

ACS CHIROPRACTIC DOCUMENTATION 101 COURSE SEPTEMBER 13, 2007

ACS' course in basic chiropractic documentation will be presented on 9/13/07 by Gregg Friedman, D.C. It is approved by the Arizona Chiropractic Board for 4 CE hours.

LOCATION:

Gateway Community College
108 N. 40th St. - Phoenix

HOURS: 9 AM - 1 PM

COST:

\$50 per member
\$125 per non-member
Includes staff

Call Dr. Friedman's office
at 480-947-8381 to register

Seating is limited so don't wait!

CLASSIFIED ADS

•FREE ICD searching on www.chirocode.com/ AZCS: Every current ICD-9-CM code is here with its short description. Search by code or key words. Shop at www.chirocode.com/ bookstore for 1500 claim forms and more.

•CHIROPRACTIC EQUIPMENT FINANCING: Sun State Capital in Scottsdale can help finance X-Ray machines, decompression tables, practice management software and more... Call or email Neal Kendrick: 480-315-1913, neal@sunstatecapital.net. Start-Ups Welcome

•INDEPENDENT CONTRACTOR POSITION AVAILABLE IN SOUTH TEMPE: off the 101, East Valley/Tempe/Chandler/Mesa/Ahwatukee area. Very affordable rent in a busy plaza. Call Dr. Grant Shapiro, D.C. at 480-897-0101 for more information.

•PHOENIX OFFICE seeking associate DC with good diagnosing/report writing skills and PT cert. Must have or be willing to be credentialed. 3 1/2 day work-week. Salary/bonus negotiable, health insurance reimbursement arrangement, possible partnership buy in. Please call Dr. Strandlund, D.C. at 602.274.9988.

•TUCSON - OFFICE SPACE TO SHARE: Fully equipped and staffed office. Current DC offering opportunity to DC to move existing or start a new practice with very low

overhead! Contact David Nathan, D.C. 520-408-2225.

•TURNKEY OPPORTUNITY IN LK. HAVASU CITY, AZ: 1550sq.ft. office with great frontage and a comfortable lease in our friendly town of 55K people. Practice established 9 Years. All equipment and staff incl. for a smooth transition. 39K. Poss. financing with down. Call Dr. Bittner, D.C. @ 928-486-4899.

•FOR SALE: Omni adj. table, full drops, grey, perfect, \$3000. Small, white fridge, \$50. Matching 3 drawer file cabinet and computer desk, \$50. Locking bi-lateral scales for screenings \$75. Corporate massage chair, with carry case \$75. Posters, frames and whiteboards. Dave Swan D.C. 480-464-1030

•PRIDE OF OWNERSHIP: Mesa chiropractic practice with real estate ownership opportunity. Buy the building and owner may carry the note on the practice. Call quickly, won't last! 480-510-3566 Dr. David Mancuso, D.C.

•X-RAY MACHINE FOR SALE: High Frequency Bennett X-ray machine. Included is the Processor. Lead cassette storage holder, cassettes and mobile lead shield. If interested, please contact Sara at 623-932-4060. Works great and is in excellent condition. Asking price is 10K.

•OFFICE SPACE TO SHARE: Beautiful, new 1550 sq. ft. "spa-like" office space to share - great for new DC or DC with existing practice. New X-ray and active/passive therapies. Great location 1/2 block east of I-17 @ Northern. PRINCIPLED CHIROPRACTIC practiced here - seeking same. Dr. O, 602-589-1588.

•SCOTTSDALE: RENT SPACE - INDEPENDENT CONTRACTOR. Great opportunity for DC to take over existing patients. Share office with Naturopathic Phys. Call Dr. G, 480-205-0863.

•YOU'RE AD HERE: 3 lines, 10 point font, \$25 per month for members, \$50 per month for non-members.

