A Chiropractor at Every VA Hospital: Will Congress Finally Act?

By Peter W. Crownfield, Executive Editor

Efforts to advance the chiropractic benefit within the military health care system received a significant boost on March 12, 2007, when Representative Bob Filner (D-Calif.), chairman of the House Veterans Affairs Committee and a perennial chiropractic advocate, introduced two new pieces of pro-chiropractic legislation. H.R.1470, the Chiropractic Care Available to All Veterans Act, directs the federal government to expedite the expansion of the chiropractic benefit in the Veterans Administration; while H.R.1471, the Better Access to Chiropractors to Keep Our Veterans Healthy Act, mandates that veterans have direct access to chiropractic care at VA hospitals and clinics.

H.R.1470: Chiropractic at All VA Hospitals

H.R.1470 would "amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers." The bill stipulates that the program be carried out "at not fewer than 75 medical centers by not later than December 31, 2009, and at all medical centers by not later than December 31, 2011." H.R.1470 is essentially identical in scope to House Resolution 5202, introduced on April 26, 2006, by Reps. Filner and Jeb Bradley (R-N.H.). When the 109th Congress adjourned in late 2006, no further action could be taken on H.R.5202.

H.R.1471: Direct Access to Chiropractic Services

H.R.1471 would amend Title 38 of the United States Code "to permit eligible veterans to receive direct access to chiropractic care." Among the proposed amendments to Title 38, the legislation states: “The Secretary shall permit eligible veterans to receive needed medical services, rehabilitative services, and preventative health services from a licensed doctor of chiropractic on a direct access basis at the election of the eligible veteran, if such services are within the State scope of practice of such doctor of chiropractic. ... The Secretary shall not discriminate among licensed health-care providers in the determination of needed services."
In a March 7 press release, the American Chiropractic Association (ACA) and the Association of Chiropractic Colleges (ACC) applauded Rep. Filner for introducing the two new pieces of legislation. "The ACA and ACC are proud to work together with Rep. Filner - a powerful and effective advocate for our nation’s veterans," said Dr. Richard Brassard, ACA president. "Veterans want, need and deserve access to chiropractic care, and it is our goal to ensure that chiropractic is ultimately available and accessible at every major VA health care facility."

In the Congressional Record, Rep. Filner said that he worked closely with "chiropractic patients, particularly our veterans, who know the benefits of chiropractic care and bear witness to [its] positive health outcomes and preventative health benefits" when writing the legislation.

**Legislation Without Adequate Implementation**

In November 2000, President Bill Clinton signed the National Defense Authorization Act for Fiscal Year 2001. The legislation included a historic provision requiring access to chiropractic services for active-duty personnel and full implementation of chiropractic benefits over a five-year period in all service branches of the military; and mandated that the Department of Defense develop an implementation plan to ensure adequate provision of those benefits.

More recently (Oct. 17, 2006), President George W. Bush signed H.R.5122, the National Defense Authorization Act for FY 2007. Section 712 calls for the Secretary of Defense to evaluate the cost and feasibility of making chiropractic services available to all active-duty military personnel, reservists, retirees and eligible dependents; and to submit a report to the House and Senate Armed Services Committee by March 31, 2008.

Despite these legislative triumphs, only approximately one-sixth of the 230 U.S. military treatment facilities worldwide currently offer chiropractic health care services and less than one-third of the nation’s 154 major VA medical centers have a chiropractor on staff.

With the four-year anniversary of the start of the Iraq War just commemorated, our nation’s military personnel and veterans are in need of chiropractic care more than ever. In fact, a recent report from the Veterans Health Administration (VHA) Office of Public Health and Occupational Hazards cited musculoskeletal injuries as the number-one complaint among U.S. veterans of Iraq and Afghanistan.
According to the report, 41.7 percent of 184,524 veterans who sought VA health care from FY 2002 to the third quarter of 2006, after returning from duty in the Middle East or Southwest Asia, were diagnosed with a musculoskeletal condition. Overall, 76,986 veterans who sought VA health care received an ICD-9 diagnosis of "Diseases of Musculoskeletal System/Connective System" (710-739), making it the most common diagnosis among the subject population.

Add to this recent revelations regarding the neglect and substandard care at Walter Reed Army Medical Center - the Army’s largest health care facility, with approximately 600,000 patient visits annually at its main hospital and satellite clinics - and it’s no wonder that John Falardeau, ACA vice president of government relations, sent the following letter (excerpted as follows) to members of the House and Senate Armed Services and Veterans Affairs committees on March 5, 2007:

"In light of the recent Washington Post articles concerning conditions at Walter Reed Army Medical Center and related deficiencies in the level of health care provided to America’s military personnel and veterans - I thought it important to call your attention to another glaring example of the failure of the Department of Defense (DoD) and Department of Veterans Affairs (VA) health systems to deliver the type of health care services - including care for pain relief and rehabilitative care - that our men and women who have served or are currently serving in our military both need and deserve."

"In 2000, Congress enacted legislation ... requiring that chiropractic care be made available to all active-duty military personnel, and that the availability of this health care service be phased in over a period of five years. In 2003, Congress enacted additional legislation ... instructing the Department of Defense to accelerate the provisioning of chiropractic care to active-duty military personnel. Despite the enactment of these two laws, and the several year time frame in which the Pentagon has had time to comply with these directives, in 2005 the GAO reported that approximately 46 percent of our active-duty personnel remained without any access to this health care service. ... Additionally, insofar as the ACA is aware, there are no doctors of chiropractic stationed in the Iraq and Afghanistan theatres of operations, where large numbers of musculoskeletal injuries occur on a daily basis."

"In addition to DoD related problems, please note that deficiencies regarding the provisioning of chiropractic care also exist within the VA system. At present, doctors of chiropractic have been located at only 30 of the more than 150 major VA treatment facilities. As a practical matter, this means that the vast majority of veterans that would benefit from access to chiropractic care do not have this form of
treatment available to them."

"I respectfully urge that you use your authority and influence to correct this unacceptable situation."

As of press time, H.R.1470 and H.R.1471 have been referred to the U.S. House of Representatives Committee on Veterans Affairs for consideration. To track the status of these important pieces of legislation, visit www.thomas.gov.

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