

Ethics & Law P.I. Considerations – 2 Hours
Syllabus, Outline & Learning Objectives
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Back To Chiropractic CE Seminars

Objectives

Attendees and enrollees will be to avoid section 317(t) ethical violations involving gifts from attorneys to doctors for referral of patients, from doctors to attorneys for referral of patient and the proper methods of making any referral to a personal injury attorney or any other doctor/specialist. They will be taught to do competent examination and to follow 317(w) and refer when appropriate. They will be taught to perform proper consultations and examination to avoid section 317(c) violations.

Hour 1 - Section 317

1. Section C concerns about incompetence regarding failure to diagnose physical injuries
2. Section T concerns about giving or receiving rebates from P.I. attorneys
3. Section W concerns about failure to refer to various physicians for physical injuries

Attendees and enrollees will be taught ethical pitfalls and common errors of omission made by Chiropractors in the treatment of personal injury patients such as failure to diagnose many traumatic injuries that commonly occur in car accidents. This will include:

- Not using a DACBR to read x-ray films and missing cancer or other injuries
- Failure to diagnose torn neck ligaments on x-ray films that are obvious to the trained eye
- Failure to refer Chiropractic patients with torn neck ligaments, PTSD or brain concussions to specialists who can manage and treat those conditions within their scope of practice

Hour 2 Section 317 (continued)

- a. Section C – Incompetence for failure to diagnose PTSD
- b. Section C – Incompetence for failure to diagnose brain concussion
- c. Section W – Failure to refer out to mental health professionals the PTSD and brain concussion patients that walk into Chiropractors' offices after accidents

Attendees and enrollees will be taught the legal requirements for California Chiropractors in regard to screening for, diagnosing and referring PTSD and concussion patients to the proper specialist (e.g. neuropsychologist, psychiatrist, psychologist) and which symptoms require referrals to other specialists (e.g. endocrinologist, pain management). Failure to diagnoses these common injuries from car accidents (which Chiropractors see a lot in their practices) is grounds for malpractice (incompetence, falling below the standard of care) as well as State Board discipline (317C – incompetence and 317W – failure to refer to an appropriate physician and surgeon when the patient has a condition that needs such a referral). Personal injury practice

deals with the law and lawyers more than any other type of Chiropractic activity and knowing the law will guide their clinical decisions and provide better patient care.