



Arizona Chiropractic Society

Statewide Non-Profit Chiropractic Association

JANUARY 2009

Breaking News

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

Baker Announces Will Not Seek New Five Year Term, Will Leave Chiropractic Board July 1, 2009; Profession Cheers!

At the meeting of the Chiropractic Board on 1/15/09, Board Vice-Chair Baker announced that he would not seek an appointment for a second 5 year term on the Board when his current term expires 6/30/09. This means he will be leaving the Board at that time. One insurance company employee has stated that Dr. Baker intends to return to his insurance IME practice.

Based on the reaction over the ACS telephone, there is widespread cheering amongst the troops in the field. The consensus is that no replacement for Dr. Baker could possibly be more punitive, hostile, caustic or uncivil towards his colleagues.

ACS has developed an extensively documented webpage devoted to the Arizona Chiropractic Board at www.AZChiropractors.org which you must read in full. Then you will fully understand why ACS has characterized the Board's current conduct as a "Reign of Terror."

Dr. Baker has been one of the lead instigators of the inappropriate Board conduct. In our view, he represented the insurance industry as an IME doctor before he became a Board member and then he continued to represent their interests on the Board. In 2006, we had to pass a law making

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UHC/INGENIX Settlement Means Out-Of-Network Rates Will Increase 10-28% In 2009

All health insurance reimbursements for out-of-network services will increase by 10-28% in 2009 based on a legal settlement between the NY Attorney General and UHC. Yes, it's true, this one aspect of insurance company-perpetrated consumer fraud will end.

A subsidiary of UHC named Ingenix sets rates for out-of-network services not only for UHC but also for the entire health insurance industry. The NY AG found they did so fraudulently and so they are being closed down and replaced by a new non-profit entity which will determine rates.

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BAKER, CONT.

it illegal for him or any Board member to continue to perform IMEs. Prior to that time, Dr. Baker was performing IMEs for some of the same insurance companies that were filing complaints against DCs with the Board, and he did not recuse himself from those cases.

The Board fought our bill every step of the way at the Legislature, and the AAC did not help at all in passage of this law. Fortunately, the Legislature wasn't fooled. They knew a conflict of interest when they saw one and passed this law. Thus, Dr. Baker must leave the Board to do IMEs again.

In 2004, former AAC President Wayne Bennett, DC and Board Chairman Craig Seitz, DC virtually begged then-Governor Napolitano in letters posted on the ACS webpage to appoint the-most-wonderful-chiropractor-ever Steve Baker to the Board. We received these letters after a request to the Governor's office under the Freedom of Information Act. In 2004, we lobbied hard to block the Baker appointment but could not overcome the powerful joint endorsement of the AAC President and Chiropractic Board Chair. They got their way and you got Baker for 5 years. We knew what was coming since we had read many of his IME reports. You learned the hard way after he was appointed. Fortunately, his intrusion into your life will end 6/30/09, not a day to soon.

It might appear that Dr. Baker is voluntarily stepping down from the Board. That presumes that our new Governor, Jan Brewer, would have reappointed him for a new five year term. That was not a foregone conclusion. Governor Brewer will bring a breath of fresh air to Arizona on many levels and we welcome her once again to office.

ACS has accomplished a huge amount of Board reform since we began our campaign in mid-2006. Now, the Board almost never issues career-destroying disciplinary actions for minor paperwork violations. This change came about only because ACS strongly criticized findings of unprofessional conduct as gross overkill. Non-disciplinary CE courses are now ordered. This is a monumental change which never would have occurred without pressure from ACS.

The IME conflict of interest law passed in 2006 only because of ACS and that is a major reason Dr. Baker is leaving the Board now, along with the tremendous pressure put on Dr. Baker by ACS in every newsletter. ACS is your Board reform action organization. Our members are the heroes of the profession since they are the ones who have made reform happen. Join ACS today by filling out an application at www.AZChiropractors.org and become part of our team. Work with us for an even brighter tomorrow! We are not going to relent until the partially reformed Board is completely reformed to our, and your, satisfaction. We are half way home.

UHC/INGENIX CONT.

The projections, literally, are that in 2009 all payments by all health insurance companies for all out-of-network services will increase by 10-28%. This means that all those times the insurance companies told you that your fees were "above the usual and customary for your community" and you knew they were wrong, you were right!!

