



MEMORANDUM IN OPPOSITION

FOR IMMEDIATE RELEASE: June 23, 2008

Re: S.1150-B (Johnson) A.2830-B (Lentol) AN ACT to amend the insurance law and public health law, in relation to doctors of chiropractic.

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This legislation, S.1150-B/A.2830-B, seeks to amend the chiropractic mandate passed in 1997 to enhance the financial position of chiropractors. The New York Health Plan Association (HPA) opposes this legislation because it inappropriately establishes reimbursement standards for chiropractors.

This proposal mandates reimbursement for chiropractic services to be equivalent to those provided by physician specialists. Chiropractors do not attend medical school and, accordingly, are not reimbursed at the same terms as orthopedists or similarly trained specialists. Chiropractic reimbursement is more appropriately aligned with other non-physician specialists such as physical and occupational therapists.

Chiropractors unhappy with the terms of their contracts have two options – seek to change those terms or terminate their relationship with the health plan. In either case, plans will have to continue to provide adequate capacity (as certified by the Department of Health) for these services. Market forces ensure that reimbursements remain commensurate with the demand for these services.

The bill also seeks to undermine the appropriate use of managed care tools such as pre-certification, concurrent review or utilization review to control health care costs by mandating that the same standards used for physician specialists also be applied to chiropractors. Chiropractic services are not the same as or identical to the practice of medicine by licensed physicians. They should not be required to be measured in the same manner as different services provided by physician specialists. The chiropractic “manipulation” of the human body differs significantly from invasive orthopedic surgery.

This legislation is offered solely for the enrichment of one group of providers – in this case chiropractors. It should be resisted. Accordingly, the New York Health Plan Association urges your opposition to S.1150-B/A.2830-B.

The New York Health Plan Association represents 27 managed care health plans that provide comprehensive health care services to nearly 7 million New Yorkers.