

Chiropractic Ethics - The Personal Injury Narrative Report

Objectives-

Complying with the State of California Chiropractic Act and its associated Rules and Regulations generally speaking is not hard to do. More often than not, compliance involves thinking before doing, and having enough common sense to know when to read the Act, Rules, and Regulations when being suspicious that a given course of action might be at issue. Fortunately, most chiropractors are blessed with a high degree of common sense.

The State of California Rules and Regulations are contained in Title 16 of the California Code of Regulations, Division 4, beginning with section 301. These are posted on the State of California Board of Chiropractic Examiner's ("Board") website, and are periodically updated. It is best to periodically browse these rules and regulations to make sure you are compliant in your professional life with them.

In previous years, the California Board of Chiropractic Examiners posted their mission statement on their website, which was centered around protecting consumers from three main areas of focus - lack of competence, negligence, and insurance fraud. Competence is having and utilizing the degree of knowledge, skill, thoroughness, and training that a reasonable doctor of chiropractic would use in the performance of their professional duties. Negligence is conduct that falls below the standard of care that an objective, reasonable doctor of chiropractic would use in their professional practice. Insurance fraud is the intentional misrepresentation of at least one material fact, justifiably relied upon by another (the insurance company), so as to obtain the property of another (the insurance company). Insurance fraud is most easily avoided by not having any bad intent, but it can be extremely helpful to prove that lack of bad intent, and this will be discussed later.

This written seminar specifically focuses on the personal injury narrative report, by teaching and demonstrating the degree of competence necessary to prove a personal injury case, avoid negligence, and being able to prove that no insurance fraud has occurred.

Outline-

1st Hour -

Introduction

Caution #s 1-4

Complying with the State Board Rules and Regulations

The Personal Injury Narrative Report itself -

 The Beginning

 example

 Mechanism of Injury -

 what to include

 what not to include

 example

 Complaints -

 3 general categories of complaints

 example

 Diagnoses -

 rules pertaining to diagnoses

 list all relevant diagnoses

 list diagnoses in decreasing order of severity

 diagnoses are based on the history, exam, and radiology

 use adjectives to describe time frame and severity

 specify disc levels

 use of MRI reports

 ICD-9 codes

traumatic versus non-traumatic subluxation diagnoses

example

Medications Prescribed by Physicians

example

Previous Accidents

example

Subsequent Accidents

example

2nd Hour -

Other Health Care Providers Seen for This Accident

example

Radiology

necessity and justification

obtain plain film x-ray radiographs prior to considering MRIs

justification when post-accident films already exist

standing, weight bearing condition

MRI justification

which plain film x-ray views to be obtained

MRI STIR view for detection of fractures and edema in bone

DACBR interpretation

example

Malingering tests -

example

Referrals from this Office to Other Health Care Providers

example

Recommendations Throughout Treatment

example

Duties Under Duress

example

Loss of Enjoyment of Life

example

Disability/Restrictions

example

Prognoses

example

Disfigurement -

example

Past/Present Care -

example

Future Care -

example

Susceptibility to Reinjury

example

Explanation for Extended Care

example

Certification Statement

example