

# Letters to the Editor

## Dear Editor:

Dr. Lindsay Anglen's article "Should We Call it Medicare or No-Care" touches a raw nerve in most of us. The Medicare carrier in any state has enormous latitude in "allowing" payments for chiropractic services. The problem generally arises from the state medical director. This individual is freely allowed to vent his/her bias. Bottom line, our patients (and us) are pretty much disenfranchised. Given our consistent problems with Medicare since the 70's makes it clear that dealing administratively with disingenuous people is never rewarding. Hence the ACA lawsuit.

In my view, the answer to Dr. Lindsay's problem is not to restructure his practice, discouraging Medicare patients and seeking better payments from personal injury cases. That does little for the established patients who seek our help. The answer is to remove either the medical director or the carrier. The carrier was put in place by the Government. While it is not an easy task to replace a difficult carrier, it is worth the effort. The news gets around too. If we win in one or two states, this way disingenuous carriers in other states might get the message. These people are clearly influenced by politics. Politics response best to grass roots efforts.

The state medical director is simply an MD hired for the job. For the most part, s/he has no particular expertise with non-medical health care. From what I gather here in NY, the Medicare carrier's Medical Director was hired because he answered an ad.

Because Medicare is a federal issue,

the ND problem needs to be brought to the attention of federal legislators. What to do? A good first thing would be to get patients and doctors alike to write their congressmen, complaining about Noridian by name, seeking either to have its views/procedures amended or to have the carrier replaced. Congressmen have "Town Meetings" regularly. Patients could attend these and make their views known as well. AARP and other senior organizations should be made aware of the problems by their members, again with clear documentation. This documentation rests in patient and chiropractor's files across the state. The ND State Chiropractic association could solicit this data through its members. Perhaps ACA would be interested in the ND problem as well. There is certainly a great deal that can be done.

The ND State Insurance Department needs to get some flack on the issue as well. State legislators and the Governor should be appraised of the problems with Noridian, always with clear documentation. If there is any truth to the adage that "the squeaky wheel gets the oil," this is an excellent time to take action. State legislators have the ear of federal legislators. They can be inspired to lobby the congress assist with letters from patients and doctors. Not just a single letter either, another letter each month! In addition, the ND chiropractors can become active in political races as well as lobbying congressmen and US Senators directly — always with impeccable documentation. Such a course, pursued over time, offers the answer we seek.

One's first inclination to a problem like this is to "Sue the Bastards!" Not true. Our history is clear on that point. Lawsuits are terribly expensive and take years. In the end, even a victory can be bittersweet. We saw that with Wilk, which took some 17 years. We won but the other side didn't come our way very far. A few years ago, we won passage of an insurance equality law in NY. We still have all sorts of trouble with carriers who refuse to comply. The answer seems to be to sue each of them individually. Who can afford that? Given our track record in the past, it can take 40 years! There has to be a better way. The best approach is to get to the people who pay the bills. That means to mobilize the patients who buy Medicare coverage and the legislators who select the carriers.

A while back, the congress enacted a "Catastrophic Health Care" provision that would have reduced Medicare coverage in catastrophic cases. The AARP and other patient groups fought back — not with lawsuits but by mobilizing their membership to descend upon the congress, seeking a reversal of that legislation. It happened within a matter of months, as I recall. A lawsuit would have taken years.

Clearly, more states than ND need help. As a profession, we need some leadership on this issue. We need some diplomacy, backed up by a dedicated cadre of chiropractors and their patients willing to become involved. An educated and informed populace stands the best chance of making the changes needed.

The first response most will have to

this is that we cannot afford it. Really? A half page in *USA Today* in the entire state would run about \$7,000. There are movie screens across the state that would contract to show a message before every movie viewing. The State organization can create flyers that could be passed out in every office, included with every newsletter. There are DC's in ND that speak on the radio or advertise in the newspaper. They can be sent appropriate releases on the issue. Likewise for health editors in all state newspapers. Patients can be encouraged to attend every congressman's "Town Meeting" to raise the issue of the poor behavior of Noridian. Patients who have coverage for *other* forms of insurance from Noridian could be encouraged to write to their employers, seeking a new carrier. Likewise they — as well as the DC's in ND — can write to the ND Dept of Insurance and their state legislators, complaining about the problems they encounter with Noridian. Documentation is always necessary in these cases. No doubt the ND Chiropractic Association can gather such documentation from the records of various ND chiropractors. None of this costs very much. Mostly it takes a little time and conversation with patients.

The bottom line of a project of this nature is that it will draw the DC's of ND closer together as they go beyond their philosophical differences and work toward a common goal. Is anything else more important?

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