

Obamacare: Threats, Options and Opportunities

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As a chiropractor, you must be wondering about "Obamacare." What is it? How will it affect my practice? What can I do to prepare for upcoming changes and possible pitfalls?

As Denis Waitley, one of America's most respected authors and productivity consultants on high-performance human achievement, stated, "Expect the best, plan for the worst, and prepare to be surprised."

What is Obamacare?

The comprehensive reform law was signed in March 2010. The name "Affordable Care Act" is the final amended version of the law.

The White House and President Barack Obama claim that health reform makes health care more affordable, holds insurers more accountable, expands coverage to all Americans and makes our health system sustainable. The National Association of Chiropractic Attorneys has applauded its non-discrimination features.

Given these promises, a chiropractor, who has weathered the shrinking reimbursements of managed care, must be expecting the best. But let's keep in mind the other half of Waitley's quote.

The Primary Care Question

As of the current state of the law, the Affordable Care Act permits chiropractors to function as members of the primary care team. The language in the bill ensures that doctors of chiropractic can be included on these patient-centered and holistic teams. The non-discrimination provision lifts some of the burden imposed by unfair limitations of certain insurance companies.

The provision reads in part, "A group health plan and a health insurance issuer offering group or individual health insurance coverage shall not discriminate with respect to participation under the plan or coverage against any health provider who is acting within the scope of that provider's license or certification under applicable State law."

This is good news for chiropractic physicians with practice acts that permit them to provide primary care services. Most importantly, a medical director employed by an insurance company could not decide to eliminate chiropractic services due to prejudice. Yet, we must wonder if the compensation schedule will provide adequate reimbursement.

Recommendation: Build a medical network and develop your health care team now.

As a chiropractic physician, you should improve your inter-professional referral relationships with primary care physicians to improve safety and quality of care and to position yourself on a patient-

centered and holistic team of health care providers.

Create a plan that will increase your referrals from medical professionals. I suggest you learn the ABCs of inter-professional marketing described by Dr. Christina Acampora in her book, *Marketing Chiropractic to Medical Practices*. Learn to identify medical physicians' needs and objections to working with chiropractors. Medical doctors and chiropractic physicians can work side-by-side and patient-centered care requires health care teamwork.

What Challenges or Pitfalls Might Occur?

The American Medical Association and the Scope of Practice Partnership are studying chiropractic education, academic requirements, licensure, certification, independent governance, ethical standards, and disciplinary processes while intending to contain and/or eliminate the chiropractic profession.

Based upon the Texas Medical Association lawsuit against the Texas Board of Chiropractic Examiners, which has limited the chiropractic scope of practice, chiropractic physicians should plan for the worst-case scenarios.

We must suspect that the political forces within organized medicine will attempt to remove chiropractic care from the Affordable Care Act or have us designated as "specialists" to work under the prescription of the primary care "gatekeepers."

[pb]I worked in a managed care system as a specialist with gatekeepers for more than 20 years, and I realize that the classification "specialist" within a health care system defines your turf.

If the Affordable Care Act defines chiropractors as specialists, your referrals might be dependent upon primary care providers who could include physician assistants, certified nurse practitioners, medical doctors and osteopaths.

As a full-time chiropractic orthopedic specialist employed by a large health care system, I experienced the power of the gatekeeper system to control access to chiropractic care.

The system permitted one-tenth of 1 percent (.10%) of the subscribers to receive chiropractic services while 10 percent of the public selected chiropractic care.

You should plan for the worst, just in case. If designated as a "specialist", serving primary care gatekeepers, it will be essential to become a valued member of a patient-centered and holistic team. And it will be essential to market your professional services to the primary care providers with education and trust building.

Practice Acts

Does your chiropractic practice act permit you to provide primary care services? If not, why not?

If your chiropractic practice act is antiquated and does not permit you to provide chiropractic services as a primary care physician, it is time for you and your state association to work with the board of examiners to update the law.

Consider the case of New Mexico. The advanced practice scope of practice in New Mexico provides

prescriptive authority and prepares chiropractors to be primary care physicians - a wise move considering the possibilities contained in Obamacare.

In fact, 10 years prior to the change in the practice act, New Mexico chiropractors participated in the re-writing of the managed care regulations, which permits chiropractic physicians to be hired by managed care companies as primary care providers.

A Backup Plan

What should you do if chiropractic reimbursements are so low that you are not capable of maintaining a profitable practice?

Will you opt-out of the program? Prepare for that possibility now.

I suggest that you perform a SWOT analysis, which is a business tool used to audit your practice. The analysis of your practice's strengths, weaknesses, opportunities and threats is the first stage of planning.

Strengths and weaknesses are internal factors within your business. Opportunities and threats are external and outside of your business.

Health care reforms are external factors that influence your practice costs and revenue. You must be able to determine the amount of reimbursement necessary to maintain a profitable practice.

Suppose your practice demonstrates strengths like excellent location, low overhead, and a well-trained staff.

Now suppose that your analysis also demonstrates weaknesses like a drop in income due to shrinking reimbursements by third-party payers or that you have experienced a reduction in referrals from the medical community. Since these weaknesses are internal and within your practice environment - take action.

Evaluate all contracts offered for services rendered under Obamacare and determine if the third-party agreements are worth the risk.

Develop a plan that indicates the level of reimbursement necessary to maintain profitability. You might want to decline one agreement and seek another with a better reimbursement schedule for your services.

Be An Active Member of Your Associations

The current health care reform law poses threats and opportunities for the chiropractic physician of the 21st century.

As responsible professionals, we should join our national and state associations and become part of the process to ensure chiropractic services are accessible to the public.