



MARKETING / OFFICE / STAFF

## **An Ounce of Prevention Can Save You a Lot of Heartache**

Cherie Sohnen-Moe; Laura Allen

Like anyone else, chiropractors are also consumers. They need goods and services to keep their homes and businesses going. A quick glance in the phone book, or on the Internet, and you can find anything you need, from a product supplier to a cleaning service, or something more professional, such as an attorney or an accountant.

When choosing someone to provide a product or service, keep in mind that many of the same things that are so great about the Internet, and social media in particular, are also some of the same things we need to be concerned about. Just like a popular country song says, "I'm so much cooler online." When someone creates an Internet persona, or a profile for their business, they are putting out there what they want people to see. Sometimes that's as innocent as retouching a picture taken on a bad hair day. Other times, it's as serious as someone totally misrepresenting themselves, their business or their qualifications.



We often take those representations at face value instead of doing any further investigation. Between the two of us, we have thousands of people on our social media networks. Even if we were inclined to, we couldn't check them all out, and unless we are conducting some kind of business with them, there's really no reason to. That's the key phrase: "conducting some kind of business with them."

This is certainly not meant as a blanket condemnation of making useful business contacts on the Internet. Our websites and our social media contacts have contributed greatly to our success. We've both made many useful alliances and even lasting friendships with people we have met online or with businesses that first came to our attention online. It's an unfortunate truth, though, and one that we cannot ignore, that there are scam artists everywhere. By this point in time, nearly everyone that has an e-mail account has probably received one of those messages that they've won a lottery, or someone has died and left them a fortune, or a friend is stuck in Paris after being mugged and having their passport and wallet stolen and they can't possibly get back home unless you help by sending them some money. These scams are usually obvious, although in the past few years, they've gotten more sophisticated.

#### Misrepresentation of Credentials

If someone is claiming to practice a licensed profession, that's easy enough to verify. Nearly every state board has an online verification search option on their website, so you can verify any chiropractor, massage therapist, doctor, lawyer, accountant, teacher, or others who may be required to be licensed in order to practice.

Let's say you hire someone to do your tax returns. If you're giving your business to an established firm

like H&R Block or Jackson Hewitt, or a local CPA known to you or recommended by people you trust, you shouldn't have a problem. If you've hired someone over the Internet claiming to be a tax expert, you should first check their credentials. If they're claiming to be a CPA, verify that on the state board's website. Ask them for their PTIN (Preparer Tax Identification Number). If they are unwilling to give that to you, go elsewhere. Every tax preparer is obligated by federal law to put that number on every return they prepare.

### Bait and Switch

How many times have you seen an offer that seems too good to be true? Chances are that it is too good to be true. Occasionally, companies make great offers to generate leads, bring in new customers/clients, or to celebrate a company's milestone. Unfortunately, many times this is just a ruse. A common example is the sales pitch in which you are contacted and told that you've won a free prize and all you have to do is review a new product the company is launching. Then, when the representative arrives, you are subjugated to a very long, hard-sales presentation and often don't even receive the prize unless you buy the product.

Credit card issuers and credit card processors are two entities that almost exclusively target small business owners because they know they are not going to have any success in trying to take advantage of a large corporation that has in-house accountants and financial advisors. They'd much rather go after the little guy. One bait and switch is offering you a credit card for your business at 0% interest. Read the small print and you'll see that's only good for a short time — like 60 days — and then it leaps to 29%.

Legitimate credit card processors have been recently warning business owners of a scam known as "slamming." It works like this:

- You get a call from someone claiming to be handling your Merchant Account Services.
- They tell you that an internal audit has revealed that your account has been overcharged and you must send them your latest statement so they can correct the problem.
- They then switch you over to their processing service (without your knowledge or permission) at exorbitant fees.
- If you question the person, they will become rude and argumentative and insist you are endangering your business by not giving them the information they are asking for.

If this happens to you, try to make note of the number they are calling from and immediately inform your real credit card processor.