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Arizona Chiropractic Society



ARIZONA CHIROPRACTIC SOCIETY

SEPTEMBER 2007 NEWS

Statewide Non-Profit Chiropractic Association

Alan M. Immerman, D.C., President and Executive Director



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The Honorable
Debra Brimhall Pearson

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www.AZChiropractors.org

SUPERIOR COURT JUDGE RULES AGAINST CHIROPRACTIC BOARD IN LANDMARK CASE, THROWS OUT DISCIPLINE

An Arizona Superior Court judge has ruled against the Chiropractic Board in a landmark case. Judge Michael Miller of the Pima County Superior Court, in a 7/3/07 decision, concluded that Paul Pratt, D.C., "received far more serious discipline than other licensees for the same or similar violations relating to advertising without any rational basis." Judge Miller reversed almost all of the Board's discipline of Dr. Pratt, telling the Board to reconsider its decision. ACS, the only AZ association that truly protects state DCs from the overzealous Board, filed a legal brief with the Court against the Board. Read all about the case at AZChiropractors.org/arizona-board.html, together with key documents.

This case is a significant, but partial, victory. It shows, finally, that a

court has recognized that in certain circumstances the Board's behavior and decision-making is extremely flawed. It also showed that the Court found that the Board is untruthful about how it considers cases, punishments in particular. The Court characterized the Board's decision about punishment as being arbitrary, and that the Board abused its discretionary powers with regard to (1) how it treats cases from one case to the next (no consistency), and (2) the punishment bears little or no relationship to the offense charged. The Court wiped out most of the punishment ordered by the Board. The DC involved is appealing a separate part of the Court's decision and that will be very interesting to follow. There will be many related issues discussed in our next newsletter - stay tuned!

DRS. VAN LAECKEN, MALONE, BERNAL, PANCHESIN, WATSON, MOON, RESNICK AND OTHERS IGNITE ACS GRASSROOTS POLITICAL EFFORT

Dr. Steve Van Laecken, Shaun Malone, Jesus Bernal, Tom Panchesin, Robert Watson, Scott Moon, Len Resnick and others, have stepped forward to meet their one senator and two representatives and teach them all about chiropractic. This is a very good beginning to a solid grassroots political lobbying effort. Now we need more doctors to volunteer. All that you need to do is take the time between now and January to meet three people who hold your future in their hands. How

hard is that? Do you realize what a difference you can make? Contact ACS and learn the ropes.

ACS members deserve the professions' deepest gratitude for digging into their pockets and paying for the ACS legislative program this year. Be part of the team by joining! ACS is working extremely hard right now to protect the insurance equality laws that form the financial basis for your practice. Join ACS and protect your practice!

MALPRACTICE INSURANCE CARRIER

Chiropractic Benefit Services (CBS) great malpractice program available in AZ, superior client service, "A" rated \$60 billion underwriter, office in Phoenix, most competitive pricing, 20 years experience successfully defending DCs in malpractice, sexual & board hearings.

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ACS TO ATTACK DISCRIMINATORY HIGH COPAYMENTS AND DEDUCTIBLES AND AHCCCS AGAIN LEGISLATIVELY IN 2008

ACS will soon be legislatively attacking exorbitantly high insurance co-payments and deductibles. The ACS legislation cleared the state Senate in 2007 and now just needs to pass the House and be signed by the Governor. Then, copayments and deductibles would be reduced to PCP levels from specialist levels. The insurers in Arizona have cat-

egorized DCs as specialists so that the copayments and deductibles for patients would be so high that patients would not be able to receive the care they need. Your support of the powerful ACS lobbying program makes this effort possible. Join ACS now by going to www.AZChiropractors.org. Health insurance in Arizona can be used again for

ARIZONA CHIROPRACTIC BOARD PROPOSES FINAL NEW RULES WITHOUT OBJECTIONABLE "MEDICAL NECESSITY" LANGUAGE

The AZ Chiro Board on 8/10/07 published its new proposed rules in the Arizona Revised Register. The proposed rules no longer contain any reference to "medical necessity," or to undefined "accepted clinical standards of care." This is a great victory for the chiropractic profession in Arizona, and is the direct result of the many letters and emails sent by you, ACS and the ICA to the Chiropractic Board which expressed serious objections to the first draft of the rules.

You will find the new proposed rules on the ACS website at AZChiropractors.org/arizonaboard.html for your review. Be sure to review these rules with the finest of all fine tooth combs. These are the rules which, if adopted, you will be required to adhere to in your practice. If you deviate, your license can be revoked.