Do you think you can handle a pay raise? Well get ready, one is coming in 2009. Also, UHC announced a \$350 million settlement with all of the medical societies that filed lawsuits over this issue. ACS had the foresight to be one and so we are awaiting word regarding our share. It will probably be very small, but whatever it is will be rolled into the lawsuit fund for the next effort.

The lawsuit is posted at www.AZChiropractors.org on the Insurance Laws and Litigation page, and gives you insight into the wisdom of our judgment. We knew there was fraud and were not afraid to legally attack this huge issue when the need was so great and urgent. This is not the first or the last time ACS will take legal action. We stand alone in Arizona in this regard. No other organization has ever filed a lawsuit on your behalf. If you are not a member, join today by completing an application which you can find at www.AZChiropractors.org.

The New York Times has had a number of great articles on this lawsuit and the settlement. We have a link to the best on the ACS homepage at www.AZChiropractors.org. Savor the victory!

What Is A Demographic Analysis And Why Do I Need It?

At the end of the day when all is said and done the reason you step foot into your office is to make a living for yourself and family. The choice of your business is the love that you have helping your patient have the choice in their healthcare. Knowing that a practice is another way of saying "business" will help a doctor to understand the necessity of running the practice as a business. Long gone is the mentality of hanging your name on a shingle and all the patients come running. With competition so fierce combined with the roadblocks of the traditional medical community and, of course, the economy reeking havoc on society, how does a practice survive? Believe it or not, the same way all businesses survive.

Statistics show that direct mail campaigns work. Having the dentists pave the way to prove that practice growth comes from generating patients by letting them know your doors are open for business makes the journey simple.

Now you are thinking, how do I know who to send the mail to? Simple. There is a well developed system that has been in place for years that is called Demographic Analysis, DA for short. DA provides the ultimate way of searching for the right patient for your practice in the general population. This system allows for you to pick exactly what you are looking for in a patient. Looking to help the senior community? The report will give you the data on the

age bracket of say 55-75. The marketing pieces are developed with seniors' issues in mind and mailed to their homes. DA can allow you to choose from a wide variety of data such as age, race, income, zip code area, gender, and more. Choosing the correct patient fit for your practice allows you to better serve the patient.


Getting started is easy, you answer a few simple questions regarding your practice and a report is pulled with and then your Demographic Analysis and your marketing can begin. Don't miss out on the easiest way to promote your practice. Call Affordable Image today for your free consultation to help grow your practice. 602-265-2299

Surviving in today's world takes more than just a few business cards passed out in the hopes of some referrals. Marketing, like in any other business, is the only way to keep and grow a practice. The dental community has understood this for some time. They too have battles to fight, including the insurance industry, for their survival. They have jumped right into the marketing world and reach out to new patients via the old fashion mail service. Hard to believe it isn't the internet they choose for survival, but the postman.



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Why Market Your Practice?

- To increase patient volume.
- Gain market share which increases revenue.
- Allows a target audience to be aware of your services.

To advertise or market, that is the million dollar question. Advertising is almost always frowned upon in any medical arena. But to market your practice allows you to be competitive in a growing industry. To be successful in marketing you need to have strategic plan in place. If not, all efforts will be wasted.

Planning strategically consists of knowing your own practice's strengths and weakness. With this information you can arm yourself with accurate ammunition to successfully carry out your plan. Marketing consists of knowing your

RANDOM THOUGHTS AND OPINIONS

by Dr. Immerman

I just learned what a **demographic analysis** is. I used to use Valpak like everyone else and now I realize I only want to mail to about 1/3rd of the homes in my area, not all of them. AI (Affordable Image) will give you a FREE demographic analysis which is worth \$300-\$500. It shows you exactly who lives near your office. Who are the 5000 or 10,000 closest people? Old, young, working, unemployed, etc.? I really wouldn't want to target elderly/Medicare or AHCCCS populations or pediatric patients. AI said that would eliminate more than half of the addresses. You've got to talk to these guys. There is no obligation, and part of your purchase goes to ACS to fund our efforts which will ultimately include PR for the entire profession. You are also going to LOVE the Evidence-Based Marketing, I promise.

