



April 4, 2008

Dear Colleague:

As President of the American Chiropractic Association (ACA), I am writing to you because you serve the consumer public with integrity and distinction as an important member of your state's chiropractic licensing board -- and in that capacity you now have a special opportunity to favorably influence the outcome of an issue of major importance to the entire chiropractic profession.

As you know, for many years the ACA has worked to enact federal legislation that would allow doctors of chiropractic to expand their authority and the range of services they are allowed to provide within the federal Medicare program. Essentially, we have sought to "level the playing field" by enacting provisions of law that would allow DCs to provide any service for which they are licensed, provided that such services are existing covered benefits within the Medicare program and are found to be medically necessary.

In recent years, the chief obstacle blocking the achievement of this goal has been the projected high dollar costs to the U.S. Treasury (*as estimated by the Congressional Budget Office*). The ACA has always vigorously disputed, as being unrealistically high, CBO's various cost projections associated with DCs providing additional chiropractic services. In order to obtain a more reliable and realistic projection of costs (and potential savings), the ACA was pleased to lead lobbying efforts in the U.S. Congress that led to the recent demonstration project offering expanded DC provided services within Medicare.

The findings associated with the above demonstration project are scheduled to be finalized and transmitted by the Centers for Medicare and Medicaid Services (CMS) in a special report to the U.S. Congress in calendar year 2009. It is anticipated, that following the issuance of this report, the ACA and other elements of the profession will, based on the project's findings, wage an intensive political battle on Capitol Hill to win passage of the permanent federal legislation all of us desire.

Unfortunately, our efforts to enact a favorable provision of law are now seriously threatened by the continuing, unacceptably high claims error rates within Medicare as determined by CMS and the federal Department of Health and Human Services (HHS) Office of the Inspector General (OIG). As you may be aware, the HHS OIG will issue an updated report on chiropractic Medicare documentation sometime later this year. It is abundantly clear, that unless we can convincingly demonstrate that our profession has put into place various educational and training programs, along with policies and requirements that will collectively lead to a significant reduction in Medicare claims errors, then the U.S. Congress will likely reject allowing DCs to provide additional services within Medicare, regardless of the findings of the demonstration project.

Accordingly, it is imperative that chiropractic state licensing boards, in cooperation with their respective state associations, do everything possible to ensure that practicing DCs in your state receive continuing education and training specifically aimed at improving Medicare documentation and reducing the number of claims errors, and that such necessary efforts are undertaken as swiftly as possible.

Since the 2005 HHS OIG report on chiropractic Medicare documentation, ACA and other chiropractic organizations have raised the awareness of proper Medicare documentation. ACA will soon provide a webinar, available free of charge on our website and accessible to all doctors of chiropractic, that will help guide DCs through proper Medicare documentation. However, I'm sure you'll agree, we still need to do more to ensure all of our colleagues are well versed in the federal Medicare reporting process.

I respectfully call your attention to Federation of Chiropractic Licensing Boards Resolution #2-06 passed in May, 2006 that states in part: **“...that the Federation of Chiropractic Licensing Boards (FCLB) encourages member boards to require approved continuing education in documentation and recordkeeping as a condition for relicensure...”** I am confident that you and your colleagues are fully committed to help eliminate this major threat to achieving our rightful place in the federal Medicare program. However, I urge you to take all realistic steps necessary at the earliest possible time to require approved continuing education in documentation and recordkeeping as a condition for relicensure.

Thank you in advance for your attention in this regard. If you have any additional questions regarding this matter please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Dr. Glenn D. Manceaux". The signature is written in black ink and is positioned above the typed name.

Glenn Manceaux, DC
President, American Chiropractic Association