Unfortunately, the proposed new rules still leave open many opportunities for mischief by the Board. For example, under the heading "Unprofessional or Dishonorable Conduct," your license can be disci-

plined for "repeated irregularities in billing." What exactly is that? Do you trust having former IME insurance State Farm/ASHN doctors analyzing your files on behalf of the Board for such possible violations?

Also, what does it mean to "intentionally misrepresent the effectiveness of a treatment?" You and the Board may disagree about your representations, but that does not necessarily mean you have intentionally misrepresented the effectiveness considering the paucity of research in many clinical realms?

Again, be sure to read the proposed new rules very, very carefully. Then, provide ACS and the Board with your written comments prior to 9/20/07. The next step in the process is the Governor's Regulatory Review Council (GRRRC). GRRRC will hold a hearing to determine whether the proposed rules should be adopted. GRRRC has the final say, and you will have an opportunity to testify live to GRRRC. GRRRC will not allow the state to adopt inappropriate new rules.

chiropractic care once we win at the Legislature. Be part of the solution – join ACS. In addition, ACS will be working to add chiropractic to AHCCCS. This is becoming even more important as talk of government funded health care accelerates.

CHIROPRACTIC VOLUNTEERS FOR MISSIONS needed for the Phoenix chapter of Flying Samaritans. Bring your compassionate hearts and healing hands for weekend mission trips to Baja, Mexico. It's a great way to give back!

Email or call:
Dr. Patricia Henthorn, D.C.
dcpatti@cox.net
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**Contact ACS
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for more information**

ACS HELPS MEMBERS WITH DENIAL MANAGEMENT PROBLEMS – KEY REASON MEMBERSHIP IS SO WORTHWHILE!

Where do you turn when an insurance company simply refuses to pay your bills despite all of your best efforts? How about when an attorney refuses to pay your bill even though a case has settled and you have a lien? ACS members have a place to go: ACS. Dr. Immerman has been licensed in Arizona since 1980 and has literally seen and heard it all. He is not in practice now and works full-time serving the needs of ACS members. Here are typical questions that Dr. Immerman is working on or has answered which were received from ACS members in August, 2007. Dr. Immerman answers the phone directly when you call 602-368-9496 or, if you leave a voice message, you will get a return call as soon as possible. Emails are also a preferred mode of communication – write to Dr. Immerman at ACS@AZChiropractors.org.

Q: Hello Dr. Immerman, This is Dr. P. I spoke to you a few weeks ago about BC/BS's removal of the participating providers section from their network. We have sent out the paperwork to become preferred providers and on 08-24-07 I received a letter serving as a notice that BC/BS has initiated a focused review of my claims. They are doing this to determine if my claims are medically necessary. They state they are likely to review documentation to support coding of services submitted on claims. Is this standard protocol because of the new preferred provider credentialing, or something different. I have to admit I am a little nervous, should I be concerned?

Q: Hello Dr. I. The first question I had was if we become non providers for Medicare will the power of attorney work with them? The other question is we are having trouble with RanAm not paying our claims. They have been holding claims since March of this year. They are saying that the reason the red flag went up was that the modalities were billed separate from the manipulation. We do have patients come in and see the Dr. and then come in and do therapy with our CA's on a different day. They are trying to say after the FACT that these treatments are not medically necessary. HOW IN THE WORLD can they say after we have already treated a patient that it is not medically necessary. They are not the Freaking Doctor!! There is a lot of money that they are holding of ours and it is summer and slow here. Does the Ins. Commissioner have jurisdiction over RanAm being that they are a state Ins. Sorry for the venting. I get so frustrated with these people. *Dr. C*

Q: Fiserv is self-funded. We have had at least 7 patients from my bank receive care in our office. Fiserv has given me grief recently over the fact that I am not a physical therapist and I personally don't administer all the therapy. That came up as I was attempting to get authorization for additional therapy visits for a patient. We were told every time we verified benefits that therapies in this office are covered. We've also been paid on those therapies performed in the past. My question: Could they, however, since they're self-funded, have the authority to request money back from past payments because I am not a physical therapist and/or that I have a CA helping with rehab? Thanks, Alan. *Dr. B*

