

## **PRESIDENT'S MESSAGE**



We are halfway through the winter and that much closer to spring, which means the **Spring Convention at Mohegan Sun**! This is a perfect opportunity to network, earn continuing ed credits and catch up on the latest happening in chiropractic. Remember to mark your calendars for this great event, April 14-16, 2023 and bring your lucky charms.

At our February general meeting last month, Dr. Joseph Merckling, talked in detail about how to implement and manage the new No Surprises Billing Act and Good Faith Estimates

which went into effect this January. If members have any follow-up questions on these updates, please reach out directly.

Our March speaker will be orthopedic surgeon, Steven Puopolo MD, who specializes in the treatment of hand, wrist, and elbow problems. He has experience in both traumatic and degenerative conditions. Special areas of interest include: fractures and other traumatic injuries, carpal tunnel syndrome, rheumatoid hand reconstruction, Dupuytren's disease and tendon and ligament injuries. Dr. Puopolo also offers minimally invasive endoscopic carpal tunnel release surgery. Those who plan to attend in person will get to better recognize Dr. Puopolo's expertise and how he might help some of your patients' health concerns.

The Board has also organized what will prove to be a fun time on March 15, 2023. Members are invited to a very special **Meet and Greet** event at **Stella Trattoria and Bar in Blue Point from 7:30-10pm**. This is an event to celebrate our gold sponsors and will include an open bar and buffet. This is our district's way of thanking you for being a member and thanking our sponsors for their continued support of our district and the chiropractic profession. There will be many give-a-ways so mark your calendar for this special night out so spread the word to other members!

Continued on page 16





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2023 NYSCA Spring Convention April 14-16

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## **FROM THE EDITOR**

Welcome to our February 2023 edition of NYSCA D7's newsletter. In honor of Black History month, our president has written a brief article, page 9, highlighting black people's plight to obtain a DC degree. I was unaware of this part of our history. To learn more about visit the American Black Chiropractic Association's website; see the link on page 8. To contribute to the Harvey Lillard Scholarship Endowment Fund, follow the link on the front cover.

Last month Dr. Merkling did a great job discussing the No Surprise Act/Good Faith Estimate, and Dr. Argeropoulos won the wine basket. See pictures from the meeting and the links for two recent studies you should be aware of on page 5. For exciting research on the anatomical origin of cervicogenic headache, see page 17. In case you missed Dr. Merkling's talk on page 13, we obtained a webinar from Dr. Kotlar covering the same topic; there are also forms. Thank you, Dr. Kotlar.

Inside there are insurance information updates prepared by our board members. The F4CP ran two thirty-second commercials on CNN's American Pain show. If you have not seen the commercial, see page 8 and feel free to post it on your social media sites. You will find the F4CP's marketing roadmap for February on page 11. This page is a link for an updated book, "Chiropractic: A Safe and Cost-Effective Approach to Health," for you to use. You have a membership in this organization. If you cannot log on, don't hesitate to contact the state for help.

The bio for this month's speaker and details about the March meet and greet is below. For something inspirational, see 'Our Daily Fred' on page 16.

## **UPCOMING MEETINGS**

## February 15<sup>th</sup>

Dr. Steven Puopolo MD from OALI

Upper Extremities Radisson Hotel Hauppauge - 8 PM

Dr. Puopolo earned his medical degree from SUNY Brooklyn in 1997. He completed his internship in general surgery at NYU Medical Center and his orthopedic surgery residency at NYU Hospital for Joint Diseases. He then completed a hand and upper extremity surgery fellowship at the University of Pittsburg Medical Center. He is published and has presented on numerous topics in Orthopedics.

