

## **Another Victory for the ACA and NCLAF!**

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NCLAF Director**

As reported in this publication last fall, the American Chiropractic Network (ACN) sought to terminate the provider contracts of Dr. Cindy Vaughn and myself on the basis that we provide spinal decompression therapy.

I am pleased to inform you that ACN – under our threat of an imminent lawsuit – reinstated us as contracted providers. Our eight-month appeals battle with ACN over the decompression issue has thus been fought and won.

That victory occurred because the American Chiropractic Association had the intestinal fortitude and the National Chiropractic Legal Action Fund (NCLAF) had the financial resources to legally challenge ACN's ill-advised and baseless action.

In an effort to help ACN-contracted decompression doctors avoid the nightmare and large financial loss we suffered, our office has taken the time to scan and convert to PDF the 22 most relevant documents that detail our positions on decompression, along with the disjointed, contradictory positions of ACN.

If ACN is attempting to terminate your provider contract on the basis that you offer decompression therapy, we will be happy to furnish these documents to you or your attorney in their entirety. Hopefully, the advice, legal arguments, documents, facts, resources and data will give you the tools to fight back against ACN's attempts to "bully" you into doing something that is not in the best interest of your practice and your patients. Just fax us a copy of the notification of termination letter you received from ACN, and we will give you the website address where all of the documents can be accessed online.

But rather than going through the lengthy and time-consuming appeals process on the decompression issue, we believe there is a much simpler way to chase the ACN "bully" away! Since ACN's policies and provisions are required to be applied uniformly among all providers, you may want to inform ACN you want the same "deal" the ACN Appeals Committee offered to Edwards and Vaughn.

Our two-part "deal" with ACN reads as follows:

- bill for "spinal decompression outcome" as mechanical traction treatment using the 97012 code as supported by the American Chiropractic Association

- discontinue the advertisement of spinal decompression, which is associated with a standard visit protocol and the request for advance collection from patient of payment in full for all spinal decompression outcomes for which the patient has insurance coverage if billed using the 97012 code

If you are willing to accept and comply with those provisions, only the following restrictions should apply to you regarding decompression for ACN patients:

1. Code and report the decompression outcome as mechanical traction (97012) for all ACN patients.
2. Do not advertise a discounted fee.
3. Do not advertise a standard number of visits protocol.
4. Do not advertise that full payment must be made in advance.

In our opinion, agreeing to those provisions is a very small price to pay to be in full compliance with ACN and be able to continue to offer needed decompression services to your patients.

More importantly, our ACN agreement with us absolutely “guts” its previous position that decompression is unproven and/or experimental. ACN simply cannot maintain that position when it has agreed to reimburse us for the “spinal decompression outcome” if we simply code the service as 97012.

While we are happy for our practice, we are more thrilled that our efforts have stopped ACN’s holy Jihad against decompression therapy providers. We believe the days of shortsighted and misguided ACN administrators bullying chiropractic patients and doctors of chiropractic in regard to spinal decompression therapy are now over.

In closing, I want to stress that this victory probably would not have occurred without the legal assistance of the ACA and the financial support of the NCLAF!

Not an ACA member? Without question...it’s time to join!

Not a monthly NCLAF contributor? Without question...it’s time to start!

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