In February, we are presenting probably the best **PI seminar of all time** (yes, I know they all say that). Last year, my friend Dr. Charles Davis, head of the California ICA, put on this seminar and it was a smashing success. Jim Mathis is the speaker and he implemented Colossus for the insurance industry. Colossus is the computer program that determines the value of your claims. This program is used by many large insurers today. Mr. Mathis will teach you exactly how to describe your findings and care in the proper way to speak to Colossus in words the software will understand. I am going to give a one hour presentation on key arguments in low speed impact cases based on 54 trials in Arizona superior court in the past ten years as an expert in clinical biomechanics and accident reconstruction. Go to the home page of www.AZChiropractors.org for a link to the document containing date, time and location for this not-to-be-missed seminar. Bring attorneys as well.

We are hearing that some of you are **afraid to market** at all thanks to our dear Board. You have

targeted audience as well as your competition. Your competition as a chiropractor is not necessarily another chiropractor but the medical community in a whole. Finding who is on your side and who is not can only strengthen your practice.

It is also important to understand that marketing is a long-term commitment and you will not see results overnight. Analyzing your demographics and the ability that your office has so you can serve them is half the battle. Marketing is a way to educate your patients, referring physicians and the community about your practice and its' services, without "advertising" in the weekend paper.

Get started today on coming up with your marketing plan by calling a Marketing Consultant free of charge at Affordable Image 602-265-2299. With years of experience and the versatility to handle all aspects of marketing, they are sure to make the difference in your practice.

read of the heavy-handed prosecutions for false, deceptive and misleading advertising and are scared. Dr. Pratt had to spend \$100,000 to get his discipline overturned. Judge Miller called the Board's action "excessive, arbitrary and capricious." In Dr. Stender's case, the Board first concluded he intentionally lied to patients to scare them into getting care they didn't need. Then they backed off after a legal motion was filed and settled on false advertising. No wonder you are scared.

But the new **Evidence-Based Marketing** I have developed is different. It quotes directly from modern peer-reviewed journal articles, and the journals are all accepted by the National Library of Medicine. The quotes are exact, not exaggerated or amplified in any way. What is the Board going to say? I predict they will congratulate you for being so scientific. I think this is exactly what they want. I can't guarantee that since no one can say for certain what any Board member is going to think at any time in the future, especially these Board members. But this is my best judgment on the subject.

Take a look at the EB Marketing page at www.AZChiropractors.org. Read the content and think how you might react if you were a Board member. If you think improvement is needed, contact me. If not, start marketing with these awesome materials and build your practice now! Be proud and confident of what you do and broadcast it to the public.

On the statistics front, **ACS records show 43 new members** in the second half of 2008, an all time record. As a result we are now closing in on a total of 300 members. I can remember a short time ago when 200 seemed a lofty dream. Clearly we are working on the problems central to your practice: insurance coverage and an onerous Board. We don't stray far from the path and show demonstrable results thereby attracting many new DCs. **Welcome aboard to you all!** Together we are going to make 2009 a great new year for Arizona chiropractors.



These Are All Illegal: Cash Discounts For Uninsured Patients, Pre-Paid Plans, Dual Fee Schedules, And Here's The Solution

No, you can't legally offer a cash discount to an uninsured patient or a "time of service" discount without notifying every health insurance company of the discount which they will also demand. No, you can't just charge less to a cash patient than to an insurance patient, regardless of how you dress it up. There's a name for it: **INSURANCE FRAUD**. Our profession is seeing the dark side now with audits and lawsuits. Read on.

There are a number of Arizona doctors whose practices have been put under the microscope with audits and lawsuits by insurance companies. These doctors don't want us to identify them by name so we protect their identities. One of the first things investigators and auditors look for is any evidence that you are charging less for patients without insurance compared to patients with insurance. For example, do you perform more therapies on insurance patients than cash patients? More visits? Adjust more areas of the spine? X-ray more areas on average? They will examine your statistics carefully. The fact is that many DCs have different practice and collection patterns and practices for cash patients than for insurance patients and this constitutes insurance fraud.

