

VCA POSITION PAPER

Doctors of Chiropractic **OPPOSED** to Medical Society of Virginia Legislation Creating a Definition of “Physician”

The Medical Society of Virginia (MSV) will introduce legislation (patron not known at this time) stating: *No person, other than those persons regulated under this chapter and who have received a degree as a medical doctor or doctor of osteopathy, shall use or refer the word “physician” in connection with his name or his practice.* This bill would prohibit chiropractors from advertising under “physician”, prohibit use of the term “chiropractic physician” and chiropractors could not use or refer to themselves or practices as “physicians.”

Chiropractors OPPOSE this discriminatory and anti-competitive legislation.

Legislation will restrict chiropractors from participating in Medicare. Federal Medicare law and regulations specifically include chiropractors under the definition of “physician.” Legislation would make it illegal for a chiropractor to seek credentialing as a Medicare “physician” or perhaps submit reimbursement claims as a “physician”, even though that term is required by Medicare.

Legislation will prevent chiropractors from providing care for workers comp patients. *Virginia law specifically states chiropractors are defined as “physicians” in providing care under workers comp.* MSV’s legislation is in direct conflict with this statute and will result in chiropractors being excluded from providing services to injured patients covered under workers compensation plans.

Legislation will limit chiropractors from participating in health insurance plans. Health insurance plans require all health care providers to use CPT codes for filing claims for medical services. Some CPT code descriptions indicate they are used by “physicians.” This legislation will be construed as prohibiting chiropractors and other non-MD providers from submitting claims for certain CPT codes, even though they are covered by the insurance and within the authorized scope of practice.

Legislation will deter patients from seeking care from chiropractors. Patients with managed care health insurance refer to the carrier’s provider directory to determine if their chiropractor is participating in their plan. Most provider directories include chiropractors under headings such as “physician/medical” or “physician specialties.” This legislation would prevent chiropractors and other non-MD providers who participate in that insurance plan from being listed in those headings. This legislation will steer patients away from non-MD providers who are often more cost effective.

Legislation is unneeded. Virginia law requires all types of health care providers with a doctorate degree (including MDs) to clarify their type of specialty when using the term “doctor.” The term “doctor” and “physician” are now used interchangeably. Even a MD using the title “physician” often clarifies they hold a MD. Any time a chiropractor uses the term “chiropractic physician” or “physician” it is clearly stated the provider is a chiropractor.

Term “physician” use used generically. “Physician” is used generically in federal and state laws and regulations, commercial contracts of insurance and managed care plans, and government forms used by various health care providers. “Physician” is used in Virginia Code 1,079 times, found in 376 sections of statute, including laws related to chiropractors and other non-MD providers participation in health insurance plans.

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