## March 15<sup>th</sup>

NYSCA members 'meet and greet' with Gold Sponsors Stella Trattoria - 7:30-10

In place of a March general meeting on March 15th, District 7 of the NYSCA will have an event from 7:30-10 PM at Stella Trattoria, 7 Montauk Hwy in Blue Point. We will be serving food and drinks. The 'meet and greet' will be for our NYSCA members and the current Gold Sponsors of our district. Please make every effort to be there and show support for those who support Chiropractic. All of our current gold sponsors refer back to our members; what a perfect opportunity for you to meet as many doctors as possible with the chance to develop professional relationships and potential friendships. Our current Gold Sponsors are OALI, NSPC Brain and Spine, Spine Care Long Island, and Spine Pain Solutions. We hope to see you there.





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## NEWS THAT YOU MIGHT HAVE MISSED

#### Medical Xpress: Chiropractic spinal manipulation associated with reduction in low back surgery

A recent study from University Hospitals (UH) Connor Whole Health has found that adults who initially visit a chiropractor to receive spinal manipulation for low back pain caused by disc herniation or radiculopathy (i.e., sciatica) are less likely to undergo discectomy (i.e., disc surgery) over the subsequent two years. This study was recently published in the journal BMJ Open.

#### READ MORE

### AAAS: Anti-inflammatory Medications Raise Risk of Chronic Back Pain in Patients

A recent study suggests that patients who take anti-inflammatory medications such as nonsteroidal antiinflammatory drugs (NSAIDs) may have a higher risk of ending up with persistent, chronic pain.

### READ MORE

## 2023 Spring Convention April 14-16

New York State Chiropractic Association

Mohegan Sun Casino & Resort Uncasville, CT

Earn up to 16 CE Credits over 3 days and across 2 tracks!

### Category 1 credits 12; Up to 16 out of state credits.

## **SNAPSHOTS FROM D7 JANUARY MEETING**

Joe Merckling lectured on The No Surprises Act/Good Faith Estimates. See the NYSCA website, MEMBER ONLY section for all the necessary information/paperwork that doctors need for their offices. Great Member benefit!! Sophia won the wine basket this month!!





## **2023 INSURANCE UPDATES**

- 2023 Medicare Deductible- \$226 (decrease by \$7) from 2022
- 2023 Medicare 98940 \$31.62
- 2023 Medicare 98941 \$45.08
- Aetna
- As of 1/1/23, Aetna is no longer using NIA. There is no current replacement for NIA.
- Aetna is frequently denying all 99212. Make sure to Appeal.
- State Farm is now discounting NF fees if you are a Magnacare provider.
- Oscar Denials- You must bill the subluxation diagnosis as primary and use the AT modifier on the 98940.
- As of 1/1/23 Mather Hospital is officially Northwell. A lot of the staff have switched to Northwell Direct Insurance.
- Wellcare is now using ASH as the Third Party Administrator. Remember, Health First Exchange Plans also go through ASH. If you are an ASH provider then you are in network with Wellcare and Health First when its primary.
- Federal WC is denying all 98940. It is happening across the entire state. They are aware of the issue and are in the process of fixing it. I will be contacting Congressmen Garbarino and LaLota. One of NYSCA's directors upstate had success with Congresswoman Stefanik's office in getting their bills paid.
- Suffolk BC/BS
- · Processing exam/re-exams copays incorrectly
- We have confirmed that the policy reveals 1 office visit per year per condition/diagnosis/ region
- Includes all exam codes (99201-99205; 99211-99215)
- Only \$30 Copay. No additional Copays for exams. Only additional copay for xrays.
- You CAN NOT charge the patient the additional \$30 for exams even if the EOB is stating that because the EOB is wrong if you are in-network.
- I have made BC aware of the incorrect Suffolk EOB's and they have escalated the issue. Not sure of how long it will take to get fixed.