Q: Alan, I just received an application from Cigna to become a provider. At this time is there any benefits joining the network? It seems like BCBS is dropping the non-par provider network, I submitted an application to become participating, let's see what happens with that. Hope all is well, keep up the great work! *Dr. S*

Q: Alan – I'm so confused! When my LMT's perform assisted stretching, PNF, and TP's on a patient in a treatment room, what do I bill? In the past I have billed 97140 or 97110. The ChiroCode book tells me that PNF is 97112. I don't want to get audited and accused of billing 97110 on patients who think they are getting massages. I never mention "massage". However, I spoke with an Illinois doc this past weekend who notified me that 97110 has got to be active patient involvement. My question is again, if my therapists have the patients participate in the stretching, then what do I bill. Let me know your ideas. *Thanks, Dr. R*

Q: Dear Dr. Alan, We are currently only participating (out of network) for BCBS. They just sent us a notice that says we need to join the network as a provider, or have our current contract terminated. We believe that this means the checks will go to the patients. Is it worth joining the network or should we chase our patients for the money? *Thanks, Dr. J*

Q: Good Morning Doc, I have new issues with BCBSAZ, BCBSAZ has been requesting records from me since 06/06! In a recent certified mail letter, BCBS stated that although there has been some improvement, they require my ongoing review to continue because of two things. 1) Treatment times lasting from 2 months to 2 years (funny, I have only lived in AZ 20 months), and 2) Billing an extremity in conjunction with spinal codes. SO my notes have to justify these two things, which they already do.

Moreover, all the requests from patients with out-of-state BCBS have yet to be paid from since the beginning of 2007! BCBSAZ is holding/withholding my records so that they are not reviewed, as is my understanding. So no claims are being paid out even though I have sent out all records. Essentially BCBSAZ does not forward on my notes to the out-of-state BCBS so that claims may be processed. This has happened with BCBS of NY, GA and TX. I have even tried to bypass the matter by sending notes directly to each state, but the claims department says (of each state) that claims are being held due to medical review, or because they are awaiting records (which I have already sent). HELP!!!!

I have calmed down a little bit from this matter, thank you for your patience and time to read this vent session. Any direction or advice you can give would be greatly appreciated. *Dr. E*

Dr. Immerman has also been qualified to testify in Arizona superior courts more than fifty times over the past ten years in the areas of clinical necessity of chiropractic care, biomechanics of whiplash injuries (special focus on low speed impacts), and accident reconstruction. He helps members with questions in these areas. There is nothing much that ACS does not help members with. Join today and get the help you need.

MEMBER BENEFITS THAT EVERY ARIZONA OFFICE NEEDS TO OPERATE PROPERLY

- Limited power of attorney** to use when insurers and self-insured plans refuse to honor assignments of benefits.
- Health Care Appeals Process and Request Form:** a complete simple guide for using the Arizona Health Care Appeals Process to overturn medical necessity denials.
- Grievance Letters:** a special Arizona legal device that can be used to get insurers' attention and quick action on claims.
- Complete instructions for what to do if an insurer states that your fees are above the **usual and customary fee schedule** for your area.
- Complete instructions for how to file a wide variety of **complaints** against any type of insurance company, again based on Arizona law.
- Timely Payment of Claims, Adjudications, and Adjustments:** All of the tools you need to act when an insurer is late in paying your bills following the letter of the law.
- Sample Chiro Board Required Daily Notes:** The most comprehensive package in the profession. ACS is confident that we have the most valuable and accurate information available, although no one knows exactly what the Board requires since they will not tell you. ACS has researched and found notes that were approved by the Board after a lengthy audit process.
- Medical Records Protocol:** tells you exactly how long you need to retain patient records in your office. State law requires that you have such a protocol on file in your office.
- Advice regarding whether you should join ACN, ASHN or the BSBC PPO network,** or any of the other PPO or HMO networks that solicit your membership.
- Official **minutes** and **agenda** for the monthly meetings of the Arizona Board of Chiropractic Examiners.
- Preston Long rebuttal package** including a sample report which discusses 17 RCTs which support chiropractic care of neck and back problems, official guidelines endorsing chiropractic from 7 countries, risk of stroke, Dr. Long's Chiro Board file and deposition history, and much more. Dr. Long is the most active defense DC in Arizona.

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