



Arizona Chiropractic Society

3515 E. Carol Avenue
Phoenix, AZ 85028

www.AZChiropractors.org

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.... And Much More!



Providing leadership, advocacy and resources that promote professional excellence and quality patient care in chiropractic



Arizona Chiropractic Society News

Statewide Non-Profit
Chiropractic Association

DECEMBER 2008

ALAN M. IMMERMAN, D.C., *President and Executive Director*

ACS Salutes and Congratulates Governor-to-Be Jan Brewer, Spouse of John Brewer, D.C.

ACS salutes and congratulates Arizona Secretary of State Jan Brewer who is slated to become Arizona Governor in early 2009 when current Governor Janet Napolitano leaves to join President-Elect Barack Obama's cabinet as Homeland Security Secretary. Secretary Brewer, a long-time friend of chiropractic, is married to Dr. John Brewer, a retired Arizona chiropractor.

Jan served in the Arizona Legislature for fourteen years during the 1980s and 1990s. She consistently supported chiropractic during that time. Dr. Immerman worked daily at the Legislature for most of those years, leading to the passage of the current chiropractic insurance equality laws. To illustrate Jan and John's contribution, read this from the ACS October 1998 newsletter

Four key individuals provided extremely valuable advice and direction (over the past ten years): John Brewer, D.C., John's spouse Senator Jan Brewer, Ted Kern, D.C., ACA expert on state insurance equality laws, and State Senator Wayne Stump, D.C. Without help from these individuals, we never would have succeeded in passing insurance equality legislation in Arizona.

Dr. John Brewer served on the Chiropractic Board in the 1970s and then as the Executive Director of the Arizona Naturo-

pathic Board with great distinction throughout most of the 1990s until 2001. He was, more than any single person, responsible for the fact that Arizona NMDs have the best scope of practice in the nation. ACS and Dr. Immerman supported every one of Jan's legislative campaigns with extensive efforts. In 2002, ACS helped Jan collect contribu-

tions for her first Clean Elections' campaign for Secretary of State. Jan has always been well worth supporting for more than 2+ decades, and ACS will certainly support the Jan Brewer for Governor Campaign in 2010.

Some in the left-leaning media have attempted to portray Jan as a tight-fisted, mean-spirited fiscal conservative who will

ruthlessly cut and slash social programs, leaving helpless people hungry, sick and homeless. However, Maricopa County Supervisor Mary Rose Wilcox, a prominent and outspoken Democrat, recently lauded Jan for fully funding and rehabilitating the Maricopa County mental health system when she was

See **Brewer** on page 2

ACS Vision for 2009

THE ARIZONA CHIROPRACTIC SOCIETY is the only Arizona chiropractic association working to lower copays, coinsurance and deductibles in health insurance. ACS is also the only association working to reign in the Arizona Chiropractic Board. You can read extensive details and comprehensive documentation about our efforts at www.AZChiropractors.org. Here are the specific goals of ACS for 2009:

Insurance Equality

1. Gain proper enforcement of existing insurance equality laws through lobbying and litigation. ACS lobbyist Ed Wren is an expert in health care according to AZLobbyists.com. There are a limited number of registered lobbyists in Arizona with expertise in this area, and ACS is the only Arizona chiropractic association with a lobbyist who specializes in this field.

2. Block any legislation such as Mandate Lite which would weaken or repeal insurance equality laws.

3. Expand insurance equality laws into all other health care programs including AHCCCS.
4. Work with federal legislators to establish insurance equality in Medicare and ERISA.

Chiropractic Board Reform

1. Replace Board member Dr. Steve Baker when his 5 year term expires on 6/30/08. He was appointed to the Board at the request of the AAC which will lobby for his reappointment. He was almost a full-time insurance IME before ACS successfully lobbied to pass the Board conflict of interest law in 2006 that prohibits Dr. Baker from continuing to do insurance work.

2. Replace the Board's current insurance-based standard of "medically necessary treatment" with the public health-based standard of "clearly excessive treatment" as a basis for discipline. This change has been adopted in California.

See **Vision** on page 3



Alan Immerman, D.C. will continue as President and Executive Director of ACS.

