



CHIROPRACTIC NEWS & VIEWS

Presented by:
Hawaii State Chiropractic Association, Inc.

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**HSCA EXECUTIVE COMMITTEE & ISLAND
DIRECTOR ELECTIONS
JUNE 14, 2019 GENERAL MEMBERSHIP MEETING
INTERISLAND AIRPORT CONFERENCE CENTER**

PRESIDENT’S MESSAGE

Joseph G Morelli Jr D.C., F.I.C.C., HSCA President & ACA Hawaii Delegate

Aloha All:

I was recently visiting with a new DC here on Oahu and speaking about some of my early experiences in practice.

This made me really start thinking.....Sometimes I find it hard to believe that I’ve been in practice for over 40 years!

Almost all of my classmates from my Palmer graduating class of 1978 have retired. Many of them are now focusing on their families and “taking it easy”.

For lots of reasons, I don’t see me taking down my shingle any time soon.

I love what I do, seeing patients every day, and doing what I can to improve their health and address their problems.

Looking back, I can honestly say that what I do, and what “we do” is a noble profession.

I have been honored to be a part of this profession and also have been part of the leadership in the Hawaii State Chiropractic Association and the American Chiropractic Association.

Forty years ago, several of our Chiropractic brothers here in Hawaii went out of their way to help me get a start in practice, and eventually in the associations. Their generous time, mentorship, and sage advice has allowed me to fulfill my personal and professional expectations.

Having had this experience, I encourage those of you reading this to consider your professional life, and long-term goals.

I have learned that occasionally asking for help is not a sign of weakness or inadequacy, rather it can be a prudent way to avoid mistakes and hopefully a positive learning experience.

As time has gone on, I have found such positiveness in sharing what I have learned and offering my help and experience when asked. My door is always open to my fellow Chiropractors.

Considering the theme of service, I would like to take this time to remind all of the upcoming HSCA annual elections at the June 14th General membership Meeting. Please see the notice in this newsletter. Hope to see you at this meeting.

Aloha,
Dr. JOE Morelli
President, HSCA

HSCA EXECUTIVE COMMITTEE & DIRECTOR ELECTIONS, JUNE 14, 2019 ASSOCIATION MEETING

Please find this as notice of the upcoming HSCA association elections. All executive and Island Director positions are up for re-election.

The current office holders are:

Executive Committee:

- President:** Joseph G. Morelli, Jr., D.C., F.I.C.C.
- Vice President:** Jesse Broderson, D.C.
- Secretary:** Deborah Glenn D.C.
- Treasurer:** Carastona Poppas, D.C.

HSCA Island Directors:

- Oahu Isl. Dir.:** Armando K. Garza, D.C.
- Oahu Isl. Dir.:** Dean J. Shivvers, D.C.
- Maui Isl. Dir.:** James A. Pleiss, D.C., D.A.B.C.O
- Kauai Isl. Dir.:** Alice, Holm Ogawa, D.C.
- HI Isl. East Dir.:** Robert Klein, D.C., D.A.B.C.O.
- HI Isl. West Dir.:** Alfred R. Valenzuela, D.C.
- Imm. Past Pres.:** Gary K. Saito, D.C.

Note:(*The Immediate Past President holds a voting position on the HSCA Board of Directors, but is not an elected position*)

The elections are part of the regular agenda of the June 14th, 2019 HSCA General Membership meeting. This meeting, as all the HSCA regular meetings, is open to all Hawaii Doctors of Chiropractic, whether an HSCA member or non.

Voting in the annual elections is only open to current HSCA members. Please make sure your membership dues are current. (Voting privileges are not available to associate and corporate membership categories. All other categories of membership are eligible).

The meeting is teleconferenced live to the Neighbor Island meeting sites.

DATE: Friday, June 14th, 2019

TIME: 7:30pm

OAHU MEETING PLACE:

Interisland Airport Conference Center (Room#4)

(Top of Interisland Airport Parking Structure)

300 Rodgers Blvd

Honolulu, HI 96819

Discounted/Validated Parking at Oahu Meeting

HILO: Office of Dr. Robert Klein:

2070 Kilauea Ave., Hilo, HI 96720

(808) 959-4588.

KAUAI: Office of Dr. Alice Ogawa:

956 Kuhio Ave., Kapaa, HI 96746

(808) 822-7113

KONA: Office of Dr. Al Valenzuela:

75-167 Kalani St., Ste. 101, Kailua-Kona, HI 96740

(808) 326-9355

MAUI: Office of Dr. James Pleiss:

2045 Main St., Wailuku, HI 96793

(808) 242-8844

Neighbor Island doctors, please call your Island Director if you need directions to your meeting location.

