Dynamic Chiropractic™

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$3.5 Million Makes Me Love My Job!

By James Edwards, DC

While I have had the honor and privilege to have served in most of this profession's top leadership positions (ACA chairman, ACA treasurer and ACA-PAC chairman), I really believe I now have the best job in chiropractic! As the chairman of the National Chiropractic Legal Action Fund (NCLAF), it is my job to lead the NCLAF Board of Directors and the NCLAF Advisory Board in their efforts to fund legal actions against those who want to harm this profession and our patients.

While raising money for legal action is very hard work, it all becomes worth the effort when significant victories occur. And once again, the ACA and the NCLAF have accomplished a tremendous legal victory on behalf of doctors of chiropractic and chiropractic patients! As reported in the last issue of this publication,* Humana has agreed to a class-action settlement resolving claims on behalf of chiropractors and other health care providers in *Solomon v. Anthem, et. al.*, pending before the U.S. District Court for the Southern District of Florida.

If approved by the court, Humana will pay $3.5 million to fund payments to class member doctors of chiropractic and other health care providers, as well as fees and costs advanced by class counsel. In addition to the cash fund described above, terms of the proposed settlement agreement with Humana include:

- changes in Humana's business practices, intended to make its claims editing process more transparent and reduce confusion and disagreement over payments;
- online information provided by Humana to help providers understand its payment decisions;
- more options for chiropractors and other health care provid-ers to challenge Humana payment decisions in the future, if necessary;
- independent external reviews to resolve billing disputes; and

- the appointment of an ACA representative to a newly formed Humana health care provider advisory committee, which will provide a means of direct communication on issues and concerns.

What great news! But some cynics/critics likely will ask, "Was the ACA's involvement really important to the settlement?" and "What did NCLAF contributors have to do with this tremendous victory?" I am so very glad you asked!

The ACA participated, through its legal counsel, in the settlement discussions and was a signatory to the proposed class-action settlement agreement. Moreover, as part of the settlement, doctors of chiropractic will be permitted to assign their portion of the recovery to the ACA, if they wish to do so. Based on those provisions, there is no question the ACA was involved intimately in the process.

With regard to the NCLAF's involvement, it was our loyal contributors who funded 100 percent of the legal cost associated with the ACA's legal involvement, which resulted in the $3.5 million settlement. And it is NCLAF monthly contributors who continue to fund the ongoing legal action against the other plaintiffs in the Solomon suit, including ACN and United Healthcare Services.

If you are not an ACA member, it is time for you to join the organization that is fighting for you! From the defeat of S.1955, to the filing of the ACN lawsuit, to the settlement with Humana, the ACA truly has earned your membership! And after joining the ACA, you should become a monthly contributor to the NCLAF.

Please, right now, while this is in front of you, join the fight to protect your practice, your profession and your patients by joining the ACA and becoming a monthly NCLAF contributor. Just send me a fax (775-254-4115) or an e-mail (**"> jamesedwards@jamesedwards. com**) and I will take care of all the details.

*For more information, see "Victory Against Managed Care Abuse: Humana Agrees to $3.5 Million Settlement in Class-Action Suit." *Dynamic Chiropractic*, Sept. 28, 2006. **www. chiroweb.com/archives/24/20/01.html**.

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