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Fax Comp Ed App cat on to 602 368 8954 or Mail to ACS, 3515 E. Carol Ave Phoen X AZ 85028

LAST NAME _____ FIRST NAME _____

OFFICE MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____

PHONE NUMBER _____ FAX NUMBER _____ EMAIL ADDRESS _____

CHIROPRACTIC COLLEGE _____ DATE OF GRADUATION _____

TOTAL YEARS IN PRACTICE _____ TOTAL YEARS PRACTICE IN ARIZONA _____ AZ LICENSE NUMBER _____

hereby apply for membership in Arizona Chiropractic Society for the purpose of serving the Chiropractic profession and for the benefits we receive from such membership

understand that my credit card will be billed each month or may elect to receive monthly bills by fax or mail

1st Year Out of Chiropractic College, \$25 per mo 2nd Year Out of Chiropractic College, \$50 per mo

3rd Year Out of Chiropractic College, \$75 per mo 4th Year Out, and thereafter, \$100 per mo. Part-Time Doctors, \$50 per mo

DATE _____ SIGNATURE _____

EXPIRATION DATE _____ CREDIT CARD NUMBER _____

Application for Membership • Arizona Chiropractic Society

Chiropractic Board Dramatically Retreats in Stender Case, Rules He Did Not Intentionally Lie

Under the glare and intense pressure of a spotlight shined by ACS with the entire profession watching, the Chiropractic Board dramatically retreated in the Stender case and ruled that there were no intentional lies aimed at misleading and scaring patients about the hazards of subluxations. The Board has now simply concluded that Dr. Stender did not sufficiently back up some of his claims with adequate scientific references and so he cannot continue to make those claims. The Board does have the power to determine which references are acceptable.

ACS had adamantly objected to the Board's baseless characterization of Dr. Stender as a liar

Throughout the outrageous conduct of the Board towards Dr. Stender, the AAC was completely silent.

and con artist and, fortunately, the Board reversed itself when it considered the request for

rehearing, thus avoiding a battle in Superior Court which Dr. Stender would surely have easily won. ACS congratulates Dr. Stender on this vindication of his good name and character, and salutes attorney Brent Peugnet, D.C. for a job very well done.

This is a great victory for common sense and the Arizona chiropractic profession. ACS wishes it was a predictor of better times with the current Board as constituted but, unfortunately, that would be a reckless fantasy. Current Board members simply must be replaced, together with current staff. ACS continues to call for complete turnover. The Stender case is just another example of a Board completely out of control, rife with bad judgment.

Throughout the outrageous conduct of the Board towards Dr. Stender, the AAC was completely silent. There has never been a single case where the AAC has publicly criticized the Board's handling of a DC in Arizona. Doctors have realized there is no separation between the AAC and the Board – they are one as they walk in lockstep with offices in the same building across the hall from one another. ACS is the only state association independent from the Board, willing and able to freely criticize when appropriate and necessary as in the Stender case. If ACS had remained silent, Dr. Stender may have been railroaded like many other doctors before him.

Soon-to-be-Governor Jan Brewer is an eminently fair and honest person who considers all sides thoroughly before making a decision. Arizona will be in excellent hands under Jan Brewer. Chiropractors will have a Governor with a special understanding that alternative health care deserves a seat at the table, and that Arizona citizens should have choice in health care. Arizona will become the only state in the nation with either a DC or a spouse of a DC as Governor. Truly, a new day is dawning. Be sure to join ACS in welcoming Jan Brewer to her new office. ■

Brewer... from page 1

Chairwoman of the Board in the late 1990s. Supervisor Wilcox extolled Jan's profound compassion for the most sick and helpless, a quality Arizona chiropractors have seen again and again for years. Both Jan and John are deeply caring healers first and politicians second.

ARIZONA
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SOCIETY *News*

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The names of all Board Members are available to ACS members on request.

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ASSOCIATES NEEDED FOR AZ, TX, & MO: Chiropractors needed for Yuma, AZ; Beaumont, TX; & Blue Springs, MO! Great Salary & Bonuses! Learn While You Earn! We Have Too Many New Pts. -We Need Your Help!! All 3 Clean, Low-Crime, Small Town Atmospheres w/Big City Amenities! Send resume to sop12345@aol.com

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ASSOCIATE NEEDED IN GILBERT: Associate DC needed immediately in successful, busy and well-established Gilbert chiropractic office. Call Dr. Wall at 480-510-7036.

