



# Oregon

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Oregon Board of Chiropractic Examiners

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February 1, 2008

## ALERT

To: Oregon Chiropractic Physicians  
Fr: Oregon Board of Chiropractic Examiners  
Re: Analgesic Healthcare fee-splitting arrangement, *Caveat Emptor*

This fee-splitting arrangement is in violation of Oregon Administrative Rule 811-035-0015 (24). Any chiropractic physician who has participated in this should cease immediately and has a duty to report to the OBCE providing full details of these transactions.

In July 2007 we shared our correspondence with Analgesic Healthcare of Tampa, Florida, that their advertising to Oregon DCs was promoting a fee-splitting arrangement in violation of Oregon Administrative Rule 811-035-0015. (*Unprofessional conduct shall include... (24) Splitting fees or giving or receiving a commission in the referral of patients for services.*)

Analgesic Healthcare is asking chiropractors to:

1. "Fit" the units (to their patients), then fax or mail the Patient Data Card and Letter of Medical of Necessity to Analgesic Healthcare (Units being TENS and other electrotherapy devices)
2. Analgesic Healthcare takes assignment on insurance, separate from the DC's billing for services (i.e., excessive billings for units that cost a mere fraction of what they charge)
3. Analgesic Healthcare contacts the patient to answer any questions
4. The DC receives a \$150 fee for each file that is approved.

Analgesic Healthcare engaged in an exchange of correspondence and a meeting with OBCE representatives in an attempt to convince us their arrangement is legal. Our conclusion is that is not legal and violates our rule. Meanwhile, they have continued to promote this fee-splitting arrangement in Oregon even after the OBCE sent them a Cease and Desist letter. Our Assistant Attorney General has now sent them a second Cease and Desist letter.

This Alert is provided to the Oregon DCs listserve and will be placed on the OBCE's Web page and in the next issue of the BackTalk. If you have any questions, contact Dave McTeague, Ex. Dir., at 503-378-5816 ext. 23, or [dave.mcteague@state.or.us](mailto:dave.mcteague@state.or.us).