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Jonathan L. Brisman, M.D. Neurovascular Neurosurgery Endovascular Neurosurgery Brain Tumors



Brian J. Snyder, M.D. Parkinson's Surgery **Epilepsy Surgery** Pain Surgery



John A. Grant, M.D. Pediatric Neurosurgery Neurovascular Neurosurgery Brain Tumors



Paolo A. Bolognese, M.D. Chiari I Malformation Syringomyelia



<u>Robert N. Holtzman, M.D.</u> General Neurosurgery Spine Surgery

#### Neuropsychology



Gad Klein, Ph.D. Neuropsychology

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Alan Mechanic, M.D. General Neurosurgery Spine Surgery



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Sundeep Mangla, M.D. Neuroendovascular Surgery



Jae Choi, M.D. Cerebrovascular Neurology

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Yusef Imani, M.D. Spine Surgery



## April 14-16, 2023 at Mohegan Sun Casino & Resort

Sky Convention Center | 1 Mohegan Sun Blvd, Uncasville, CT

It is our pleasure to announce and formally invite you to participate in the NYSCA 2023 Spring Convention! We look forward to seeing you in person at our next live event to be held in the Sky Convention Center at Mohegan Sun!

## Earn up to 16 CE Credits over 3 days and across 2 tracks!

We encourage you to arrive early for the Friday session to check in and visit with our event exhibitors. Classes on Friday will be from 2pm-6pm and will offer up to 4CE, followed by our Welcome Reception. The Saturday session will be from 8am-6pm and will offer up to 8 credits, along with a banquet luncheon and dessert reception with sponsors and exhibitors. The Sunday portion will be from 8am-12pm and will offer up to 4 credits.

### **Make Hotel Reservations**

Learn More & Register Online

Visit the Virtual Expo

Up to 12 Category 1 credits ; Up to 16 out of state credits. Registration MUST be received by 5pm on Friday, 04/07/2023.

## Speaker Lineup



**Scheduled speakers include:** Sherry McAllister DC (F4CP); Kelley Humphries DC (NCMIC<sup>†</sup>); Lori Holt RN-BC (NCMIC<sup>†</sup>); Jennifer Illes DC (Foot Levelers); Anish Bajaj DC (Foot Levelers); Lewin DC (Eclipse EHR Solutions); Daniel Birk MD (NSPC Brain & Spine Surgery); Jeff Lev Lewin Esq (Lewin & Baglio LLP); Jack Beige DC Esq (The Law Firm of Jack Stuart Beige); Corey Marone DC (LabCorp); Bethany Buryta DC (NYSCA); Mitch Green DC (NYSCA); David Kartzman DC (NYSCA); Karl Kranz DC Esq (NYSCA)

## **Event Schedule Overview**

Friday, April 14, 2023	Saturday, April 15, 2023	Sunday, April 16, 2023
1:15pm-2:00pm Registration	7:15am-8:00am Registration	7:15am-8:00am Registration
2:00pm-6:00pm Classes (4 CE)	8:00am-12:00pm Classes (4 CE)	8:00am-12:00pm Classes (4 CE)
6:00pm-7:00pm Welcome Reception	12:00pm-1:30pm Banquet Luncheon	
	1:30pm-2:00pm Exhibitor Reception	
	2:00pm-6:00pm Classes (4 CE)	

## Save \$100 when you register by 01/20/23. Special pricing for Association Members

## **Association Member Early Registration is \$269**

## Non-member early registration is \$369. Standard registration applies as of 01/20/23

‡ Attend NCMIC's seminar for a total of 8 hours on Saturday to receive a discount for 3 years on the renewal of your NCMIC malpractice insurance premium. 5% discount for full-time DCs; 2.5% discount for part-time DCs premium.

Policy Statement: The NYSCA makes every attempt to offer programs as publicized. We nevertheless reserve the right to alter and/or adjust program details, including but not limited to dates, locations, times, instructors, and presentation sources and sequences. Please visit the NYSCA event webpage to review our Registration and Cancellation policies, along with accommodations details.