SPINAL SCREENING OPPORTUNITY: We need 3 more doctors to join our group for various marketing events, home shows, kids' expos, bridal shops, etc. Need SW Valley, N. PHX and Scottsdale. Contact Dr. Reed 480-201-7929.nd Scottsdale. Contact Dr. Reed 480-201-7929.

PRACTICES FOR SALE

PRACTICE FOR SALE, low overhead, x-ray, 1K sq/ft, old patient files, equipment, DRX9000, 4 traction units, 2 IST tables, all starting @ \$1 check EBay. (520)449-3523 Dr. Watson, moving to new office.

PRACTICE FOR SALE: Well-established practice for sale in beautiful Flagstaff, Arizona. Reasonable rate. Doctor retiring and moving out of the country. Call Dr. David or Pamela Hopkins @ 928-774-2253.

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tient base, financially stable, beautiful clinic in fast growing community, priced below market value, information contact Dr. Brian 623-693-6468.

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CLINIC SPACE FOR SALE: Chandler Doctor is moving out of state and needs a DC to purchase office space. Space already has 2 other renters (brings in combined rental income of over \$1600 per month). Doctor is giving away 9 year cash practice patient list with purchase. Call Michelle for details: 480-628-6754.

GILBERT AZ PRACTICE FOR SALE: Established GYM practice. Rehab area, massage therapist onsite. MUST sell. Practice has grown with no advertising or screenings. Appraised \$65K. EXTREMELY low overhead. \$14K OBO. Call 602-920-7808 or email practice_for_sale@yahoo.com

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ing for a motivated chiropractor to rent space in the well established office starting after December 1st. Full or part time available. Please call Dr. Steve at 602-695-8857. SB

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OFFICE SPACE AVAILABLE: Tues-Thurs-Sat, Greenway / 35th Ave. location in Phoenix. Fully equipped, 3 treatment rooms, x-ray and 2 massage rooms. Option to rent or pay percentage. Contact Dr. James Schaefer, DC at 480-577-0411.

EQUIPMENT FOR SALE

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FOR SALE: Universal 325 x-ray machine. AFP Mini-Med 90 Processor. Great condition. 7 years old, cost \$20,000 new. \$9,500 or best offer. Call Dr. Brown, DC at 480-377-1226.

NOVA SUMMIT XRAY MACHINE: Model #B360, made in 1996. Also: Konica Processor SRX 101, cassettes and film. Asking \$6000 for all. May purchase individually. Call Dr. Cradic in Yuma at 928-344-2460.

JTech wired ROM and Muscle Testing for sale. In perfect condition. Includes dual inclinometry, range of motion, dynamometer muscle testing, Tracker interface box, carry case, accessories, manuals and software. Package originally purchased for \$5945. Asking \$2900. (480) 610-5433 KS

Chiropractic Equipment for Sale: Oak X-ray View Box, \$350. Constant Glide-Connects NCM or Thermo scribe, \$150. B.J. Palmer Stereoscopic Viewer, \$500. Whale vertebra, \$125. 14 x 36 Universal moving Bucky for full spine x-rays, \$250. Call Dr. Panchesin, D.C. 520-294-0400.

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CCGPP and ICA Best Practices: Last Call for Your Input

The CCGPP Best Practices have been available for your review for a significant period of time. Now, the ICA Best Practices have also been available for enough time for you to come to a conclusion. It is ACS' judgment that the time has come for your Arizona state association to endorse a Best Practice document for Arizona. ACS has been soliciting comments from both members and non-members for months. This will be the last time we will ask for comments. All comments must be received prior to January 15, 2009, and then the final decision will be published in the February 1, 2009 ACS Newsletter.

The ICA and CCGPP documents differ greatly and will dictate your future. Read all

of the following and get involved. The electronic version of the newsletter has hotlinks to the following. For those reading the paper version, go to the ACS webpage at www.AZChiropractors.org and you will find the links there.

- Triano and CCGPP will give you six visits, Part I, American Journal of Clinical Chiropractic, July, 2006
- Triano and CCGPP will give you six visits, Part II, American Journal of Clinical Chiropractic, July, 2006. Reported survey of state associations on CCGPP. 30 associations including ACS demanded documented be withdrawn. 2 associations including AAC supported CCGPP. Arizona AAC and CCGPP members include Arlan Fuhr, DC, AAC Gold Mem-

ber, Wayne Bennett, D.C., former AAC President, and DH Leavitt.

