

Looking Back: 1990

Editorial Staff

As we celebrate our 25th anniversary as the definitive news and information source for the chiropractic profession, we look back at the important events as reported in DC since 1983, while also looking forward to the future. Throughout 2008, we will feature a review of the top headlines in chiropractic for a given year, along with an article on the future of chiropractic authored by an influential member of the profession.

January 1990: MD Boycott Induces Racketeering Charges

In December 1984, Illinois chiropractor Leonard J. Chinnici formed a business relationship with neurosurgeon Jit Kim Limm, MD, PC. The two opened the Neuro-Spine Center in Mona Kea Medical Park in a unit owned by Dr. Limm. In April 1985, the Mona Kea Owners Association (consisting of MDs who owned units at the medical park) called a special meeting regarding "chiropractic occupancy" at Mona Kea. They then issued a letter demanding that Dr. Limm stop using the office for "the administration, consultation or performance of chiropractic services."

Dr. Limm responded by saying that chiropractors were licensed health care professionals in Illinois and therefore, he was not in violation of the Condominium Declarations, as the MDs claimed. In September of that year, more than two-thirds of the owners of Mona Kea - almost all of them MDs - voted to amend the declarations to "specifically exclude and prohibit the occupation, ownership or rental of a unit by chiropractors and naprapaths."

Facing reduced medical referrals and continuous audits from nearby Central Dupage Hospital (where many of the Mona Kea MDs worked), Dr. Limm terminated his relationship with Dr. Chinnici in January 1986. Two months later, Dr. Limm was suspended from the hospital.

On Oct. 13, 1989, Dr. Chinnici filed suit in U.S. District Court for the Northern Eastern District of Illinois, Eastern Division, against the Central Dupage Hospital Association, the Mona Kea South Professional Condominium Association, the Mona Kea Owners Association, and 21 individual MDs, requesting "damages and injunctive relief for violations of the antitrust laws of the United States (Title 15 U.S. Code) for violations of the racketeering laws of the United States (Title 18 U.S. Code) and for tortious interference." George P. McAndrews, Esq., is representing Dr. Chinnici.

January 1990: Hospital Policy Regarding DCs Revealed

The following is Central Dupage Hospital's official policy regarding chiropractors. The policy was adopted on Aug. 24, 1981, reaffirmed in 1983 and revised to its current language on Nov. 11, 1988.

Upon recommendation of the Executive Committee of the Medical Staff, the Board of Directors of

8/24/81 adopted a policy not permitting access to Physical Therapy, Occupational Therapy, Laboratory and X-ray facilities at Central Dupage Hospital by chiropractors, based upon the following reasons:

1. Chiropractic theory and treatment are philosophically incompatible with the type of medicine practiced at CDH. Moreover, doctors of chiropractic have limited medical training and are not legally permitted to administer medication or practice surgery.
 2. Therefore, providing chiropractors with access to CDH diagnostic and treatment facilities could create confusion in the minds of patients as to the hospital's relationship with the chiropractor, the responsibility it assumes as to his patients and the potential confusion as to whether the hospital has endorsed chiropractic.
 3. This in turn could result in suboptimal patient care arising from the confusion in patients' minds regarding the different philosophies and practice of medical and osteopathic physicians on the one hand, and doctors of chiropractic on the other.
 4. Finally, it is well-established that the board delegates to the medical staff the authority for monitoring patient care through a system of peer supervision. Because of the philosophical incompatibilities between doctors of medicine and practitioners of chiropractic, such a system of peer supervision is rendered impractical.
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January 1990: Chiropractic Care Enters Hospitals Through the Front Door

In Houston, Airline Drive Doctors Hospital and Doctors Hospital East Loop are utilizing chiropractic as a fully integrated service to their patients. No, they aren't doing it for the money. No, this isn't some kind of medical tokenism to avoid another antitrust suit. This is an example of a hospital administrator with foresight, a risk manager who knows how to make things happen and still follow the numbers, and a handful of DCs who took the time and made the effort to do it right.

Risk Manager Janice Haines, RN, CRNA, is in charge of quality assurance at both hospitals. Once she was enlightened about chiropractic care, she began researching. She studied chiropractic procedures and reimbursement. She interviewed 60 DCs. She spent the hours doing what was needed to develop the protocols necessary to establish chiropractic departments within these hospitals.

Alan Beauchamp, administrator for both hospitals - and a patient of one of the staff chiropractors - says it all: "The doctor is our customer." In his mind, there is no discrimination between a DC, DO, MD or any other physician - a doctor is a doctor. It's how you care for patients that matters.

February 1990: U.S. Court of Appeals Upholds *Wilk* Decision

The United States Court of Appeals for the Seventh Circuit has agreed with Judge Susan Getzendanner's ruling that the American Medical Association (AMA) unlawfully attempted to destroy the profession of chiropractic in the U.S. In a 49-page opinion dated Feb. 7, 1990, the court affirmed Judge Getzendanner's 1987 judgment, which asserted that the AMA violated antitrust laws by conspiring with its members and other medical professional societies to "contain and eliminate" the chiropractic profession.

George P. McAndrews, lead attorney for the plaintiffs, commented on the latest ruling: "The experience of the AMA in this case should now put other medical associations, and hospitals dominated by them, on notice that chiropractors will fight for the rights of their patients to fair

treatment by tax-supported institutions, hospitals, insurance plans, HMOs and other groups that have burdened those patients with anticompetitive barriers. Hopefully, patients will now get to realize the full meaning of the term 'free choice' when it comes to selecting their licensed health care professional."

July 1990: Chiropractic Effective for Chronic/Severe Back Pain

A study published on June 2, 1990 in the *British Medical Journal* has revealed that chiropractic care is more effective than hospital treatment for patients with chronic or severe back pain. The benefits of chiropractic care became more evident throughout the two-year follow-up period.

According to the study, "Low Back Pain of Mechanical Origin: Randomized Comparison of Chiropractic and Hospital Outpatient Treatment," even the secondary outcome measures showed chiropractic to be more beneficial. This is one of the only studies to demonstrate the effectiveness of chiropractic care on a long-term basis.

The authors state in their conclusion, "For patients with low back pain in whom manipulation is not contraindicated, chiropractic almost certainly confers worthwhile, long-term benefit in comparison with hospital outpatient management. The benefit is seen mainly in those with chronic or severe pain. Introducing chiropractic into the National Health Services should be considered."

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