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This seminar is valid for CE credits in "pre-approved" states, so long as it falls within the scope of practice as outlined by the corresponding state board. It remains attendees' responsibility to contact the state board(s) from which they seek continuing education credits for purposes of ensuring said board(s) approves both the delivery method and content as they relate to this event. Neither a speaker's or exhibitor's presence at said event, nor product mention or display, shall in any way constitute Northeast College endorsement. Northeast College's role is strictly limited to processing, submitting, and archiving program documents on behalf of course sponsors.





## F4CP Secures Two :30 Ad Spots

During Premiere of American Pain on Sunday, February 5

The Foundation for Chiropractic Progress' (F4CP) new commercial, which highlights the benefits of natural and effective chiropractic for older adults was featured in two, :30 second advertisements on Sunday, February 5 at 9 pm ET/PT during the premiere of American Pain.

American Pain traces the rise and fall of Floridians Chris and Jeff George, identical twins who trafficked more than \$500 million in opioid pills in the United States.

The commercial features Mavis, an 89-year-old woman who lives an independent and healthy lifestyle thanks to chiropractic care.

The call to action is 'visit your chiropractor,' leading viewers to F4CP's National Find-A-Doctor Directory.

As a member of F4CP, YOU are featured in the directory! F4CP is working for YOU!



# Work Comp Corner with Dr. Rulli

As we move forward in the new year it is always our goal to disseminate the most recent and relevant information to our members as possible. Many times this also requires your input. We need your help, if you are experience problems with carries we need to know exactly what it is, and if it is a pattern with that particular carrier. That is the only way the NYSCA can bring these issue to the Medical Directors office. In the last Comp corner article we asked for information regarding Suffolk Risk Management; specifically denials that were within the medical treatment guidelines. We continue to need your feedback on this.

Are you having issues with HP-1 and level 3 reviews? You are not alone! It seems the board is overwhelmed by the number of submissions for HP-1's and the number of level 3 requests. We have contacted them and they are trying to rectify the situation. I have personally called the board regarding this and suggested a fine on the carriers that would make them think twice about denials and payment inadequacies. The best way to help each other is to share experiences and solutions so please share so that we may help as many as possible.



## National Black History Month

By Dr JoAnna Fasulo

February is here and what a special and busy month it is! We will discover if winter continues for six more weeks, celebrate love, and celebrate our Presidents.

February is also National Black History Month!

Since it is Black History Month, I became curious about the history of black chiropractors in this country and found that there is a lot more to the history than Harley Lillard. As most chiropractors undoubtedly know, Harvey Lillard, a black janitor, was given DD Palmer's first chiropractic adjustment after Harvey complained of becoming deaf after a blow to his head. DD felt his spine and palpated a misalignment which he then corrected - ultimately restoring Harvey Lillard's hearing. This was the start of chiropractic and paved the way for all of us.

The year was 1895. DD Palmer opened the Palmer School of Chiropractic. To my surprise, given DD's first patient was Black, the school opened with a policy of "no negros allowed".

Moving on to 1914, the Rubel School of Chiropractic was founded by Dr. Fred Rubel, a 1913 graduate of the National School of Chiropractic. He is known as the first black chiropractor, a full 19 years after DD Palmer gave that first chiropractic adjustment. Dr. Rubel's policy was to "open the field of instruction to all races, no matter what the color of their skin may be, so as particularly to give members of the colored race an opportunity to learn one of the greatest modern professions-chiropractic."

Fast forward to 1945 when Reaver College of Chiropractic was formed in Dayton, Ohio by Dr. Clarence Reaver. This college was formed to correct for BJ Palmer's insistence to refuse black students into Palmer College of Chiropractic apparently coming from his own student body threatening to leave if he did allow them in. BJ, dependent on the income from the student's, made the decision to keep blacks out of the school.

I must admit, it was disheartening to learn about the racial discrimination that chiropractic students faced not that long ago. Thankfully, racial discrimination is no longer tolerated when applying for colleges. I wonder about how many people (potential patients) have suffered because they didn't have chiropractic in their community because of racism. Now knowing that the past pushed out many black chiropractic students, I have a better appreciation for why Black History Month exists: it allowed me to take a moment to learn about the struggles of Black people and Black chiropractors – to open my eyes to their struggles, something that was never taught in chiropractic school. I wonder why this part of our history is not shared and respected in the chiropractic curriculum.