- Triano and CCGPP will give you six visits, Part III, American Journal of Clinical Chiropractic, July, 2006
- Association of NJ Chiropractors questions CCGPP, April, 2008
- ICA Position Paper on CCGPP, 2006
- CCGPP Homepage
- ICA Best Practices Homepage
- ICA Best Practices preface and author information detailed

At this time, the strong consensus of Arizona chiropractors is in favor of the ICA Best Practices. ■

Don't Miss Important Breaking News!

Sign up for the FREE ACS e-newsletter at www.AZChiropractors.org and check the frequently updated website regularly. Go to the homepage at the upper left corner, enter your email address, and strike enter. Then you will be connected!

Also, ACS posts Arizona Chiropractic Board meeting minutes on the ACS Chiro Board webpage for all to see. Now you can finally learn what the Board is doing every month at its meetings. ACS wants the profession to see exactly how the Board is (mis)behaving. ■

Medical Records Protocol: You Need It for Relicensure, ACS Has It

The Chiropractic Board requires that you have a Medical Records Protocol on file in your office. ACS has retained a health care attorney to write such a protocol. This document has been newly revised in 2008 due to changes in the rules pertaining to chiropractic.

ACS is the only organization that has retained an attorney who is a specialist in health care law to write a Medical Records Protocol.

To get a copy, simply look in your email inbox if you are a member. If you are not a member, join today and we will email you a copy. ■

ACS Vision for 2009

Continued from page 1

3. Reinsert "of ethics" so that the Board can no longer discipline doctors for practicing contrary to "recognized standards in chiropractic." This broad and vague language has been applied in an arbitrary and capricious manner. ACS tried to restore the law to its pre-1995 form in 2008 but the bill failed due to AAC opposition. ACS is lobbying AAC members to reverse AAC opposition.

4. Lobby to have the Arizona Auditor General perform an audit of the Board before the normal scheduled date of 2011.

Support Broad-Scope and Subluxation-Focused Chiropractic

ACS will continue to affirmatively support both broad-scope and subluxation-focused chiropractic practice. ACS is truly a live and let live organization. Chiropractors who practice to the full extent of the Arizona scope of practice including in-office blood analysis, full physical examinations, treatment of cardiovascular disease with lifestyle modifications, etc., find full support from ACS. ACS is investigating the possibility of an advanced practice certification for those DCs who want an expanded scope.

Likewise, DCs who focus solely on subluxation detection and correction are supported by ACS. There are few organizations nationwide that affirmatively support both branches of the profession in order to achieve unity so that general progress can be achieved for the profession. In accord with its principles, ACS supports both the ACA and ICA.

Evidence-Based Marketing

ACS is developing Evidence-Based Marketing™, the first marketing program to include references to peer-reviewed journal articles accepted by the National Library of Medicine. Such references are now required by the Arizona Chiropractic Board. This new marketing material is being developed together with ACS' new partner, Affordable Image (AI), a veteran in the industry in Arizona for many years. Elsewhere in this newsletter is a presentation of the overall marketing package recommended by ACS for every chiropractic office and developed by AI. It includes professional and unique business cards, stationary, holiday and birthday cards, and more. AI marketing coaches will meet with ACS members one-on-one to teach them how to develop the most effective

marketing programs for any budget.

Our Team for 2009 – The Old and The New

For 2009, the ACS team will consist of the old and the new. ACS will continue to be guided by Dr. Alan Immerman as it has been since its inception in 1991. There is something to be said for experience and a long track record of proven results. Dr. Jenna Haggard is current ACS Vice-President.

Joining the ACS team for 2009 are Edward J. Wren and Frederick C. Berry, Jr. Ed is a 25 year veteran at the Arizona legislature and now is ACS' new legislative lobbyist. His areas of expertise include health care, law enforcement and the hospitality industry. He represents University Physicians, the faculty of the UA Medical School. Ed's bio is posted on the ACS web page. He has special empathy for the mistreatment of patients by insurance companies since he was once a prominent victim of HMO malpractice, written about in a local newspaper article also posted by ACS. Ed is Government Relations Director for the Arizona Juvenile Diabetes Association and an Honorary Member of the

Arizona Highway Patrol Association. He is widely respected at the Legislature. Read more details and link to articles about Ed at www.AZChiropractors.org.

