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The Next Generation of Malpractice Insurance is Here! Yes, You Will Need its Protection!

By Stuart E. Hoffman, DC, FICA

The doctor of chiropractic in active practice has a lot to worry about and a host of issues and administrative and management steps that must be covered to make certain that all aspects of the practice are addressed. From taxes to your license to practice, these issues are demanding, and a frequent source of worry. It is very exciting for me personally to be able to announce that **ChiroSecure** can now offer you a new level of malpractice protection that will take your malpractice insurance worries away like never before.

Comprehensive is a word that routinely gets thrown around in the insurance business. "The Most Comprehensive" however, is a claim you better not make unless what you are saying is true. Well, **ChiroSecure's** new expanded coverage is absolutely, without question, "The Most Comprehensive" coverage available to chiropractors today. This has not happened by accident. When you spend all day, every day, on the telephone with doctors of chiropractic around the nation discussing their needs and concerns, you quickly develop a clear picture of where expanded coverage is needed, and where it has not been available.

Based on **ChiroSecure's** finger on the pulse of chiropractic practice today, we have spent the last six months in negotiations with our carriers to develop the next generation malpractice policy to meet the changing needs of our doctors.

Comprehensive should mean both broad coverage and deep protection. This is what **ChiroSecure** has to offer.

- Underwriter Rated A+ by AM Best in most states.
- Coverage is written on an "admitted" basis backed by the state guarantee fund.
- Both Occurrence and Claims-made coverage forms are available.

Now, here is the big news:

- Legal and Audit Expense Coverage: The most comprehensive coverage now available includes up to \$50,000

defense and audit coverage for:

1. Board investigations and hearings
2. HIPAA
3. Insurance audits
4. Billing errors and omissions
5. Professional Board's investigation and hearings

- For Claims Made Types of Policies — Free tail coverage after five years if you retire and are at least 50 years old, or after 10 years for any reason. FREE Prior Acts when switching from Claims Made to **OUR** Claims Made.
- Unlimited Sexual Misconduct defense coverage.
- True Consent to Settle. Claims will not be settled without your consent.
- Costs to defend are unlimited and do not reduce available limits of liability for settlement.
- Coverage for your corporate or partnership entity is included on a shared limit basis at no additional cost.
- Up to \$5000 each person payment for medical expenses for services rendered by others for injury to a person not resulting from your professional services.

I am not being the least bit alarmist or over-sensationalizing the new risks and exposures doctors are facing these days. HIPAA is real. Insurance audits and billing errors and omissions issues are a fact of modern day practice, Above all, in recent years, a new activism has emerged on the part of some state chiropractic boards in which actions against practitioners are being taken on the basis of questions of utilization and procedure that have never been a part of board scrutiny.

Today, perhaps in response to pressure from third-party payment agencies, or some misplaced desire to re-define the norms of chiropractic practice, some boards have acted against practitioners for "over utilization," x-ray policies and very general communications with the public. These types of board actions clearly push the envelope into new territory and have many believing that such boards have grossly exceeded their authority. Still, unchecked by the courts or the state legislatures, such boards can lay de facto claim to new authority, and this means that you will need to be on your guard even more than in the past.

Real cases highlight the list of strange and completely unforeseen situations in which DCs are finding themselves. In one state, a doctor was cited for misleading the public on the basis of the content of articles pub-

lished in recognized journals posted or linked on his practice website.

In another case, a DC was cited for overutilization for seeing a patient 12 times following a high-speed rear-end auto collision. Still another doctor was cited for failure to repay an insurance company for the care of a small child because no "series" of x-rays was taken, in spite of the fact that every safety and utilization guideline states that x-rays of children are to be avoided except in very specific situations, of which this was not one.

The source of this new wave of complaints is also of curious interest because almost none of these complaints dealing with practice norms come from consumers. Boards are taking the initiative themselves, responding to third-party payers, and sadly, other chiropractors, as the basis for their aggressive actions. The shaky ground that they are moving onto, however, has also prompted a number of lawsuits by the DCs who are on the receiving end of such complaints, and those DCs almost always win in the courts. The financial cost and distraction of such a suit is a very high price to pay, especially when in the eyes of most chiropractors and chiropractic organizations, the behavior cited as inappropriate is seen as well within the established norms of care.

ChiroSecure has made state board defense an integral part of the coverage it offers its insured practitioners.

Shop around, compare and see what you find. Then, call **ChiroSecure** today and find out how you can have the best protection on the market, at highly competitive rates. The result will be both excellent coverage and peace of mind. You deserve both.

STUART HOFFMAN, D.C., F.I.C.A. is president of **ChiroSecure**, ICA's risk purchasing group. He is an experienced doctor of chiropractic and licensed insurance broker, who knows the intricate details of daily practice and who can give you the best advice based on his unique knowledge of both the insurance world and the world of chiropractic. For a free quote or for more information you may contact Dr. Hoffman at 480-657-8500 or visit **ChiroSecure's** website at www.ChiroSecure.com

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