## LIFE UNIVERSITY TRACK AND FIELD ATHLETE BREAKS NATIONAL RECORD

lowa City, Iowa- January 26, 2023 – Life University (Life U) is proud to have many world-class athletes on their roster and to celebrate their victories, such as C.J Allen's recent setting of a new American record at the American Track League Pro Puma Classic meet held at the University of Iowa this past Friday and Saturday, January 20-21, 2023.

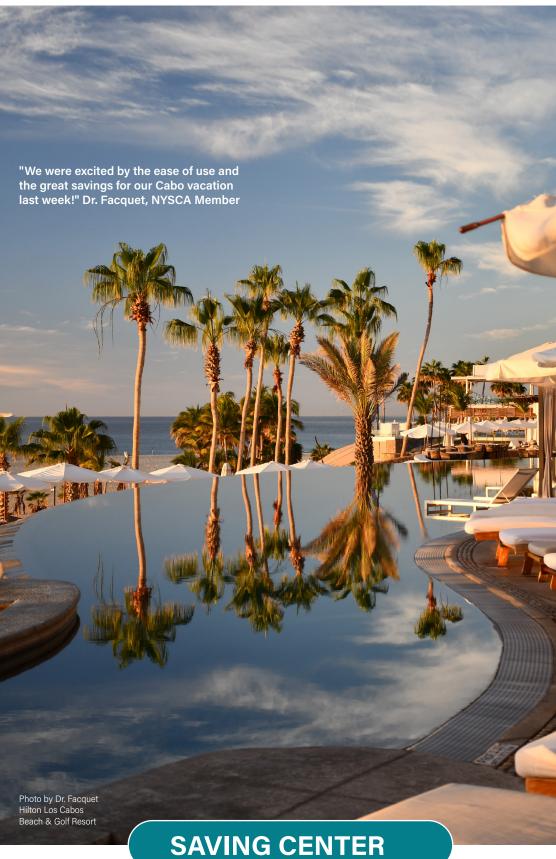
Allen is a 12th-quarter Doctor of Chiropractic student who is also working on his Master's in Sport Health Science in Life U's Sports Chiropractic track. Additionally, he is a graduate assistant for Life U's Men's Track and Field team.

Allen has said "it feels indescribable" as he recounts the journey to his setting a new National 400-meter hurdle indoor record, which was only 10 seconds short of the world record. The team also ran a  $4 \times 400$  meter relay facility record after the hurdles race.

"I have been working so incredibly hard for so many years that when it happened it just felt right. I was asked a couple weeks ago to come to Iowa for the American Track League Pro Puma Classic meet, so it wasn't a lot of time for some minor tune-up work before the race," said Allen. "A season opener and American record in one is an exciting start to the season. I know, here at Life U, we plan to repeat as national champs, and I can't wait to be alongside the coaching staff to guide our team to that victory again."



# **MEMBER PRIVILEGES**







# Marketing Roadmap

#### **New Chiropractic Research**

Compiled by Dr. Carl Cleveland, "Chiropractic: A Safe and Cost-Effective Approach to Health" is a resource manual of the latest and greatest chiropractic research. Organized in an easy-to-read format, this document should be reviewed by all practice team members and can be utilized in community outreach.

