

NATIONAL COUNCIL AGAINST HEALTH FRAUD

WHAT IS THEIR AGENDA?

Editorial Staff

A report from the NCAHF's Second Annual Conference and Workshops

The National Council Against Health Fraud (NCAHF)...the words alone create extreme emotions in most of the chiropractic profession. This is the group that, in 1985, presented their "Position Paper On Chiropractic." (an updated position paper is expected soon.)

This position paper discussed such charges as "Hazardous Practices" and "Hucksterism" as if they were an integral part of the chiropractic profession. While choosing to consider "manipulative therapy" separately, this paper basically condemned much within chiropractic.

This position paper ultimately makes recommendations concerning chiropractic to: consumers, insurance carriers and third party payers, legislators, basic scientists, academicians and educators, attorneys and law enforcement agencies, medical doctors, dentists, and other health care providers, and finally reformist chiropractors. This position paper is just one of many negative comments that the NCAHF has made regarding the chiropractic profession.

As you can readily see, it is imperative that the NCAHF be monitored to determine what their agenda is concerning the chiropractic profession. At this year's annual NCAHF conference, the profession was represented by Carl Cleveland III, D.C., President of Cleveland Chiropractic College; Arlan Fuhr, D.C. President of the National Institute of Chiropractic Research (NICR); Joseph Keating Jr., Ph.D., vice president of NICR; John S. Mosby Jr., D.C., M.D., representing Palmer Chiropractic College; Russell Sawyer, D.C., president, Council of Delegates for the ACA; and Donald M. Petersen Jr., editor of Dynamic Chiropractic. Hopefully, the presence of chiropractic at the NCAHF conference has provided the profession with the opportunity for input, clarification and rebuttal.

WHO ARE THEY?

The National Council Against Health Fraud is NOT a government agency. It projects itself as "a non-profit consumer protection agency."

While there are approximately 1600 members of the NCAHF, the following are a few of the more influential members:

William T. Jarvis, Ph.D., professor of preventive medicine at Loma Linda University of Medicine, is the founder and president of NCAHF. Dr. Jarvis is a member of the California attorney general's task force on health fraud.

Stephen Barrett, M.D., consumer advocate, is a nationally known author and lecturer on the subject of health fraud. Dr. Barrett has authored *Women Under the Knife*, co-authored *Consumer Health -- A*

Guide to Intelligent Decisions, and edited The Health Robbers and The Tooth Robbers: A Pro-Fluoridation Handbook.

Victor Herbert, M.D., J.D., Professor of Medicine and chair of the Committee to Strengthen Nutrition at the Mount Sinai and Bronx Veterans Administration Medical Center, has been listed by the Institute for Scientific Information as one of the 77 most-cited authors in the world. In 1984, Dr. Herbert received the FDA Commissioner's Special Citation, "for outstanding and consistent contributions against the proliferation of nutrition quackery to the American consumer."

John H. Renner, M.D. is the president of the Consumer Health Information Research Institute. In 1988, Dr. Renner was awarded the FDA Commissioner's Special Citation "for exceptional efforts in combating health fraud."

Charles E. DuVall Jr., D.C. is a practicing chiropractic physician investigator and a member of the National Association Of Chiropractic Medicine (NACM). Dr. DuVall has made numerous presentations on issues involving "Health Fraud in the Chiropractic Profession."

WHAT IS THEIR AGENDA?

As the name clearly states, this organization is active against health fraud, a \$20-\$30 BILLION per year problem in the United States. But, what is "health fraud?"

It is easy to conclude that many of the "cure all" remedies that are offered by mail and on late-night television may not be all they claim. The concepts of overbilling, overutilization, false claims, etc., are also obvious cases of health fraud (please see "Health Fraud -- How Is The Chiropractic Profession Involved" on page XXX). But how, if at all, does this involve chiropractic?

The agenda for the second annual conference of the NCAHF included:

Psychic Surgery and Other Medical Miracles -- Robert A. Steiner, author of Don't Get Taken.

An Historical Perspective -- William T. Jarvis, Ph.D.

Current Experiences with the World of Fraud -- Victor Herbert, M.D., J.D.

Inspection Service Efforts to Combat and Prevent Mail Order Health Frauds -- Kenneth M. Hearst, assistant chief inspector, United States Postal Service.

Current FTC Initiatives in the Health Fraud Area -- Lee Peeler, Associate Director for Advertising Practices, Federal Trade Commission.

A Panel Discussion: AIDS Quackery Fraud and Misinformation -- John Greenburg, member of ACT UP; William T. Jarvis, Ph.D. and Wallace I. Sampson, M.D.

What's the Next Step? -- Stephen Barrett, M.D.

The Food and Drug Administration Combats Fraud -- William L. Schwemer, assistant to the associate commissioner, FDA

A status report by Linda Lloyd, Office of Inspector General, Criminal Investigation Division.

Plus a number of workshops presented twice each:

Investigative Techniques Used to Detect Health Fraud -- Tom DuPriest, president; Al Jones, senior vice president; Ralph Conyers, vice president; Clarence M. Kelly & Associates.

Child Advocacy -- John Bolton, M.D.

Common Techniques Used in Billing Insurance Companies -- Anne Boulware, Blue Cross/Blue Shield

Combating Health Fraud: The Role of State Attorneys General -- Richard Cleland, J.D.

Chiropractic Nonsense -- Charles E. DuVall Jr., D.C.

Analyzing False Claims -- Wallace I. Sampson, M.D.

Chronic Fatigue Real and Unreal: The Facts -- Susan Abbey, M.D., John H. Renner, M.D., Orvalene Prewitt.

