

## The Latest on ASH and ACN

*By James Edwards, DC*

*Author's note:* The opinions expressed in this article are solely those of the author and do not necessarily represent the opinions, policies or positions of the American Chiropractic Association or the National Chiropractic Legal Action Fund.

My previous two "Insider's Insight" columns dealt with the abuses of chiropractic managed care networks. Based on the many responses I have received and the resultant contributions/pledges to the National Chiropractic Legal Action Fund (NCLAF), it is obvious to me that this profession has had enough of the abuses.

Since it is very clear that this subject is near and dear to the heart of many practicing doctors of chiropractic, my column will - for the third time in a row - update you regarding current efforts and activities on this important front.

### American Specialty Health

In a recent letter to at least one insurance company, American Specialty Health (ASH) Chief Operations Officer Robert White, refutes statements from a recent ACA press release and insists, "ASH does not engage in any wrongful practices regarding patient care or reimbursement." The letter also invokes the name of ASH's vice president of governmental affairs, a two-time past president of the ACA, and states that he has "routinely engaged the ACA over the last six years on behalf of ASH, but unfortunately ACA is choosing a track that is based upon false assumptions and accusations." The letter goes on to claim a high satisfaction rating among chiropractors in the ASH program, and that each chiropractor "has voluntarily chosen to participate" in its networks.

"Mr. White conveniently ignores the fact that there is a groundswell of displeasure among

chiropractors nationwide with the policies and procedures of ASH - and we have received hundreds of written complaints to prove it," commented ACA Executive Vice President Kevin Corcoran, CAE. "Technically, participation is 'voluntary'; in reality, doctors feel they have no choice. They can either participate and receive at least a pittance in reimbursement - or opt out and receive absolutely nothing."

ACA President Richard Brassard, DC, added that a recurring tactic of ASH is to attempt to associate the company with a former ACA president to "confuse chiropractors and lure them into believing that ACA condones ASH practices.

"This tactic is, in our opinion, distasteful and highly misleading," said Dr. Brassard. "The only 'engagement' they have had with the ACA is in the form of shallow handshakes and photo ops - not serious discussion and problem-solving. Our legal team has made it clear that when ASH is ready to really talk, we will sit down and discuss the possible settlement of these issues."

## **American Chiropractic Network**

The ACA has also written a strongly worded letter to American Chiropractic Network (ACN) CEO Thomas J. Allenburg, DC, requesting that ACN place an immediate moratorium on further terminations under its "professional improvement program" and reinstate those doctors who have already been terminated. ACA's letter came in response to a letter from Dr. Allenburg that contended ACA's concerns "result from miscommunication regarding and misunderstanding of our operations."

Both letters resulted from a July 27, 2005 meeting between ACA and ACN officials that did not alleviate ACA's concerns about the network's abusive policies. In a follow-up letter, ACN asked ACA to reveal the names of doctors who had responded to ACA's data collection campaign and to provide specific details about those complaints. The ACA refused, stating privacy concerns and doctors' fears of retaliation by ACN.

"The reality we see is a profession in which many fine and capable doctors have been excluded from participation in your program because they cannot or will not comply with the overly restrictive policies and limitations that affect quality health care," responded George McClelland, DC, immediate past chairman of the ACA, in the Sept. 6 follow-up letter. "We also see many doctors practicing under the threat of termination. Doctors are struggling to

maintain their practice and their livelihood and at the same time provide quality health care to their patients despite limitations placed upon them by ACN ... I don't believe you understand the degree of fear and misapprehension your policies have caused. Doctors are fearful of losing their practices and their livelihood and therefore are extremely reluctant to have their names revealed to your organization. Therefore, unfortunately, you were not able to dispel our concerns. Rather, our concerns are heightened with every call we receive or complaint we obtain."

## **Support for Effort Grows**

The number of state organizations that are joining ACA in these efforts continues to grow. The current list includes organizations from the following states: Alabama, Arizona, Arkansas, Connecticut, Florida, Georgia, Hawaii, Illinois, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, North Carolina, New Jersey, New York, Ohio, Rhode Island, Tennessee, Texas, Virginia, and Washington. Chiropractic organizations from several other states have expressed an interest in joining.

## **What Is Needed From You**

For more information on the ACA's continuing efforts with the chiropractic managed care networks, I invite you to visit a special section of the ACA Web site that can be accessed at **[www.acatoday.com/networks](http://www.acatoday.com/networks)**. After you visit this Web site, hopefully you will realize that it is your practice, your profession and your patients that the NCLAF and the ACA are fighting for. The ACA and the NCLAF are ready and prepared to defend you. However, we can only do that if you are willing to buy the fuel for the engines of our legal arsenal with your dollars. The decision is in your hands ... fight, surrender or go AWOL!

On the other hand, as I noted in my last article, I fully admit that you have every right to sit on your hands. However, if you choose not to fight, you will have forfeited the right to complain as the chiropractic managed care networks continue to abuse you! It is your decision ... and your fate.

*Author's note:* To join the NCLAF and ACA in this historic war by making a \$100 monthly contribution to the NCLAF, contact me by e-mail or fax (775-254-4115) for more details.

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