> CLICK HERE TO DOWNLOAD THE LATEST CHIROPRACTIC RESEARCH

#### **Monthly Theme: Efficacy of Chiropractic**

Foundation for Chiropractic Progress

CHIROPRACTIC: A SAFE AND COST-EFFECTIVE APPROACH TO HEALTH

WEEK 3		WEEK 4	
Strategy	Easy Weekly Action Step(s)	Strategy	Easy Weekly Action Step(s)
Community Presentation	Utilize the customizable PowerPoint presentation "Chiropractic Care for Stress Management," to schedule a recorded or live virtual presentation this February to reach your patients, your Chamber of Commerce or local BNI (Business Network International) group. You can also record and post a video of the presentation on your YouTube channel and other social media channels. <b>POWERPOINT PRESENTATION</b>	CA Handbook	Access "The Chiropractic Assistant Handbook," which features mastery practices for patient communication, ancillary services, attorney outreach and so much more.
		Social Media	Share the following posts to the Facebook, Twitter and Instagram accounts for your practice on Tuesday, February 21. SHARE ON SOCIAL: () () ()
Social Media	Share the following posts to the Facebook, Twitter and Instagram accounts for your practice on Tuesday, February 14. SHARE ON SOCIAL: () () ()	Adjusted Reality Podcast	Tune in to Adjusted Reality, trusted by the adjusted – a consumer-friendly podcast for you to share with your patients. PODCAST

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Mudasser Javed, DPM

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# **NEW FEDERAL MANDATE: GOOD FAITH ESTIMATES**

## NYSCA INSURANCE COMMITTEE

As you may be aware, the No Surprises Act was passed at the end of 2020 as a part of the Consolidated Appropriations Act of 2021. Initially most experts believed this act applied only to facilitybased providers however, the recent finalization of Part II of the rules has a specific portion that applies to all health care providers.

One of the goals of the No Surprises Act is to ensure that patients do not receive health care bills that far exceed their awareness or expectations. Another key provision pertains to "good faith estimates" and will apply to nearly all chiropractic offices beginning on January 1, 2022. The No Surprises Act is comprised of two major parts. Part I is entitled: "Requirements Related to Air Ambulance Services, Agent and Broker Disclosures, and Provider Enforcement," and Part II is "Requirements Related to Surprise Billing"; only Part II will apply to most chiropractic physicians.

The purpose of Part II is to better inform patients regarding the cost of care and requires a "Good Faith Estimate." This will require all chiropractic physicians whether insurance based, in-network, out of network, or cash, to make an initial determination for all patients whether a good faith estimate is required. Although the No Surprises Act requires Good Faith Estimates (GFE) for both self-pay and insurance-based patients, HHS only issued rules for the patients who are uninsured or self-pay patients. Insured patients are excluded by HHS at this time because the infrastructure is not available to provide meaningful information to the patient.

This regulation will impact your office in some way, since the minimum requirements will include required questions of patients, posters in your office, additions to your website, and paperwork for Medicare patients. This information is based on the Interim Final Rule that was active on 10/7/2021 but is subject to change because it is still in the comment period. And interpretation is based on the best information currently available.

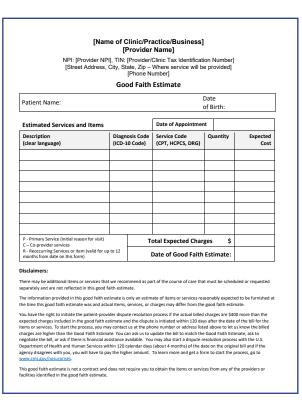
Some of these requirements MAY change from future updates to the rule or based on court rulings. Nonetheless, these requirements are in place and active beginning January 1, 2022. Patients will be fully aware of these rights since the requirements will be in place for all healthcare providers.

One of the key concepts of the no Surprises Act is to ensure that patients do not receive medical bills that are greater than they anticipate. Although the law mostly focuses on large surprises from air ambulance and non-participating physicians at participating hospitals, they also want patients to know in advance the cost of services being rendered in non-emergency settings. The law goes a step further than simply requiring a price list of services offered; instead, providers must provide during scheduling (or before scheduling, if the patient requests) a clear list of services (with prices) anticipated for the specific patient.

