



Do Not Be Fooled — The New CCGPP “Guidelines” Will Become a Part of the Malpractice Equation

By **Stuart E. Hoffman, D.C., F.I.C.A.**

In the current wave of controversy over the implementation of a new set of “best practices” standards, “guidelines” or whatever you want to call them, one critical element seems to be missing from the discussion. That element is the malpractice implications of the new “Best Practices” document being promoted by the Council on Chiropractic Guidelines and Practice Parameters (CCGPP).

This hotly debated document is another of those extra-legal references that third-party carriers love to get their hands on, because they can use such things against the chiropractor and the patient more effectively than just about anything else, because they can argue that they come from the chiropractic profession itself.

It does not matter that this document comes from a minority viewpoint promulgated by a self-selected group of largely non-practitioners. Never mind that the methodology employed by the CCGPP has been faulted by just about every objective reviewer, both within and outside the chiropractic profession. Never mind that it has or will be rejected by just about every chiropractic state association, specialty group and national association in the country. Once this milk is spilled, it is almost impossible to contain the negative consequences.

This is why I have written directly to the Chairman of the CCGPP arguing that this new draft should be withdrawn from publication. This is urgent because of the changing nature of the resistance being put up by the insurance industry against fully paying for clearly necessary chiropractic care. Lately, insurance carriers have taken to filing “overutilization” claims and charges against doctors of chiropractic with state chiropractic boards, sometimes accompanied by the most outrageous and offensive narrative attacking the attending doctor, based on the type of guidelines now under debate. They do this out of shameless economic motives, hurting doctor and patient alike. Why? Because they can!

Given the kind of weapon the new CCGPP document represents, it can and will be used not just to deny payment for care, but to attack the very essence of the rights of the attending doctor to meet the needs of the patient according to their unique findings and applying the procedures they are charged and authorized by the law.

I find it especially alarming that the CCGPP states with great clarity that they intend to place this document in the hands of the insurance industry and have chosen a publisher/distributor “...for its abilities and history in

placing such documents in the hands of payers and policy makers.” If ever there was a red flag that cannot and should not be ignored by the rest of the profession, I believe this is it!

Do not be fooled or deceived by the seriousness of this risk. This situation is not something that might happen to someone, someday. It is the ugly reality of today’s insurance marketplace.

Remember also, even if you win in defending yourself against such insurance-driven charges, it can cost you thousands in legal fees, hurt your reputation and drain you emotionally.

Those promoting the new CCGPP document are arguing that this new resource will help doctors of chiropractic defend legitimate claims and collect what is rightfully due. No it won’t.

According to the CCGPP website (<http://www.ccgpp.org/concerns.htm>), this document is needed because:

“Where internally developed documentation is absent, payers and policy makers substitute their own. The profession must not permit itself to be a victim of documents pressed upon the profession by other entities which distort and restrict chiropractic care without evidence.”

I and thousands of my chiropractic colleagues see this new CCGPP initiative as just that sort of artificially imposed standard they are warning us about, not representing the practice

rights and authorities of the doctor in the field, and certainly not representing the best interests of the patients. They are right about one thing, however. “The profession must not permit itself to be a victim of documents pressed upon the profession by other entities which distort and restrict chiropractic care...” The state laws governing the practice of chiropractic are our first and best defense, and we need to defend the rights given by the civil authorities of the land, not weaken them by assenting to their limitation through these guidelines.

The chiropractic profession is harassed and battered enough as it is. We do not need, nor do our patients deserve to be subjected to another series of arbitrary, extra-legal hurdles, promoted as representing a consensus of the chiropractic profession, when they clearly do not.

To the CCGPP decision makers my message is clear. Do the right thing. You do not have the confidence of the profession. The rejection of the current

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