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Clinton Administration and HHS Recommend Abolishing Mandatory X-Ray Requirement for Chiropractors

Proposal's Inclusion Seen As Uphill Battle

By Editorial Staff

WASHINGTON, D.C. -- For the first time in the 20 years since chiropractic has been included in the Medicare program, the White House and the Department of Health and Human Services (HHS) have formally recommended to Congress that the mandatory x-ray requirement under the Medicare program for chiropractors be abolished. Reflecting the lobbying efforts of the American Chiropractic Association (ACA), President Clinton's 1998 fiscal year federal budget proposal contains a provision calling for the elimination of the discriminatory x-ray requirement.

The document, "President's FY 1998 Budget: Medicare Saving and Investment Proposals" states:

"Improve Access to Chiropractic Services. If a beneficiary chooses to see a chiropractor for Medicare-covered services, Medicare currently requires that the beneficiary get an x-ray demonstrating spinal subluxation (i.e., misalignment) before beginning chiropractic spinal manipulation services. In some cases, this x-ray requirement may hinder a beneficiary's access to chiropractic services. Effective January 1, 1998, this proposal would eliminate the pre-treatment x-ray requirement."

The Office of Management and Budget (OMB) estimates that the five-year investment for this proposal is \$200 million. With all the emphasis on budget cutting, the fact that this proposal was included in the budget is surprising.

But to quote an original American thinker who knows what he's talking about, Lawrence (Yogi) Berra, "The game isn't over till it's over." The acceptance of the proposal is mitigated by two important factors:

- the extent to which the Republican-controlled Congress will embrace major portions of President Clinton's budget proposal, especially those components related to Medicare.
- that the Congressional Budget Office (CBO), whose duty it is to make the official budget estimates of such proposals, might assign an unrealistically figure above and beyond the \$200 million estimate from the Office of Management and Budget.

The ACA and other chiropractic organizations have long argued until their faces turn the cliché blue, that the mandated x-ray under Medicare represents an intentional barrier to chiropractic care; that it is a discriminatory requirement which is imposed only doctors of chiropractic.

"Although we still have many critical obstacles to overcome before this goal is realized, President Clinton's proposal represents a significant tactical victory which should substantially improve our chances of abolishing the Medicare x-ray requirement in the 105th Congress," said ACA President Dr. Kurt Hegetschweiler.

He also noted that the ACA is pursuing other avenues to erase Medicare's discrimination against chiropractic, particularly their refusal to reimburse for x-rays. The ACA Board of Governors has recently authorized the establishment of a new legal action fund necessary to pursue legal recourse in the federal court system (see "ACA Will Challenge Legality of Medicare Regulations" in the 2/24/97 issue of DC).

The ACA is urging anyone who has questions about the new x-ray requirement proposal or the legal action fund to contact the ACA Department of Government Relations: tel: (703) 276-8800; fax: (703) 243-2593.



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