



STATE OF NEW YORK
INSURANCE DEPARTMENT
25 BEAVER STREET
NEW YORK, NEW YORK 10004

Circular Letter No. 23 (2001)
August 27, 2001

TO: All Insurers Licensed to Write Accident and Health Insurance, Insurance Law Article 43 Corporations and Public Health Law Article 44 Health Maintenance Organizations ("Insurers")

RE: Claims for Chiropractic Services

STATUTORY REFERENCES: Insurance Law Sections 3216(i)(21); 3221(k)(11); and 4303(y)

It has come to the Department's attention that there is a disparity in the handling of claims involving chiropractic services as compared to the handling of similar types of claims made by other health care providers. Insurers are reminded that Insurance Law Section 3216(i)(21), applicable to individual policies issued by commercial insurers; Section 3221(k)(11), applicable to group policies issued by commercial insurers; and Section 4303(y), applicable to policies issued by Article 43 Corporations and Article 44 Health Maintenance Organizations, have the following provision requiring that:

. . . chiropractic care and services may be subject to reasonable deductible, co-payment and co-insurance amounts, reasonable fee or benefit limits, and reasonable utilization review, provided that any such amounts, limits and review: (a) shall not function to direct treatment in a manner discriminative against chiropractic care, and (b) individually and collectively shall be no more restrictive than those applicable under the same policy [or contract] to care or services provided by other health professionals in the diagnosis, treatment and management of the same or similar conditions, injuries, complaints, disorders or ailments, even if differing nomenclature is used to describe the condition, injury, complaint, disorder or ailment.

Please acknowledge receipt of this Circular Letter. The acknowledgement should include a certification from the company's General Counsel or Chief Legal Officer which states that claims for chiropractic services are handled in compliance with the above-cited laws.

Your response should be sent, within ten business days, to:

Mr. Rolf Kaumann, Supervising Insurance
Examiner
Health Bureau
NYS Insurance Department
25 Beaver Street, Rm 207
New York, NY 10004
rkaumann@ins.state.ny.us

Very truly yours,

Charles S. Henricks

Co-Chief, Health Bureau

Very truly yours,

Thomas Zyra

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