Over the years, I’ve spoken with a lot of chiropractors, and it’s amazing how the same topic keeps coming up. They say, “Keith, I want to get out of health insurance. I’d like to build up the cash, and maybe the PI component of my practice. But I only want to take on injury cases if I can find a simple way to do it, without fear.”

Chiropractors are achieving exactly that. They are supplementing their cash practices with an increasingly successful, “hassle-free” way to add personal injury (PI) cases, while achieving freedom from the fear that many DCs associate with injury care and reimbursement.

**Reason #1 – It’s Much Easier to Be Paid Now.**

In the course of my career, I’ve seen various laws adopted, on the national and state levels, that now allow chiropractors to succeed with accepting and receiving payment for unrepresented cases—those when the patient has not retained an attorney. These laws, when properly applied, also make it much easier for chiropractors to work directly with all vehicle insurance coverages, both fault and no-fault, and to expect responsiveness and respect from all of these payers.

As a result, chiropractors are finding that this segment of PI cases offers many advantages. Specifically, these cases reach resolution and payment more easily; they are an amenable addition to the family-practice environment; and they are less legally intensive, hence, they more attractive to pursue. In addition, these laws assist the treating doctor in receiving payment even when the patient later decides to retain an attorney, creating a win-win situation for DCs.

Injured patients certainly have the right to legal representation. However, for various reasons, a subset of these claimants choose not to retain a lawyer. When this occurs, doctors now have an efficient way to serve these patients. And, gaining confidence with unrepresented cases can be the reluctant DC’s entry point to a successful PI practice, bringing with it an array of opportunities made possible by the simple decision to welcome this patient population.

**Reason #2 – It’s Much Easier Now to Objectify the Patient’s Injuries and Improvement.**

When assessing and treating injured patients, be advised that chiropractic and medical authorities are strongly encouraging chiropractors to objectify (“objectively document”) the patient’s injuries and changes in condition including improvement. This is already standard protocol in the medical-legal arena, where personal injury cases are resolved based upon the quality of a treating doctor’s data and documentation. Accurate, objective, and credible reporting is an absolute necessity for the personal injury practice. Thankfully, new diagnostic technologies have made it both easy and inexpensive to satisfy these requirements.

Better data and documentation are also having a positive effect on auto insurance claim reimbursements, with most auto insurers now paying—reasonably to quite well—for the component procedures associated with assessing and treating injured patients, and for objectifying their improvement.

Thorough attention to the objectification and documentation process also facilitates payments to DCs for services that might otherwise be declined. Diligent documentation and the presentation of supporting evidence, such as published articles and research, can help DCs receive reimbursement for care designed to relieve symptoms (such as pain), for care designed to improve function, and even for extended courses of care designed to, for example, enhance ligament healing.

The introduction of easy and affordable diagnostic technology has allowed PI practices to produce the objective data and evidence they require to effectively objectify both injuries and improvement. Integrated DsEMG-ROM, also known as DynaROM motion sEMG, combines attached electrode dynamic

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**SOFTWARE**

**PAIN-FREE PI – The Three Best Reasons for Launching Your Injury Practice Now**

By Keith Pendleton, JD
Legal Professional and Business Consultant

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surface electromyography (sEMG) with an AMA-standardized range of motion (ROM) assessment component.

This procedure measures and graphs muscle activity and range of motion simultaneously, and has emerged as one of the most powerful ways for DCs to objectify their patients’ injuries and to quantify their improvement. The term “integrated” refers to the current recommendation that a single billing code be applied for the simultaneous procedure.

This technology was recognized for its accuracy by John Gerhardt, MD, in the book, The Practical Guide to Range of Motion Assessment. Reportedly, Dr. Gerhardt later went on record saying, “The integrated use of [dynamic] sEMG and wireless dual ROM is brilliant.” During his research and medical practice, Dr. Gerhardt used a DsEMG-ROM device manufactured by Seattle-based MyoVision, and trademarked under the name DynaROM Motion sEMG.

Commencing in 1986 with a federal grant awarded by the National Institutes of Health (NIH), David Marcarian played an instrumental role in the inception, development, and ultimate patenting of the DsEMG-ROM process and technology. The federal grant was for the development of an essential component of DsEMG-ROM technology. Another of the foremost medical pioneers in the utilization of dynamic surface EMG is Gabriel Sella, MD, as included in the book, Weiner’s Pain Management: A Practical Guide for Clinicians. He also wrote Muscles in Motion: The S-EMG of the Range of Motion of the Human Body.

Sidebar:
“sEMG dynamic testing allows for a much higher degree of objective documentation of various aspects of muscular dysfunction or pathology. It allows for a superior differential diagnosis of…muscle tension derived from sympathetic nervous system hyperactivity, engram changes related to protective guarding or emotional shock, etc. Furthermore, sEMG dynamic studies allow for a much more objective identification of pain and pain-related parameters in soft tissue injury or disease.”
Gabriel Sella, MD

Reason #3 – It’s Much Easier Now to Reach Primary Care Clinicians and Attorneys.
Developments in the law and injury objectification are making it much easier for chiropractors to develop powerful referral relationships with both primary care clinicians and attorneys.

By presenting yourself as committed to the objectification of injuries and treatment, you elevate your credibility among peer professionals, while establishing yourself as an expert at treating musculoskeletal-neurological cases. With these credentials in hand, doctors can then be fearless when approaching other...
professionals about what they can do for injured patients. This is a transformational process for many DCs, on both personal and business levels, and it opens the door to a considerable range of business opportunities.

When you combine positive and confident self-talk with reputable methodology, you can transcend a variety of objections. These may include self-imposed feelings of inadequacy about handling PI cases, or even the scrutiny of industries and professionals who have not given chiropractic its proper respect and merit in the medical-legal arena. So, despite the valuable services you have to offer, you will undoubtedly encounter some objections as you embark on your marketing efforts.

Just remember this mantra: injury objectification, treatment objectification, and marketing objectification. In all cases and all situations, objectify! When you provide the data and the evidence, you are effective at proving your case and overcoming objections in various settings.

When approaching other healthcare professionals and attorneys, you may still encounter some underlying doubt about chiropractors succeeding in the PI arena. This is changing as more DCs pursue PI practices, as they objectify their care, as they take on more unrepresented cases, and as they actively promote their services within the primary healthcare community. Meanwhile, attorneys focusing on PI are embracing new technologies, such as DynaROM. This rising tide of credibility and professional progress is lifting the boats of all DCs interested in serving injured patients. If you intend to launch your own PI practice, be sure your boat isn’t tied too tightly to the dock!

References:

Resource Sidebar:
Free PI Practice Resources are Available at KeithPendleton.com
View “Pain-Free PI – A 4-Step Process for Objectifying Spine Sprain Injuries and Improvement,” on YouTube by searching for “Keith Pendleton JD.” This will transform the way you look at injury care and reimbursement. Also at KeithPendleton.com is a list of medical and legal authorities who have expressly supported the value of integrated DEMG-ROM.

Keith Pendleton, JD, is a legal authority and business consultant with special interest in reimbursement and marketing law, with an emphasis on personal injury. He also helps chiropractors build their PI practices. For more information and an array of free resources, visit KeithPendleton.com. Keith can be reached at 715-245-9735. Pain-Free PI™ is a trademark of KeithPendleton.com.