

SENATE BILL REPORT

SSB 5736

AS PASSED SENATE, MARCH 16, 1993

Brief Description: Regulating chiropractic care for industrial insurance.

SPONSORS: Senate Committee on Labor & Commerce (originally sponsored by Senators Moore, Pelz and Fraser)

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: That Substitute Senate Bill No. 5736 be substituted therefor, and the substitute bill do pass.

Signed by Senators Moore, Chairman; Prentice, Vice Chairman; Amondson, Fraser, Pelz, Prince, Sutherland, and Vognild.

Staff: Dave Cheal (786-7576)

Hearing Dates: March 2, 1993; March 3, 1993

HOUSE COMMITTEE ON COMMERCE & LABOR

HOUSE COMMITTEE ON APPROPRIATIONS

BACKGROUND:

Under the industrial insurance law, an injured worker is entitled to proper and necessary medical care from a physician of the worker's choice. The Department of Labor and Industries' administrative rules define "physician" as a person licensed to practice medicine or osteopathic medicine. The rules also define "doctor" to include persons licensed to practice medicine, osteopathic medicine, chiropractic, drugless therapeutics, podiatry, dentistry, and optometry. Doctors are authorized to sign accident report forms for injured workers and temporary disability authorization forms. Only physicians licensed to practice medicine may examine injured workers to determining the extent of a worker's permanent impairment.

Within the health and rehabilitation services section of the department's industrial insurance division is an office of the medical director. The department has established several provider advisory committees, including a chiropractic advisory committee to advise the department on such issues as standards for effective and accepted chiropractic treatment for use by attending chiropractors and consultants, standards and minimum credentials for consultant reviews, reviews of the performance of individual chiropractors.

SUMMARY:

Chiropractic care must be available to injured workers under the industrial insurance system. The care given must be within the scope of practice for chiropractic care, and may include only treatment for acute conditions.

Chiropractic care is added to the list of care that must be provided to injured workers, under the industrial insurance law.

The Director of the Department of Labor and Industries is required to appoint an associate medical director for chiropractic treatment who is eligible to be licensed under Washington law.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

Chiropractors need separate provisions in the industrial insurance law because it is a form of treatment that rejects the medical model and is based on a different system.

The department and the chiropractic profession have had disagreements in recent years. This would provide a set of rules that would reduce these problems.

TESTIMONY AGAINST:

The provision allowing chiropractors to set their own fees and determine treatment necessity is extremely costly and something no other health care provider is able to do. In general, there is no justification for all the special treatment of chiropractors that the bill provides. Many provisions of the bill run counter to health care reform proposals.

TESTIFIED: Steve Wehrley (pro); Gary Franklin (con); Linda Murphy (con); Clif Finch (con); Charles Hill (con); Kirsten Iverson (con)

HOUSE AMENDMENT(S):

The amendment adds the following provisions: (1) The department may develop treatment and utilization standards for chiropractic treatment in consultation with the chiropractic profession, but the standards may not require termination of treatments based solely on the number of treatments. (2) Within the scope of practice, chiropractors may conduct examinations to determine the rating of permanent disabilities in consultation with medical doctors, or if the department requests, these examinations may be by a single chiropractor. (3) Chiropractors are expressly made subject to the

department's fee schedule and provider audit authority. (4)
A worker may be required to submit to a chiropractic
examination to assist the department in evaluating the need
for chiropractic care or claim closure.