

# The Quest for Insurance Parity for Acupuncture in Colorado

Rita Stanford, DAOM, Dipl Ac, Dipl CH, LAc

As a healthcare provider, whether one bills health insurance companies directly or gives patients superbills, the practitioner is often drawn into the patient's struggles to get their treatments paid for by their insurance. As an acupuncturist for nearly 17 years, I have had both positive and negative experiences with health insurance companies in this regard.

A frustrating experience I had with Aetna Insurance, however, led me to become very proactive about insurance parity for acupuncture. In December 2009, I treated a patient who was originally told by Aetna Insurance that they would pay for \$500 out-of-network for acupuncture. She submitted the superbills I'd given her to Aetna and they reimbursed her for \$540. She then submitted more bills for acupuncture and at this point Aetna requested the money back because I was not a chiropractor or a medical doctor. Chiropractors and medical doctors are the only practitioners Aetna will pay for acupuncture treatment.

I find this very frustrating that some insurance companies refuse to pay the most highly trained practitioners for acupuncture. In Colorado, chiropractors are only required to have 150 hours of training in acupuncture, and medical doctors need no training at all to practice it. Conversely, licensed acupuncturists in Colorado must have 2,500-3,000 hours of training, having passed national exams in clean needle technique and point location, as well as a written exam leading to national certification and state licensure. Since I'd completed a doctoral program in acupuncture and Oriental medicine at Oregon College of Oriental Medicine, I had an additional 1,228 hours.



The issue with my Aetna patient inspired me to promote a law in Colorado to get insurance parity for acupuncture. I contacted the Acupuncture Association of Colorado (AAC), of which I am a member. The governing board of the association and I decided to pursue a legislative bill for insurance parity for acupuncture in Colorado. I contacted my local state representative, Claire Levy, who was unable in 2010 to sponsor a bill for us, but indicated that she would either sponsor our bill in 2011 or find someone who would.

We did find a sponsor, Rep. Su Ryden (D-Aurora). Through her and the efforts of AAC lobbyist, Leo Boyle, we brought forth House Bill 1186: Insurance Parity for Acupuncture. Rep. Ryden found that in the 1970s, a statute was passed in Colorado that stated that the practitioners who would be paid

by health insurance companies were chiropractors and medical doctors. Acupuncture was not legal in Colorado until 1983, and not included in that statute, providing the reasoning for why insurance companies denied paying for acupuncture done by acupuncturists. Rep. Ryden proposed the idea to the House Health and Environmental Committee that this bill was simply updating an old statute by including acupuncturists in it. On February 16, 2011, myself and another acupuncturist, Debra Novotny, LAc, and the president of our association, Denise Ellinger, LAc, testified before the committee. It was a heavily Republican committee, and we knew it would be difficult to get it out of that committee. We had our work cut out for us.

Novotny had worked in the insurance industry before becoming an acupuncturist. She billed insurance companies directly for acupuncture if her patients had coverage. She testified that patients were often referred to her by the insurance companies, who would pay her and then request the money be returned. She presented documentation of these cases to the committee.

I also testified to the committee, and presented the letter I had written to the AAC about the aforementioned Aetna case and my own brochure. Members of the committee asked about my education and my training in China. One of the House Republican representatives said to me, "Dr. Stanford, do you think if we pass this bill that health care costs will go up?" I replied that I believed insurance costs would actually go down, as chiropractors and/or medical doctors often charge higher fees for acupuncture than do acupuncturists. Another representative asked whether medical doctors are giving more of a service while doing acupuncture. I informed him that a medical doctor seeing a patient often charges for both an office visit and an acupuncture treatment, while acupuncturists typically charge for a single acupuncture treatment - therefore, health care costs may actually be reduced if our bill passed. Another part of my testimony was based on patient safety and protection. I tried to convince them that patients are better served by practitioners who have more advanced training. This law, I said, would be most beneficial to the patients. I also contacted a patient of mine who had formerly served as a state representative and she communicated her support to the members of the committee.

The Health and Environmental Committee passed our bill out of committee by just one vote, 7-6. Our next task was to mobilize the support of the House members' constituents. The director of Southwest Acupuncture College, Valerie Hobbs, LAc, along with her students, sent e-mails to members of the AAC. Members of the House were subsequently flooded with emails and phone calls from their constituents to pass the bill. We also had the good fortune to have a local television reporter do a story on the bill two days after our testimony, making a very supportive statement on our behalf as she closed the story: "Can you believe it? In Colorado, health insurance companies pay chiropractors and medical doctors for acupuncture and not acupuncturists." Our bill was voted on in the Colorado House of Representatives the next week and passed, 47-17.

Our next goal was to get House Bill 1186 out of the Colorado Senate Health and Human Services Committee. State Senator Lucia Guzman (D) sponsored our bill. We presented our case as before and received a unanimous vote of 9-0, which brought our bill out of that committee. Valerie Hobbs, LAc, her students and members of the AAC again worked to get constituents to flood the lawmakers with their support. House Bill 1186 was passed 35-0 and will become law on January 1, 2012.

The passage of our insurance parity bill in Colorado has given acupuncturists a level playing ground with other professionals who practice acupuncture. It was through the collective efforts of the membership of the Acupuncture Association of Colorado, our patients who encouraged their legislators to pass our bill and the work of myself and Novotny that helped to make it a reality. It was a true lesson for me in democratic and legislative process.

AUGUST 2011

©2024 Acupuncture Today™ All Rights Reserved