



ONTARIO CHIROPRACTIC ASSOCIATION ASSOCIATION CHIROPRACTIQUE DE L'ONTARIO

ORTHOTICS & EHC PLANS

This background brief has been prepared by the Ontario Chiropractic Association for the benefit of all chiropractic stakeholders in Ontario as part of ongoing initiatives designed to generate greater awareness and understanding of chiropractic's role in the broader health care landscape.

Preamble

Over the past 10 years, extended health care (EHC) plan sponsors and health insurers have witnessed dramatic increases in orthotics claims costs. Key drivers behind these increases include increased patient awareness, product innovations, promotion of orthotics among health and foot care practitioners and some abuse of the benefit across all professions.

The rapid increase in consumer awareness and demand for orthotics caught the health insurance industry largely unaware and without established claims adjudication policies.

We understand that, as health insurers and other benefits experts examine their claims policies concerning orthotics, patterns are being detected that suggest some claims by individual practitioners have been of questionable clinical merit. Based on extensive communications the OCA has had with insurers and health care industry stakeholders, it is our understanding that such practitioners were not limited to any one profession.

Collectively, insurers continue to focus significant attention on orthotics prescribing and dispensing through two principal industry bodies, the Canadian Health Care Anti-Fraud Association (CHCAA) and the Canadian Life and Health Insurance Association (CLHIA). Some health insurers, under significant pressure from plan sponsors to better control orthotics costs, have reacted by adding deterrents such as excluding certain professions, including chiropractic, from orthotics prescription and/or dispensing.

Unfortunately, however arbitrary such exclusionary policies may be, because EHC plans are private plans, there is nothing prohibiting a plan sponsor or insurer from instituting such a policy.

No insurer has produced research or demonstrated that there is any clinical basis whatsoever for excluding chiropractic (or any other profession) from orthotics prescription or dispensing.

The Registered Health Professions Act was designed to ensure that patients have a choice. Chiropractors, with their unique focus on the neuromusculoskeletal system as a whole, fills a clinical need that differs from that of health care providers who primarily address foot symptoms.

Chiropractors are experts in diagnosing and treating biomechanical problems, and biomechanics is a major part of their education, training and scope of practice. Orthotics is one intervention used by chiropractors to affect the kinetic chain, for instance, the way the feet, knees, hips and back all work together when you walk.

Because not all professions have a specific Orthotics Standard of Practice as the College of Chiropractors does, for several years the OCA has been advocating private health insurers and their industry associations (The Canadian Life & Health Insurance Association (CLHIA) and The Canadian Health Care Anti-Fraud Association (CHCAA) to come together and agree on a set of pan-professional protocols to better define orthotics prescription and dispensing, including the private labs who are involved in the manufacture of these appliances. The OCA has encouraged the insurers to hold a multi-professional symposium to better understand the various issues around the prescription of orthotics.

The role of health insurers

EHC plans are increasingly important third-party payers for chiropractic services. There are hundreds of thousands of employer-sponsored plans across the province, and each one is unique. Employers sponsor the vast majority of EHC plans in Ontario. It is not insurance companies but employers, responding to the needs of employees, sometimes brought forward by a union, that ultimately determine whether and how chiropractic and other services are covered under their plans.

A principal role of health insurers is not just the provision of insurance for health care needs, but the adjudication of claims that arise. As such, employers and EHC plan sponsors generally defer to health insurers' expertise regarding claims administration guidelines and policies for specific covered services, such as orthotics.

As a regulated health profession in the province of Ontario, chiropractic practitioners are governed by their licensing and regulatory body, the College of Chiropractors of Ontario (CCO), which is charged with establishing and enforcing the Regulations and Standards of Practice that govern the profession.

The prescription/dispensing of orthotics by chiropractors is governed by the CCO's Standard of Practice S-012, which outlines training, treatment protocols, billing and conflict of interest requirements specifically in relation to orthotics prescription and dispensing.

Although larger employers and EHC plan sponsors (i.e. those with more than 250 members) often defer to health insurers' advice concerning claims administration policies, they are usually under no obligation to do so.

OCA position

1. Orthotics prescription is unequivocally within the scope of chiropractic practice. Insurers have been referred to CMCC curriculum, the CCO Standards of Practice, and available clinical literature.
2. Clinically, chiropractors approach the subject of foot biomechanics as part of their concern for the dynamics of gait and its importance in the proper function, not only of the foot, but of other aspects of neuromusculoskeletal function and symptoms. This diagnostic approach fills a clinical need that differs from that of the health care provider who primarily addresses foot symptoms.

The chiropractor's examination and diagnosis parallels the approach of a family physician, but with the added benefit of focused education regarding MSK and biomechanical conditions. This perspective is clinically relevant for the insured individual and is lost with the exclusion of chiropractors from the allowable provider group.

3. Chiropractic, along with other regulated health care professions, has appropriate guidelines in place to ensure appropriate and ethical behaviour on the part of their respective practitioners concerning both orthotics prescription and dispensing.
4. Insurers and health care professions should work cooperatively and collaboratively to establish reasonable and appropriate guidelines for orthotics prescription and dispensing, and that orthotics manufacturers and laboratories adhere to appropriate standards and guidelines of conduct.
5. Complaints or allegations of inappropriate prescribing and/or dispensing of orthotics by a chiropractor should be brought to the attention of the profession's provincial regulatory body, the College of Chiropractors of Ontario.

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