The solution: ACS recommends that your cash and underinsured patients simply join a new plan to get rates they can afford. The one we recommend is Chiropractic Lifecare of America. They've been around a long time and are solid. The patient only pays \$49.95 per year to join and it covers the whole family. It costs nothing for the doctor to sign up as a provider. The result is the uninsured patient can access plan benefits in your network office and the fees are low enough to be affordable to almost every cash patient. Simple, cheap, no-brainer legal solution. Don't just keep breaking the law with your head in the sand hoping they won't catch up with you. It's 2009. There are electronic tracking systems out there. Get smart. Join CLA and get your cash patients signed up with them TODAY. Simply call (800) 775-7900 and they'll email you an application.

Why Do I Need PEP's?

Although the chiropractic profession has advanced tremendously since the days of Daniel David (D.D.) & Bartlett Joshua (B.J.) Palmer, the basic understanding in the medical community and with patients still has barriers. Knowing this, most chiropractic practices accept this without a fight. If the population in whole could better understand the benefits of drug free relief and actual healing of their ailments, then all the efforts of past pioneers of this industry would be accomplished.

Knowing that the medical community many, many years ago, were afraid and discouraged by its own failures has in a sense changed the way that one was meant to be healed. Correcting vertebral subluxations to remove the nerve interference which in return corrects the ailment has been widely discussed throughout the years. With the knowledge and proof of the results we find it difficult in this day and age to understand why chiropractic practices still fight for legitimacy. Since the days of Hippocrates when he advised: "Get knowledge of the spine, for this is the requisite for many diseases." We still are afraid of spreading the good news.

Spreading the good news is exactly what this world needs to see as "Change." With the health care industry in such shambles what better timing then to promote a "true change" in the way one is healed. Knowledge is power and educating the patient world in a whole is a first step, by taking

measures to promote one's practice with educational materials written and reviewed by industry peers. This information can not only help the patient understand their ailments, but by true results they are the best to share with others. If the patient believes that it is "medically sound" they have more trust in the doctor and procedure and perhaps even trying a chiropractor. Giving into the modern man's medicines way of promoting the legitimacy is one way to conquer this obstacle of "quack medicine".

Promoting has been one way for the drug industry to peddle their potions and tonics, in a sense has blinded us to the reality of what other ways one can be healed. Having it down pat, the drug industry knows that by educating patients on their "miracle drugs" they will then increase their profits. So, to fight fire with fire, educating the patient on the true miracle of healing that lies within the hands. Not to say all drugs are not necessary, but finding if the cure could be taken care of with hands on treatment instead with drugs would become the norm.

Patient Education Programs (PEP's) are the new frontier in the Chiropractic Industry. By providing sound informative facts in the patient's terminology is the first line of defense in combating over a century of stigma for a cure to one's health. By stimulating the patient with questions and answers while sitting in the waiting room gives them time to ask questions or reveal more that ails them, which in

turn can help the doctor give a better diagnose and treatment plan. PEP's can also help staff members stimulate a beneficial conversation that can lead to better health care.

By keeping the freshness of PEP's on a monthly basis keeps the door of opportunity open for the patient and doctor. With all PEP's being reviewed by industry peers with sound informative educational articles and with a wide selection of materials to place within the office is actually like having an assistant without all the stress. With over 12 months of materials a chiropractic office has no excuse for a lack of growth. By following the true business industry way of promoting ones self, the practice has the opportunity to be a leader, making a difference in the future of health care.

Affordable Image has been given the opportunity to help the Chiropractic Community in whole learn how to educate patients with materials designed with sound business protocol to pass this information on and in the end increase business which helps promote healing to the patient. Affordable Image has partnered with Arizona Chiropractic Society with leadership of Dr. Allen Immerman and his approval of the PEP's materials. With this strong partnership the chiropractic industry will now be able to finally get the recognition that his has been seeking for so many years.

PRINTING • MARKETING • GRAPHIC DESIGN • MAIL MANAGEMENT

INTRODUCING

Patient Education Programs

Are you missing out on lost opportunities to help you with your patients well being? Our **Monthly Evidence-Based Marketing Plans** were developed to improve your staff's interaction with your patients and increase your bottom line.

- Choose Your Monthly Theme and Pick Your Monthly Topic
- Internal or External Marketing Programs or Both
- 6 Month Programs and 12 Month Programs
- Complete Monthly Marketing Campaign Shipped To You
- Call To Make Your Free Appointment Today!



Try it in your office!



Call **602-265-2299 ext. 419**

to set your **FREE** appointment to start your **2009 EVIDENCE-BASED MARKETING PLAN**



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