

## NACA Takes Position on Mercy Guidelines

PROMINENT CHIROPRACTIC ATTORNEYS COMMENT ON FINAL DRAFT

Editorial Staff

Like any group within the chiropractic profession, the question of whether they should take a position on the Mercy Center guidelines was discussed at the most recent meeting of the National Association of Chiropractic Attorneys (NACA). This is the same organization that formed a "Practice Parameters Committee" to review the Guidelines and make recommendation for the final editing process.

Previous, seemingly self serving, reports by other individuals that the NACA had in some way "recommended that the document be rejected" were corrected by personal letters from Paul Watson Lambert, president of the NACA. While the incorrect statements were reported in two publications, the corrections have not been.

Mr. Watson-Lambert made these comments:

"The 'Mercy Conference Report' is an opportunity that came along at the right time for us in Florida. Release of the 'Mercy Conference Report' generated intense debate nationwide. Much has been stated and misstated about comments by the recommendations by the National Association of Chiropractic Attorneys (NACA) Practice Parameters Committee which I would like to address.

The National Association of Chiropractic Attorneys (NACA) Practice Parameters Committee reviewed the first draft of the 'Mercy Conference Report' and submitted nine recommendations incorporated or addressed in the latest draft of the report.

Following the NACA Practice Parameters Committee recommendations, the report's title was changed to 'Guidelines for Chiropractic Quality Assurance and Practice Parameters,' an effective date added, an ongoing revision committee provided for, medical/clinical necessity language inserted, disclaimer language added and Chapter 12 addressed.

The NACA Practice Parameters Committee reviewed the report in a positive voice pointing out issues from a lawyer's view. The NACA will, probably, not take a position on the 'Mercy Conference Report,' because the NACA views its role as attorneys and advisors to the doctors who make the policy decisions. It is the lawyers' role to give the 'pros and cons' of various issues and the doctors' role to make informed policy after weighing the lawyers' observations."

As Mr. Watson-Lambert indicated, after careful consideration the NACA chose not to take an official position at this time by the following resolution:

----- National Association of Chiropractic Attorneys' Resolution

Be It Hereby Resolved, that:

Whereas, the National Association of Chiropractic Attorneys acknowledge the Mercy Commission

efforts in the establishment of guidelines for chiropractic quality assurance and practice parameters;  
and

Whereas, the Mercy Commission has modified their recent drafts, after the NACA Practice Parameters Committee gave input, to include several of the recommendations from NACA; and

Whereas, the Mercy Commission document is still in preliminary draft status and NACA recognizes any such document will be continuously evolving; and

Whereas, NACA will continue to give input and make recommendations as appropriate.

Now, therefore, the National Association of Chiropractic Attorneys take no official position on the preliminary Mercy Commission Report, but will continue to provide input in the process as deemed appropriate.

Dated at Chicago, Illinois this 27th day of June 1992 at the Mid-Year Meeting of the National Association of Chiropractic Attorneys.

*Robert L. Hirtle, Jr.*  
*Secretary*

#### *References*

When asked to comment on the guidelines, Robert L. Hirtle, Jr., Esq., secretary for the NACA had this to say after reviewing the final draft of the guidelines: "At the mid year meeting of the NACA, some of the changes which now appear in the Mercy Center guidelines were reported. These changes in substance satisfy the legal questions that were raised by the NACA Practice Parameters Committee. I have just finished reading the latest revision. I am delighted that the report reflects in substance the legal suggestions that were made by NACA. I hope that the NACA will continue to have constructive input in the review process which I understand is planned for 1994."

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