

# An Open Letter to Governor Schwarzenegger

Rick Morris, DC, CCSP, QME

Dear Governor Schwarzenegger:

You inherited a \$38 billion deficit that threatened to throw our state into bankruptcy. Compounding the problem, workers' compensation insurance premiums tripled in the past few years. There is no getting around it: Fixing the economy must include a substantial fix of the "work comp" system.

In 2002-2003, the insurance industry sprang into action. Countless graphs and charts were sent to lawmakers in Sacramento with a clear message: Chiropractic is wasteful and expensive.

Quickly, chiropractic and physical therapy treatments were capped. The ACOEM guidelines went even further and restricted chiropractic to six visits. Workers could no longer see a chiropractor for extremity problems, and patients lost nearly all rights in deciding their own care. Chiropractic, essentially, would be eliminated from the Workers' Compensation system.

Governor, as a medical research professor for the past 12 years, I must tell you that these studies are misleading and incorrect. The reforms being made in the Capitol today are based on insurance company "studies" which do not agree with unbiased, peer-reviewed science.

The following will illustrate my point:

1. The most expensive third of medical cases were removed from the study, leaving their least expensive cases to compare to chiropractic treatment. The medical patients who required surgery, epidurals, MRIs, rehabilitation and physical therapy were simply removed from the medical side of the ledger.<sup>2</sup> Is that a fair way to compare costs?
2. Both insurance company studies did agree on one point: Chiropractic payments comprise just 6% of the total workers' compensation medical payments. This is appropriate since chiropractic treatment accounts for 9% of the physical medicine cases and 6% of total workers' compensation claims.<sup>1,2</sup> This refutes claims about excessive chiropractic costs.
3. Since chiropractic accounts for only 6% of the total medical payments, cutting their services will have little effect on the workers' compensation problem. Forcing workers to seek medical treatment and surgery would only increase costs.
4. In 2002, the average medical claim in which the worker lost at least a day of work was \$31,000.<sup>3</sup> The average cost paid to chiropractors per all claims was \$1,980.<sup>1</sup> (*These are the most comparable numbers I could find.*) They certainly do not indicate excessive costs from chiropractic treatment.
5. Nearly 85% of the chiropractic cases were completed within two years.<sup>3</sup> This counters the allegations that chiropractic care "never ends."
6. Although the studies are cited as evidence that chiropractic treatment is not cost-effective, the authors themselves did not say that. "We do not make judgments about cost efficiency ... such judgments are appropriately made by controlling for several other factors known to be associated with severity."<sup>2</sup>

7. The insurance company's own studies demonstrate that chiropractic patients have less disability than do medical patients (for the same or similar condition) with 16% less duration of temporary disability, 4% less disability per claim and a 2% decreased likelihood of disability.<sup>2</sup> Does it make financial sense to limit chiropractors from the system?
8. In the California Workers' Compensation Institute (CWCI) report, the authors "culled through" the insurance company database to select subjects for the study. Without a random pool of cases, the study is inherently biased.<sup>1</sup>
9. Most peer-reviewed articles (not from insurance companies) document the cost savings of chiropractic care. (A synopsis is available upon request.)

Governor Schwarzenegger, I am writing this letter because you are an outsider who truly wants the best for our state. You are not beholden to the insurance companies and special interest groups. In fact, you may be surprised (or maybe not) to find few, if any, legislators or their analysts who read the study - let alone analyzed it. I've never found one myself. The proposed workers' compensation laws are based on opinions and lobbying that are contrary to the facts. Someone needs to look at this.

I am not blind to the abuses in the medical and chiropractic professions. But, those doctors can easily be tracked and removed utilizing a certification system already proposed by the California Chiropractic Association. Treatment patterns would be monitored. Doctors found abusing the system would surrender their certification. The money saved would easily pay for the program, and plenty would be left over.

Governor, the facts are clear: Cutting chiropractic benefits will cost the state money while limiting necessary services to injured workers. I hope that once you are aware of this deception, you will act in the interests of all Californians.

Thank you for your time. I welcome the opportunity to meet with you or your representatives to document every point that I have made in this letter.

### *References*

1. California Workers' Compensation Institute. *Changes in Utilization of Chiropractic Care in California Workers' Compensation, 1993-2000*. March 21, 2003.
2. Victor R, Wong D, Workers' Compensation Research Institute. *Patterns and Costs of Physical Medicine: Comparison of Chiropractic and Physician Directed Care*. December 2002.
3. Commission on Health Safety and Workers' Compensation. *Workers' Compensation Medical Care in California: Costs*. August 2003.

*Rick Morris, DC, CCSP, QME*  
*Santa Monica, California*

*Editor's note:* Dr. Morris operates a private practice in Santa Monica and is an associate professor at Cleveland Chiropractic College - Los Angeles. Notable among his previous accomplishments is service as a team doctor with the U.S. Olympic Team; the University of California, Los Angeles (UCLA) and California State University, Northridge (CSUN) track and field teams; and the Los Angeles Clippers of the National Basketball Association.

