

ICA Acts Correctly in Veterans Advisory Committee Dispute

Takes Aggressive Action to Include Subluxation Language Missing in Moran Bill

By **Michael S. McLean, D.C., F.I.C.A.**
Chairman, ICA Legislative Committee



Michael S. McLean,
D.C., F.I.C.A.

Competing chiropractic organizations, particularly the American Chiropractic Association (ACA) have conducted an aggressive and unwarranted publicity campaign in other publications, charging the ICA with breaking an agreement on the composition of chiropractic nominees to an advisory committee mandated in the recently passed chiropractic veterans bill. These assertions are completely untrue and the International Chiropractors Association is obliged to respond to these unfounded and offensive allegations with an outline of the facts. It is a sad reality of organizational politics that we are obliged to waste energy on this matter, especially since no attempt was made by the ACA to communicate with any officer or representative of the ICA on any aspect of this matter before releasing their hostile and factually incorrect letter on this issue to the chiropractic press.

In the recent legislative effort to pass a chiropractic veterans bill, the ACA and some representatives of the Association of Chiropractic Colleges (ACC) put forward the idea that the Chiropractic Advisory Committee that participated in the Department of Defense (DOD) Chiropractic Demonstration Project should be "reconstituted" for service in the veterans' context. ICA supported this idea in exchange for an agreement to incorporate specific subluxation language into the scope of practice section of any chiropractic veterans' initiative.

Missing subluxation language in Moran bill nullified agreement

The chiropractic veterans' legislation was introduced by Rep. Jerry Moran (R-KS), who is ACA Board Chairman James Edwards' Congressman. **The agreed upon subluxation language was glaringly absent from this bill.** At this point, the ICA leadership had no choice but to conclude that the agreement on any advisory committee had, as a consequence, been broken by the ACA. When Congress resoundingly rejected the idea of reconstituting the DOD chiropractic advisory committee and mandated a completely new committee, ICA rightfully concluded, on two compelling points, that any agreement between ICA, ACA, ACC and the World Chiropractic Alliance (WCA) on the DOD committee was dead.

ICA made a special point of inquiring of senior House Veterans Affairs Committee personnel why the DOD "reconstitution" proposal was rejected so emphatically. We were bluntly told that such a proposal would have been received with great negativity, even contempt by the Secretary of Veterans Affairs and considered to be an insult by the House since it implies that the Secretary is incapable or should otherwise be denied the discretion to make

such appointments as he deemed best to fulfill his Department's mission. We have also been told that the new Administration would not likely entertain with favor the blanket reinstatement of a slate of appointments made under the previous Clinton Administration, regardless of the circumstances. That the other chiropractic organizations would not have done a similar reality check in an effort to determine the political wisdom of this situation has not, hopefully, damaged the standing of the profession as a whole in this process with the Bush Administration.

Why ICA considered the issue closed

While ICA supported the legislative initiative to revive the DOD committee in exchange for specific subluxation language, language which was not forthcoming, once Congress rejected that proposal and made it clear that new personnel with a new mission was mandated, ICA considered the issue closed. We took no public action to confront those who introduced the legislation without the agreed subluxation language, but undertook an aggressive campaign to have that language included, a campaign that was ultimately successful.

The Department of Veterans Affairs considered it closed too. ICA responded to a specific invitation received in a letter dated March 6, 2002 from Frances M. Murphy, MD, Acting Under Secretary for Health, to submit nominees for the DVA Advisory Committee. ICA has responded to that invitation, as have many other organizations including the ACA and ACC with nominations of individuals our respective organizations feel most qualified to represent the profession in that context.

We are hopeful that the selection process will yield some sort of reasonable balance, especially since the DVA has stated that that committee will also include MDs, DOs and physical therapists. ICA is viewing every aspect of the advisory committee process with suspicion since the orientation of the Department has historically been so negative. For the record, Congress mandated a "Chiropractic Advisory Committee" and the DVA's push to possibly pack that body with persons who will see and do things their way means that chiropractic must clearly be on its guard.

