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Chiropractors Objections to 2004 Workers' Compensation Reform Proposals

Legislation now pending in the state Assembly and Senate, ABX4 1 and SBX4 3, aims to reform the workers' compensation system. These proposals could result in even higher costs by preventing injured workers from seeking cost-effective chiropractic care.

Chiropractic care comprises less than 5 percent of the workers' compensation system. Last year's workers' compensation reform measure capped at 24 the number of chiropractic treatments injured workers can receive for the entire duration of the injury. However, the American College of Occupational and Environmental Medicine (ACOEM) guidelines being implemented this year effectively limit to 6 the number of visits an injured worker can make to a chiropractor for most conditions. Last year's cap on visits and reduction in fees, coupled with the ACOEM guidelines, means **chiropractic care will be cut as much as 70 percent this year.**

Injured workers' access to chiropractic care essentially will be eliminated under two provisions in the current legislation:

1. Injured Workers Will Lose the Right to Choose Chiropractic Care

Injured workers will be forced to go to a medical provider chosen by the employer. This will allow employers to block access to chiropractic care. Even after medical treatment by another healthcare provider fails to alleviate the work-related injury, employers could prevent workers from switching to a Doctor of Chiropractic.

2. Doctors of Chiropractic Can No Longer Return Patients to Work

Chiropractic doctors will lose the ability to determine when a worker may return to work, or whether the worker should be placed on temporary or permanent disability. These restrictions would require an injured worker who received chiropractic treatment to make unnecessary visits to a medical doctor before returning to work, or being placed on temporary or permanent disability. This new layer of bureaucracy will increase costs, and effectively freeze doctors of chiropractic out of the workers' compensation system by making chiropractic doctors prohibitively expensive to use.

CCA opposes provisions in ABX4 1 and SBX4 3 that would:

- 1. Prohibit Doctors of Chiropractic from making a determination of temporary and permanent disability.**
- 2. Eliminate an injured worker's choice of treating physician.**
- 3. Expand failed managed care principles into workers' compensation.**
- 4. Define "medical necessity" in a way that eliminates patient choice of treatment.**
- 5. Create an independent medical review system that adds another layer of bureaucracy and lets reviewers who have never examined the patient make final treatment decisions.**