ACS has retained attorney Frederick C. Berry, Jr. to sue the Arizona Department of Insurance (ADOI) to force ADOI to properly interpret and enforce the Arizona insurance equality law for chiropractic, ARS 20-461(A) 17 and 20-461(B). This will result in dramatic lowering of copayments, coinsurance and deductibles for chiropractic care in health insurance policies. Mr. Berry is a former ADOI Deputy Director and now a top Arizona insurance lawyer with 33 years experience. Ten years ago, he won a landmark case against ADOI in the Arizona Supreme Court. You can link to Mr. Berry's webpage and this case on the ACS webpage at www.AZChiropractors.org. ACS has the funds on hand for this litigation and is poised to act when necessary. ACS is the only state association in Arizona pursuing enforcement of the Arizona insurance equality law.

The ACS Privacy Policy

ACS will never release the name of any member to any party at any time for any reason whatsoever. ACS completely protects the identity and privacy of every member. ■

ACS and AAC Goals and Objectives are Different

ACS' goals and objectives for 2009 are listed above: Achieve insurance equality and reform the Chiropractic Board. Each of your two state associations has its own set of objectives. You should know what they are so that you can know which organization best fits your needs and deserves your support.

Just recently, the AAC announced that its main objective for 2009 is to support a lawsuit to recover funds swept from the Chiropractic Board by the State of Arizona to balance the state budget. The AAC is not planning on joining the ACS legal action to achieve insurance equality.

If the AAC' lawsuit fails and the Board has to raise licensing fees, a worst case scenario might be a \$50 per year increase. If the ACS lawsuit to achieve insurance equality succeeds, even the smallest chiropractic office will see an increase in monthly health insurance collections of thousands of dollars. It is for this reason that ACS members have elected to pursue insurance equality and not the Chiropractic Board funding issue with the limited resources at hand.

ACS welcomes your comments and feedback on this or any other matter. Our email is ACS@AZChiropractors.org. Please indicate in your email whether we have your permission to publish your letter in the newsletter. ■

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Scottsdale Medical Imaging (SMIL) and The Chiropractic Correlation Report

by Terry R. Yochum, DC, DACBR: This new report will be provided, at no charge to you, for every patient you refer to SMIL for an MRI study. This is a compliment to SMIL's detailed radiology report. SMIL accepts assignment on PI cases and provides translators. Ten locations. For order forms, Call/email Shannon Barrow 480.425.4136 or SBarrow@eSMIL.com.

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December 2008 Announcement About ACS New Member Benefits

The ACS Special Treasure Member Benefits are now available in PDF format for your convenience. The PDF documents have been sent to you. In addition, they have all been numbered and accompanied by a Table of Contents with separate categories. The complete list, with the Table of Contents and names and numbers of each document, is posted at <http://azchiropractors.org/membership-benefits.html>. If you are a member and want a copy of any single document, just send a request listing the number.

If you need help on any chiropractic

issue, pick up the phone call Dr. Immerman. He has been licensed here since 1980 dealing with every challenge faced by chiropractors. He has answers to just about every problem (25 cents per call extra for psychological help!). He is available to members to provide solutions full-time, 9-6 PM, M-F, 50 weeks per year. He also responds to member's emails within a few minutes.

Dr. Immerman has testified 103 times in Arizona personal injury cases in the past 11 years. With these legal appearances and the experience of writing nearly 1,000 rebuttal reports to IMEs and low speed impact experts, there is much knowledge and experience freely shared with members. This includes a vast library of all the up-to-date peer-reviewed journal articles on chiropractic, PI and many other health-related subjects which every forensic expert witness must have to be effective. These documents are freely shared with members. ■

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Contact J Rod McGinnis, D.C.
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Finally, a licensed local medical facility for your cancer patients with holistic, integrative therapies along with standard medical treatment. In Scottsdale, AZ, Frank George, DO, MD(H) and his colleagues offer compassionate individualized care, co-managed with the chiropractor, to maximize results. Call 602-404-0400 to schedule a meeting / orientation with Dr. George today.