What ICA foresees happening in the near future

Some in chiropractic have been under what appears now to be a badly mistaken notion that the Veterans advisory committee process would be an exact mirror of the Department of Defense experience. In the DOD process, chiropractic representatives engaged in an intensive, direct and serious negotiations process with public officials over an extended period of time. ICA has learned that the DVA is planning two meetings, both open to the public and beyond that, there are no indications that the DVA Chiropractic Advisory Committee will have any such role in planning that agency's policy. In fact, the

prospect exists that the DVA is going to comply with the mandate from Congress on this committee matter at the most minimal level and, in the end, the DVA Chiropractic Advisory Committee might be little more than window dressing.

If the DVA is planning to continue its obstructionist policies and to merely pay lip service to the Congressional directive to consult on chiropractic program details, the effective role of any chiropractic representatives on that body may be reduced to one of protest. ICA would certainly not stand for any continuation of the behavior displayed in earlier negotiations with the DVA, and we hope that any and all chiropractic representatives would have the same resolve. If the DVA does not seriously move to make chiropractic care routinely available to its beneficiaries, in both the spirit and to the letter of the law passed by Congress, chiropractic representatives will have no choice but to go back to Congress and seek the immediate intervention of that body to see that justice is done.

Congress passed this new law because they believe that our nation's veterans are entitled to the best possible range of care choices. This includes chiropractic. ICA is not inclined to even be polite about any agency that is attempting to ignore such a mandate from Congress, especially when veterans pay such a high human price by being denied the benefits of chiropractic care.

Doctors of chiropractic from across the nation, having heard about the new law, have been calling ICA asking for advice on how they might start the process of becoming DVA providers. Regrettably, we are obliged to tell them that it will be some time, perhaps many more months, before the rules are writ-

ten and there are pathways for service established. Will we be giving the same response six months from now? I hope not, but the possibility exists.

ICA will not support application of Mercy Guidelines

What we suspect, however, is that when care is finally provided, it will likely be in DVA facilities by DCs either contracted or employed full-time to deliver chiropractic services. The rules of employment and the protocols of care will be determined by the DVA. ICA will not support and will speak emphatically against any application of the *Mercy Conference Report* as a basis for chiropractic operations in the DVA program. This, sadly, was what was done in the DOD project, something which ICA feels will come back to haunt the profession in other government programs.

In the end, the ability to serve a needy population is ICA's motive. Let's hope the Department of Veterans Affairs has a little of that orientation too.

ICA extends invitation to ACA, WCA

ICA stands ready and willing to work in a cooperative spirit with any chiropractic organization that shares the goal of legislative progress for chiropractic. In that spirit, ICA has extended an invitation to the legislative committees of the ACA and WCA to meet in Washington to seek common ground and to develop procedures that will, hopefully, aid in avoiding conflicts like the veterans advisory committee matter. ICA hopes that those organizations will accept this invitation and that cooperative progress can be made.

MICHAEL MCLEAN, D.C. is a member of ICA's Board of Directors and Chairman of the ICA Legislative Committee.

Congressman Lane Evans Recognized for Exceptional Public Service



Congressman Lane Evans is presented with a bust of George Washington recognizing him as "America's Most Outstanding Public Servant for 2002" by ICA Board Members from his state of Illinois, Dr. Eric Russell (center) and Dr. Richard Burns. The presentation was made in the chambers of the House Committee on Veterans Affairs on May 16, 2002.

The International Chiropractors Association (ICA) has recognized Illinois Congressman Lane Evans as "America's Most Outstanding Public Servant for 2002" for his exceptional efforts to serve the nation through innovative and

far-reaching public policy initiatives to improve the health and well-being of all Americans. Mr. Evans represents the 17th District of Illinois.

Mr. Evans was presented this prestigious award at a special ceremony in Washington, D.C. by a delegation of doctors of chiropractic from around the nation, led by ICA Board members Dr. Eric Russell of Quincy and Dr. J. Richard Burns of East Moline, constituents of the Congressman.

"Mr. Evans has made service the hallmark of his public career, making exceptional efforts to find ways to meet the needs of people who have often been forgotten or ignored in the policy process," said Dr. Russell. "This is especially true of his efforts on behalf of our nation's veterans."

The Congressman was presented with a life-sized bust of America's first President, George Washington, inscribed with ICA's tribute, in the chambers of the House Committee on Veteran's Affairs on May 16, 2002.