

Ethical Standards for Utah Chiropractic Physicians

1. A copy of every patient record, including x-rays, in the custody of a physician should be available to the patient, or his designated representative, upon submission of a written authorization and request for a copy of such records, dated and signed by the patient, at reasonable times and upon reasonable notice, and payment of reasonable costs. If the physician's records are in short hand or coded, it is recommended that he/she prepare a written summary to give a clear, understandable account. Records shall not be withheld because of unpaid bills for services rendered.
2. Original records, including X-Rays, are the possession of the Chiropractic Physician and should not be released.
3. "Patient Records" does not include a doctor's personal notes, but should include information from all formal chart notes.
4. "Patient Records" should not be released upon a written authorization/ request not dated and/or dated over 90 days old.
5. "Patient Records" does not include records requested from another physicians office and/or another medical facility. Such records should be obtained by the patient or his designated representative directly from the other physicians and/ or other medical facilities, unless such records are for reports for second opinions, consultation and/or testing requested by the treating physician.
6. "Patient Records" shall not be released to any third parties not expressly indicated in the authorization and request for records.
7. "Patient Records" shall be kept for a minimum of six (6) years after the last treatment, except in the case of a minor and then it is a minimum of six (6) years after their twenty-first (21st) birthday.
8. "Patient Records" of another physician shall not be used to determine medical necessity, while a patient is under active care. Any physician attempting to determine medical necessity from another physician's "Patient Records," while a patient is under active care, shall be declared unethical.
9. Requests for patient records shall only be honored to the best of the physician's ability.
10. Medical necessity (a.k.a. "chiropractic necessity" and/or "therapeutic necessity"):
Exists in the presence of an impairment (illness/injury) evidenced by recognized signs and/or symptoms, and likely to respond favorably to the treatment/care planned.
11. Manipulative Therapy CPT codes (CMT codes 98940-98943) contain no physical therapy components (CPT Codes 97010-97546).
12. Chiropractic Manipulative Therapy CPT codes (CMT 98940-98943) are a separate and distinct procedure from New Patient CPT codes 99201-99205.
13. For billing purposes, when appropriate, the Chiropractic Manipulative Therapy CPT Codes 98841-98942 may be interchanged with established patient codes 99212-99213.
14. It is unethical for a Chiropractic Physician share professional fees with an unlicensed person or paying any person for sending or referring a patient.
 - a. Payment by or to a physician or health care institution solely for referral of a patient is fee splitting and is unethical.
 - b. Any payment of any kind, from any source for prescribing a specific product, or service.
To preserve the trust that is fundamental to the patient-physician relationship and public confidence in the profession, physicians should:
 - (a) Decline cash gifts in any amount from an entity that has a direct interest in physicians' treatment recommendations.
 - (b) Decline any gifts for which reciprocity is expected or implied.
 - (c) Accept an in-kind gift for the physician's practice only when the gift
 - (i) Will directly benefit patients, including patient education
 - (ii) Is of minimal value
15. It is unethical for a Chiropractic Physician to not include their professional credentials in any letterhead, office signs, or advertising, including blind advertising. (Blind advertising is one that fails to include the name of the Chiropractic Physician, address, and/or Clinic doing the advertising).
16. It is unethical for a Chiropractic Physician to make an unsubstantiated claim of superiority in the performance of professional services, when the Chiropractic Physician has not successfully completed the education specified for a specialty certification.
17. The Utah Chiropractic Physicians Association recognizes that for administrative and practice reasons, members of the Chiropractic Profession in Utah may wish to offer prepayment plans to afford patients the opportunity to pay for treatment in advance. In interest of full disclosure and to address concerns with the ethics of some of the business practices of certain members of the Chiropractic Community and maintain public confidence in the profession, the following ethical guidelines should be followed for any prepayment plans:

- a. There shall be a written policy outlining the guidelines under which the patient may obtain a refund if they choose to withdraw from the prepayment plan.
- b. The patient shall acknowledge that they have read, understand and have received a copy of said written policy.
- c. The Chiropractic Physician and/or Chiropractic Office shall make no guarantee with regard to outcomes of care that cannot be verified.

18. Only a physician may interpret or make recommendations when any non physician collects information such as through examination procedures, x-rays, Electro-dermal machines or other means.