### Due Diligence

The Internet has also made it convenient to find reviews for individuals and businesses online. YELP is one of the most popular sites for reviews. While some of these must be taken with a grain of salt — anyone may have the occasional disgruntled customer — if there are numerous negative reviews, that should be noted before doing business with someone, particularly if the reviews mention unscrupulous business practices. A review claiming a staff member was rude is one thing; a review claiming an individual or business cheated people out of money by failing to deliver on goods or services the consumer paid for, is something else.

The Better Business Bureau posts complaints online, including complaints received about businesses that are not their members. Businesses are categorized as accredited and non-accredited. Accredited

businesses are members that have been vetted (e.g., licenses checked, affiliations verified) and agree to meet the BBB standards. There is a fee to become an accredited business. When the BBB receives a complaint from a consumer, they contact the business to get the business owner's or manager's side of the story, and try to mediate a satisfactory solution between the business and the consumer. The details of the consumer's complaint and any resolutions offered by the business can be found on their website. They also rate businesses on a letter scale according to how many complaints they have received against a business and whether or not the business was willing to offer a resolution satisfactory to the consumer.

## Slander and Libel

While we encourage you to research people/companies, you must exercise caution when posting any type of negative review. It can be quite tempting to tell everyone about a bad experience you've had. We've overheard uncomplimentary conversations and read some rather nasty posts. Be careful of what you say so you do not malign a colleague and are not sued for defamation.

The two major branches of defamation are slander (verbal) and libel (written). Make sure you state your concerns as your opinion. It's fine to be emphatic and say, "I won't do business with this person and nobody else should either!" Always stick to the facts. The minute you start embellishing the truth, you get into trouble. For instance, saying someone is a crook could be actionable, but stating you never received a refund or the contractual obligations weren't met is acceptable from a legal standpoint. Hearsay — such as "So-and-so said you said/did/didn't do \_\_\_\_\_" — is not acceptable evidence in a court of law, with very few exceptions, and should also not be the basis for you to slam someone or their business.

Keep in mind that just because you do not work well with a particular practitioner, or didn't receive the desired results, does not preclude others from receiving benefits. Determine your intent before saying anything that may be construed as "bad-mouthing" or gossip. These types of actions often reflect more poorly on you than the person/company in question.

Avoid making accusations not based on your own personal experience, especially when it is second-hand information from someone you only "know" through social media and haven't even met. Also, action can be brought against you if you try to interfere with someone's right to contract. The term for this is Tortious Interference with Contractual Relations. The measure is if you stated something not true and contacted someone doing business with that person. For instance, you know one of your Facebook followers has hired a business consultant you don't really like. You could be liable if you contact that follower and badmouth the consultant. This liability is amplified if you post derogatory comments about that consultant on your Facebook page. Again, you can state facts, but be cautious about the wording. Gary Wolf, Attorney at Law in Tucson, Arizona says; "Truth is the best defense for a defamation claim."

## Giving Until it Hurts

These days, "crowd-funding" seems to be all the rage. If you can afford to do so and you want to donate money to someone so they can take their dream vacation to Paris, or buy a new house or a clarinet, that's your choice, but do realize that those aren't tax-deductible donations. You can and should donate to any cause that speaks to your heart, whether it's tax deductible or not.

According to the IRS website, hundreds of organizations calling themselves "non-profits" proliferate

immediately following any natural disaster. Many are not legitimate. Other people start legitimate helping organizations but it takes them a while to be granted non-profit status (sometimes up to a year). You can check the status of any entity claiming non-profit status on the IRS website at [www.irs.gov](http://www.irs.gov) or by calling their toll-free number at 1-877-829-5500. They can also give you the date the non-profit received that status and whether or not any prior donations you may have made are tax-deductible.

### Penny Wise and Pound Foolish

The old saying "penny wise and pound foolish" refers to doing a little bit of work now and saving yourself a lot of trouble in the future. It is much better to spend a little time investigating that person or company you're going to do business with prior to making that arrangement than spending months trying to recover a bogus charge on your credit card, collect on the goods or services that an unscrupulous business person is trying to cheat you out of, or even years trying to recover from outright identity theft. If you feel that you have been the victim of identity theft, swindling or fraud, contact your local law enforcement immediately — as well as your bank and credit card companies. Just a little extra effort now, will save you from a lot of heartache down the road.