Indiana Post-Tribune reported in May of 1998 that five DCs had billed the state more than \$7.3 million under Medicaid since 1996 and were paid more than \$4 million.

The Post-Tribune published a series of articles about the federal investigation of possible Medicaid fraud. Some of those headlines read:

- "Who Charges the Most?"
- "High-Cost `Healing'"
- "Faked Bills `Defrauded' Taxpayers"
- "Indiana Looks for Ways to Keep Closer Watch on Chiropractors' Bills"
- "State Raids 5 Chiropractor Clinics in Fraud Check"

One of the DCs mentioned in the Post-Tribune reports had his license suspended on Oct. 8th by the Indiana Board of Chiropractic Examiners. The criminal investigation of that chiropractor has been completed, but according to the FBI's branch at Merrillville, Indiana, the rest are under continuing investigation from federal agents.

Sensationalizing vs. Balance

The headlines in the Post-Tribune obviously caught the attention of a "20/20" story developer. Perhaps

it's just coincidental that "20/20" is letting the country know about the Medicaid bad apples of chiropractic, but you may recall the "20/20" anti-chiropractic piece on pediatric care that aired back on Feb. 4, 1994. In that report, the story developers were careful to visit chiropractic offices that were largely not representative of mainstream chiropractic offices.

In this Medicaid report, "20/20" didn't balance their story by visiting mainstream chiropractic practices, i.e., ethical, chiropractic health professionals. They painted the picture they wanted, and it was bleak and black.

And then there's Barbara Walters, who manages to pronounce "chiropractors" with the vitriol usually reserved for pedophiles who kidnap, rape and kill.

Reactions

While the Indiana Board of Chiropractic Examiners cannot comment on the matter, the Federation of Chiropractic Licensing Boards President Lawrence Gerstein, DC, did:

"While the federation is not privy to the details of the Indiana investigation, the "20/20" story does offer a valuable opportunity for chiropractic to reassess its problems and successes.

"As a healing profession whose day has finally arrived, chiropractic is now the subject of more news scrutiny than ever before ... it is still tragic that a handful of doctors can have such a negative impact on the many fine practitioners who practice fully within the scope of law and regulation. The Indiana attorney general made an excellent point when he noted that 99% of chiropractors are fully law-abiding. It is sad that the actions of a few could potentially jeopardize the generous Medicaid reimbursement program that chiropractors in Indiana and elsewhere in the U.S. worked so hard to secure.

"The story points out the critical importance of each chiropractor working in close cooperation with the chiropractic regulatory agencies."

Perhaps the most important question is how can the chiropractic profession prevent additional negative television exposure in the future? The answer appears to be in our ability to police ourselves.

It's easy for any newspaper or television program to find abusers in every profession. They're out there working the system for as much money as they can.

Our chiropractic licensing and regulatory boards are responsible for policing the profession and taking action when appropriate. Unfortunately, many boards simply do not have the regulatory means or budgets needed to do an adequate job.

With the escalating pressure to reduce the cost of health care, the chiropractic profession cannot afford the labels that come with allowing six chiropractors to milk the Medicaid program for over \$7 million dollars in four years. Without stronger, more proactive regulatory boards, the chiropractic profession is at the mercy of the whims and biases of those who decide what news is printed and televised. We can rest assured that as long as there are abusers who go unregulated, the chiropractic profession will continue to suffer this kind of negative exposure.