REVOLUTIONIZE YOUR PRACTICE

Creating sustainable growth within a practice is challenging for even the most seasoned practitioners of chiropractic. Join us for a complimentary seminar to learn time-tested, explosive strategies to transform your business and create the practice of your dreams.

We will share a comprehensive marketing strategy and roadmap to practice freedom with an emphasis on building from the inside out with a GUARANTEED ROI!

During these times of economic uncertainty, this is a seminar you simply can't afford to miss!

Location: The Scottsdale Cottonwood Resort

Date & Time: Saturday, December 13, 2008 from 9:00am to 3:00pm

Complimentary lunch will be served to all attendees.

ACS President Dr. Immerman will announce breaking news about legal and political efforts to lower copays and deductibles at the lunch. Don't miss special information that can only be shared verbally.

Please RSVP to keith@linroctg.com or call (954) 796-3114 by Wednesday December the 10th.



Group Health Insurance for Employees and Family Members, High Quality Arizona Insurer with PPO and HMO Options

It is by far the most popular member benefit offered by ACS since our formation in 1991. We waited a long time before recommending a health insurance product to members, 17 years in fact. Finally, after years of studying the market, ACS found a program well worth recommending to members.

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Breaking News and Updates

from www.azchiropractors.org

■ **NOVEMBER 20, 2008:** ACS posts September 2008 Arizona Chiropractic Board minutes at ACS comprehensive Board webpage <http://www.azchiropractors.org/arizona-board.html>.

■ **OCTOBER 25, 2008:** A new posting which is a must read, the August 1990 AzCA News Special Collector's Edition Insurance Equality Law. As ACS draws nearer to filing suit against ADOI for failing to enforce this law, learn how it was originally enacted.

■ **OCTOBER 20, 2008:** All new Insurance Laws and Issues Page including links to past local newspaper and trade publication articles about Arizona chiropractic legislative efforts. Also posted are letters from key leading legislators.

■ **OCTOBER 20, 2008:** Best practices debate in chiropractic heats up as CCGPP and ICA compete. Read valuable information about both in a series of special articles linked to this page. Learn how CCGPP only supports 6-12 visits per condition. 30 state associations including ACS have rejected CCGPP while only 2, including AAC, have endorsed it.

■ **MOST READ:** Arizona State Rep. Mark Anderson requests Special Audit of Arizona Chiropractic Board by Arizona Auditor General. Read his letter here. Rep. Anderson made this request after being asked to by ACS. The AAC has announced it does not support an audit of the Board at this time.

■ **MOST READ:** ACS posts response to Ombudsman's-Citizen's Aide's report on Chiropractic Board. ACS also posts winning legal motion filed in Superior Court in 2007 against Board. Go to Arizona Chiropractic Board page. ■

How to Collect from an Insurance Company

By Clint Bennion, D.C., ACS Board Member

I recently had the opportunity to sue Humana for refusing to pay for a patient's claims. After a year of unsuccessful appeals and two peer-reviews, I decided it was time to take action. This experience was a little different than it had been with Fiserv but still turned out favorably. About two weeks after serving the Department of Insurance, I received correspondence from Humana's attorneys and the Court indicating that the case had to be moved to U.S. District (Federal) Court because it was an ERISA plan. In essence, I could not represent myself in Federal Court and the cost of hiring an attorney to represent me would not have been cost-effective considering the amount I was suing for. I figured this was now a lost cause and I would need to let this one go. Before I did, however, I thought I might try to petition the attorneys to settle out-of-court. I emailed my offer and, to my surprise, about two weeks later I received a counter-offer. I agreed to accept \$2,500 from

Humana and, though it wasn't the amount I was hoping for, was happy to get something rather than nothing at all. Suing insurance companies is surprisingly simple and very effective. As I've stated before, I owe this entirely to my affiliation with ACS.

Editor's note: Many doctors' offices spend fruitless hours on the phone with claims' personnel from health insurance companies arguing about claims. Dr. Bennion followed the directions in the ACS guideline on how to sue an insurance company in Small Claims Court. The result was almost immediate payment when nothing else had worked. Many ACS members are achieving results in Small Claims Court when all prior efforts have failed. Join and we will send you full instructions. ■

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