Good Faith Estimates (or GFEs) have required elements:

- A list of all reasonably expected services for the scheduled visit with all prices,
- CPT codes and ICD-10 codes,
- Patient and provider identifying information,
- Appointment date (if scheduled), and
- Several disclaimers

FOR THE REST OF THIS ARTICLE AND TO DOWNLOAD FORMS VISIT MEMBER'S ONLY SECTION OF NYSCA





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Fred Ford Life Success Consultant Newsletter

## Today's thoughts are taken from **Marcus Aurelius**

When you arise in the morning, think of what a pre-cious privilege it is to be alive—to breathe, to think, to enjoy, to love.

#### Freditorial:

I came across this quote recently and immediately thought: this would be a PERFECT Monday morning quote for Our Daily Fred. So here it is!

The guote was listed with several others attributable to Marcus Auerlius, including this one, which is my Daily Fred Throwdown Challenge this week: "Waste no more time arguing about what a good man should be. Be one."

**JOIN DAILY FRED** 

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### PRESIDENT'S MESSAGE CONT.

As the saying goes, sometimes sad events can create positive results. I am referring to the loss of our very own Dr. John Pellegrino. He was an icon on Long Island's chiropractic scene and practiced his passion for chiropractic almost until the very end of his amazing life. His passion for chiropractic sparked an idea for a scholarship fund which will be in his name:

The John Pellegrino Scholarship Fund. This scholarship will be awarded annually to a new chiropractic practitioner who has the same passion for our profession as he did. Recipients will be awarded access to the spring convention and one night stay at the Mohegan Sun hotel. Through this scholarship, Dr Pellegrino's legacy will live on.

Finally, I would like to thank NSPC, Spine Care of Long Island, Spine Pain Solutions and OALI for their continued Gold Sponsor support. So, members, please refer to these providers whenever possible.

Best,

JoAnna Fasulo DC

## **CERVICOGENIC HEADACHE RESEARCH**

HISTOLOGICAL ANALYSIS OF THE RECTUS CAPITIS POS-TERIOR MAJOR'S MYODURAL BRIDGE. SCALI F, PONTELL ME, ENIX DE, MARSHALL E.SPINE J. 2013 MAY;13(5):558-63. DOI: 10.1016/J.SPINEE.2013.01.015. EPUB 2013 FEB 11.PMID: 23406969

ANATOMIC RELATION BETWEEN THE RECTUS CAPITIS POS-TERIOR MINOR MUSCLE AND THE DURA MATER. HACK GD, KORITZER RT, ROBINSON WL, HALLGREN RC, GREENMAN PE.SPINE (PHILA PA 1976). 1995 DEC 1;20(23DOI484-6. DOI: 10.1097/00007632-199512000-00003.PMID: 8610241

THE OBLIQUUS CAPITIS INFERIOR MYODURAL BRIDGE. PONTELL ME, SCALI F, MARSHALL E, ENIX D.CLIN ANAT. 2013 MAY;26(4):450-4. DOI: 10.1002/CA.22134. EPUB 2012 JUL 26.PMID: 22836789

A PROPOSED ETIOLOGY OF CERVICOGENIC HEADACHE: THE NEUROPHYSIOLOGIC BASIS AND ANATOMIC RELA-TIONSHIP BETWEEN THE DURA MATER AND THE RECTUS POSTERIOR CAPITIS MINOR MUSCLE. ALIX ME, BATES DK.J MANIPULATIVE PHYSIOL THER. 1999 OCT;22(8):534-9. DOI: 10.1016/S0161-4754(99)70006-0.PMID: 10543584 REVIEW.

CONNECTION BETWEEN THE SPINAL DURA MATER AND SUBOCCIPITAL MUSCULATURE: EVIDENCE FOR THE MYODURAL BRIDGE AND A ROUTE FOR ITS DISSECTION--A REVIEW. KAHKESHANI K, WARD PJ.CLIN ANAT. 2012 MAY;25(4):415-22. DOI: 10.1002/CA.21261. EPUB 2011 AUG 30.PMID: 22488993 REVIEW.

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