Innovation Dentistry or Health Fraud -- John Dodes, D.D.S.

Legal Aspects in Dealing With Health Fraud -- Michael K. Botts, Esq. General Counsel for NCAHF

How New Age Health Fraud is Being Marketed to the Church -- Janis Lyons and Renee Barger, CINAM

While the NCAHF maintains that they hold no particular prejudice against chiropractic, one could not help but sense an underlying disdain for the chiropractic profession. Almost every one of the above presentations involved some derogatory comment about chiropractic.

Many times this occurred by using the chiropractic profession as the culprit in an anecdotal example of health fraud. Call it premeditated malice or unconscious habit, the chiropractic profession took another shot.

WHY THIS FOCUS ON CHIROPRACTIC?

The answer may lie in the NCAHF's definition of "quackery." A quack is "anyone who promotes medical schemes or remedies known to be false, or which are unproven, for a profit." The critical term here is "unproven."

The chiropractic profession has a serious shortage of research documentation; this is known to all. Legitimate research is currently a top priority item for much of the profession.

As one reviews the list of topics presented at the NCAHF's conference, one would probably be most concerned about the presentation entitled "Chiropractic Nonsense." This is an obvious deliberate misnomer: while some of the things that occur in the chiropractic profession may be nonsense, chiropractic itself is definitely NOT nonsense (as demonstrated by the Meade et al study, please see "British Researchers Show Chiropractic More Effective" in the July 4, 1990 issue).

Dr. DuVall's presentation agenda included:

- chiropractic treatment is efficacious for neuromusculoskeletal ailments only
- chiropractic subluxation is neither quantitative nor qualitative and has never been proven to exist
- no chiropractor has the experience or the education to treat infants
- many techniques are unproven
- chiropractic examining boards are nothing more than "good ol' boys" clubs
- thermography and paraspinal or surface EMG are untested and unproven
- practice management consultants are a large part of chiropractic's problems

In addition, Dr. DuVall criticized homeopathy, use of vitamins, manipulation under sedation, and many other aspects of chiropractic care that were not proven by strict research, including chiropractic maintenance care. One comment made by Dr. DuVall which basically sums up his attitude: "Chiropractors are normal when they enter chiropractic college and totally crazy when they graduate." Whatever valid concerns Dr. DuVall may have had were seriously overshadowed by his condescending and antagonistic attitude.

It was almost as if Dr. DuVall would not be satisfied until the chiropractic profession modified itself to conform with the desires of the insurance industry. Could this relate to the fact that Dr. DuVall earns a substantial amount of his income by reviewing DCs for third party payers?

Sadly enough, much of the information presented about chiropractic at this conference was dated or inaccurate. But it was still presented as established fact. Dr. DuVall was well aware of all of the "problems" in the chiropractic profession, but when it came to positive issues, he was sorely ignorant. When a question was asked concerning the status of standards of care within the chiropractic profession, Dr. DuVall admitted no knowledge. The question was referred to those of us in the audience who could provide an answer.

Perhaps the most damaging part of Dr. DuVall's presentation was his underlying assumption that the chiropractic profession is not addressing valid issues and concerns about research and health fraud. This misconception was apparently Dr. DuVall's justification for why he had to "expose" chiropractic to MDs, RNs, insurance company personnel and law enforcement representatives (please see "Won't You Come Home Mark Sanders" on page three). Fortunately, for the chiropractic profession, at least some of his audience was considerably more objective than he was.

IS THE NCAHF NEEDED?

The question of whether the National Council Against Health Fraud is needed extends beyond the chiropractic profession. The FTC, FDA, and state attorneys general have developed a very efficient network that didn't exist a few years ago to address the problem of health fraud. In addition, there is much talk that the insurance industry will be creating its own agency to deal with health care fraud problems.

It is quite possible that the NCAHF has been filling a void that is only temporary. As other organizations (federal and state governmental agencies, insurance companies, and the health care professions themselves) re-organize to confront the problem of health care fraud, the NCAHF could ultimately take a back seat.

While the issue of health fraud is certainly one that requires as much attention as possible, the question should be viewed carefully. What is the actual function of the NCAHF?

They are not a state or federal agency, therefore, they do not actually have any authority to make regulations or enforce them. But the National Council Against Health Fraud is considered a valuable information source for many agencies nationwide. They are well networked and, as demonstrated by their past history, are able to influence the efforts of various agencies and insurance carriers.

The NCAHF's ability to publish its opinions and hold these types of conferences does make them a substantial "player" in the area of health fraud. It is quite clear that the National Council Against Health Fraud and all of its associated groups need to be monitored, especially where chiropractic is concerned. For this reason Dynamic Chiropractic will endeavor to keep a close eye on the NCAHF and report its activities.

Editor's Note:

The possibility that the NCAHF may be losing its importance was supported at this year's conference. Where in the past, the NCAHF's annual conferences have been well attended with over 400 participants, this year saw only approximately 120. It is estimated that only 5% of the 1600 members bothered to attend.

The problem of low attendance was most noticeable at the hotel itself. It was obvious that the NCAHF had initially anticipated a much larger turnout. Apparently, at the last minute, meeting space was concentrated to cut losses.

In addition, this year's conference was co-sponsored by fewer organizations than last year.

It is nice to see that the country needs chiropractic far more than it needs the NCAHF.

CAPTIONS FOR PHOTOGRAPHS:

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Charles E. DuVall Jr. D.C. -- "Chiropractors are normal when they enter chiropractic college and totally crazy when they graduate."

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