



VERMONT CHIROPRACTIC ASSOCIATION

October 27, 2014

Susan Donegan, Commissioner
Department of Financial Regulation
89 Main Street
Montpelier, VT 05602

Dear Commissioner Donegan:

On behalf of the Vermont Chiropractic Association (VCA), I am writing to express the VCA's concern that the inclusion of chiropractic physicians in the category of "specialists" in the standard and non-standard plan designs on Vermont Health Connect, violates 8 V.S.A. § 4088a, known as the "Chiropractic Equity Law." This law requires not only that health plans provide coverage for chiropractic services, but also that any "co-payment and co-insurance amounts, fee or benefit limits... not function to direct treatment in a manner unfairly discriminative against chiropractic care."

By including chiropractic physicians in the category of "specialists," for all care provided under all plans, the copay that patients must pay to see a chiropractor is roughly between 90% to 200% (depending on the metal level) more than that paid by the patient when they visit their primary care physician (MD, ND, DO) to seek treatment *for the exact same condition*. We believe that this increased financial burden on the patient seeking care from a chiropractic physician results in directing treatment to other providers, specifically primary care providers, "in a manner unfairly discriminative against chiropractic care." It seems clear to us, that this is exactly the type of situation that Vermont's Chiropractic Equity Law was designed to prohibit. By way of example, more than 50% of low back pain visits are to primary care physicians (PCPs) and low back pain is the second most common symptomatic reason a person sees their PCP. (J Gen Intern Med. Feb 2001; 16(2): 120-131) In other words, both PCPs and chiropractic physicians are frequently treating and evaluating low back pain. If the patient is forced to pay a copay that is up to 200% higher when they see a chiropractic physician then this unfairly discriminates and directs treatment away from the chiropractor, a result that is prohibited under Vermont law.

The VCA would like to discuss this problem with you or your staff and explore the regulatory tools that may be available to ameliorate this problem.

Thank you for your consideration of this issue and we look forward to hearing from.



Sincerely,

Dr. Erik W. Hemmett
President Vermont Chiropractic Association
Vermont House of Delegate American Chiropractic Association

Cc:
Al Gobeille, Chair, Green Mountain Care Board
Robin Lunge, Director, Health Care Reform
Rep. Sarah Copeland-Hanzas, Vice-Chair, House Health Care Committee
Rep. Mark Woodward, House Health Care Committee
Jessica Oski, Necrason Group