



PRESIDENT'S CORNER

Who Will Govern Chiropractic?

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ICA President

Throughout the history of chiropractic in the United States, and now on the world frontiers of our profession, our fundamental goal was and continues to be the legal establishment of chiropractic as a recognized, doctor level health care profession. There are very few left among us who can remember the celebration when this state or that finally enacted a licensure law, but the legislative enactment of chiropractic authorities and obligations remain perhaps the greatest triumph for chiropractic. Today, we see communities in nations around the globe working within their national political processes to secure the legal standing we enjoy in the U.S., Canada and many other nations.

Inherent in legal recognition is the coding into law and regulations the exact definitions and parameters of practice. While we all disagree on some of the details from time to time, licensure laws and regulations have provided a solid pole against which we can measure activities in our practice, and to which we can look for protection and support when challenged by any entity,

be it a third-party payment agency or other professionals.

There is, however, a dark cloud emerging in this arena that should be of grave concern to all doctors of chiropractic, everywhere. This is the emergence of aggressive entrepreneurial organizations that are presenting themselves in the marketplace as "regulators" of chiropractic procedure and utilization. They contract with insurance carriers and self-insured plans on the promise of reducing utilization and costs, and then proceed to seek to dictate new, economically driven, and advantageous terms of practice that run the gambit from drastically limiting the taking of x-rays to limiting the number of visits to sometimes ridiculously low levels, even for complicated cases.

Claiming a credibility to which they are not entitled, they sometimes show up before regulatory boards with claims and assertions that are so far beyond established chiropractic norms and practice parameters that the profession needs to question whether these organizations are, in fact, seeking to usurp the unique authority of the state legislatures in the United States to regulate

the professions and the trades.

We should be outraged, indeed, we must be outraged at any organization that acts to place our doctors in conflict with their obligations under state law, or cynically calls recognized activities and procedures "unethical" as a lever to serve their economic interests.

The level of interference with quality patient care that these organizations are engaging in represents a grave crisis for chiropractic and one that cannot continue if we are to maintain our independence as clinical decision-makers, and to maintain the quality of care we are ethically and legally obligated to provide every patient.

The International Chiropractors Association (ICA) has studied the operations and the impact of such groups on the profession and on quality patient care, and we are poignantly aware of the frustration felt throughout the profession. We have watched the flurry of lawsuits against such organizations, and continue to encourage and support all responsible legal action aimed at curbing these abuses. We are also aware of the financial drain this approach inevitably causes, and have a real concern that because these groups and their insurance industry clients have far deeper pockets than the chiropractic profession, we cannot afford to pursue this means of remedy to a successful conclusion, even on a limited basis.

This is a bitter conflict, with hundreds of millions of dollars at stake, and fundamental questions of quality of care and professional independence on the line. With so much at stake, we need to take the widest possible look at po-

tential solutions. Indeed, we need to consider who else is having their authority usurped, and work to draw those parties into the debate.

A gifted strategic thinker once observed, "In conflict, no matter on what level, whether it be within the family or between nations, all you need to do to win is to expand the scope of the conflict in a direction favorable to yourself." I believe that there are situations so egregious, and so outside the realm of even common sense, that the chiropractic profession can legitimately make the claim that these organizations are acting on a level that only government can act. In these cases, **chiropractic doesn't need to file lawsuits. We need to file charges.**

The law exists to serve and protect. As one of ICA's legal advisors is fond of observing, "The law is a shield, not a sword." Chiropractic needs to look to the law for protection, on both the state and federal level. ICA has, on many occasions, employed a strategy of taking specific concerns to members of state legislatures and presented documents that demonstrate how a private organization is seeking to act in a manner reserved to the legislature and only the legislature. We have then used the good offices of those legislators to contact the state attorney general and demand a cease and desist action, on the basis that only the legislature can determine the scope and parameters of the health professions.

As some of us may remember from our civics classes in school, the reserve clause of the U.S. Constitution reserves

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In active practice? Yes No Former SICA member? Yes No Former Field member? Yes No

I hereby apply for membership in the International Chiropractors Association, agreeing to abide by the Constitution, By-Laws, Code of Ethics, all amendments and regulations adopted by the Board of Directors and Officers of the Association under the provisions of the Constitution, and amendments hereafter legally adopted. I also understand that failure to remit dues will result in loss of membership, and all rights and privileges thereof.

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Please charge my: VISA MasterCard American Express Enclosed is a check/money order

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* Unless otherwise requested, correspondence will be sent to your office address.
 ** Not eligible to vote in ICA elections
[†] Teaching 8 or more academic hours per week at an accredited chiropractic college.
^{††} ICA dues are not deductible as a charitable contribution for income tax purposes, but may be deductible as a business expense.