UNITEDHEALTHCARE & CHIROPRACTIC

UnitedHealthcare (UHC) is working hard to become easier to do business with. And having a zero-premium Medicare Advantage PPO with local (Bishop Street Honolulu) customer service means UHC is now #1 in Hawaii with over 30,000 individual Medicare members.

Did you know that UnitedHealthcare's Medicare Advantage plans do NOT require a referral for routine Chiropractic? Not only that, no prior authorizations!

As one of Honolulu's most highly regarded billers put it, "I no longer have problems getting paid now that I know to send routine claims to UHC's sister company, Optum. The other key point is to leave the active treatment modifier off of claims sent to Optum—so that they don't mistakenly send the claim back to MDX."

While Original Medicare does cover manipulation of the spine to correct subluxation, Medicare Advantage plans such as UHC are free to cover additional routine Chiropractic services.

Just as medical doctors are now looking to Chiropractors to provide pain management, so are health plans, so are seniors themselves.

UnitedHealth now covers up to 20 routine visits in a calendar year—not just correcting subluxation but also routine manipulation, therapeutic, radiology, DME, etc.—and their good new site for providers is:

www.myoptumhealthphysicalhealth.com ,

or they can be reached by phone at (866) 785-1654.

Practitioners wanting to become contracted or get details on how to bill can do so either by calling this number or by visiting this site.

Please see this month's flyer on UnitedHealthcare Chiropractic coverage, including contact information for local star agent, Kieran McCartney.

QUESTIONS FROM THE PUBLIC & PROFESSION REGARDING CHIROPRACTIC IN HAWAII

1) Can DC's certify Temporary and/or Permanent Disability Status?

As you know, Doctors of Chiropractic, as doctors of first contact in Hawaii, **can** certify disability status of your patients. We have the right to do so in state based and federal related programs. e.g.: Work; school; insurance plans; federal FMLA, etc.

Please be aware, that this is a hard fought for right for Doctors of Chiropractic.

Over the years, we have been able to gain most of the rights as treating physicians in Hawaii and in the US healthcare system.

When you sign your name to a disability certificate, you are "certifying" that that patient has certain or lacks certain physical abilities. This is a legal document of some consequence.

Please consider all the ramifications related to any document you sign or authorize as the treating physician.

Your State and National Associations remind you that improper use of such authority can be harmful to your patient; you as a practitioner; and to the broader profession if misused.

2. Can DC's authorize disability status excusing patients subpoenaed for State, County & Federal Jury Duty?

Yes, Doctors of Chiropractic can certify such certificates of excuse.

However, a curious and contradictory fact: Doctors of Chiropractic currently **can not** certify themselves excused from jury duty in Hawaii, as other "physicians" can.

(As far as we can tell, there is no regulation limiting the ability of a Chiropractor excusing oneself as a physician here in

Hawaii. However, there seems to have been an internal policy decision in State government disallowing this practice.)

3. Can DC's certify a student fit to play on a sports team in the public-school system in Hawaii?

In the past, this was left to the individual school administration (principals, vice-principals, coaches, etc.).

However, over the last several years, the DOE has not accepted Doctor of Chiropractic physical certification of a student athlete, as they are required to have annually to play on their school's team.

Confusing enough, Doctors of Chiropractic **can** certify a child's (student's) disability status for school if he/she is being treated by that DC for a condition; injury; etc.!

So, we can take them out of school, or return them back to school when they are our patient but can't certify their annual physical condition to play a sport!

4. Can a Doctor of Chiropractic treat (adjust) pets in Hawaii?

No, Doctors of Chiropractic cannot treat pets formally unless they hold a Doctor of Veterinary Medicine degree in Hawaii.

Although there are post graduate certification programs for DC's to treat animals, they do not give any privilege of the additional licensure DVM requirement here in Hawaii.

If you or your patients have any practice rights questions, please do not hesitate to call the HSCA. If we can not answer you question, we will do our best to point you in the proper direction to get the information you need.

NOTES FROM NCMIC:

WHEN IS MY CHIROPRACTIC ADVERTISING CONSIDERED MISLEADING?

by Dan Zimmerman in Operational & Staff Risks, NCMIC

If someone—a healthcare practitioner, a patient or anyone else—believes your advertising is misleading, they may file a complaint with your state board. It's also possible they may lodge a consumer fraud claim against you.

While there is no way to completely insulate your practice against an allegation of misleading advertising, you reduce your risk by advertising in a manner that is at least as professional as that of other healthcare providers in your community.

While not a comprehensive list, avoiding the following in your advertising will go a long way toward improving your practice's risk management.

WHAT TO AVOID:

- **Coupons (e.g., Groupon), FREE offers or prepayment plans.** Not only do these deals tend downplay the high-quality services you offer, they also have the potential for being misunderstood. If you decide to use these, check with your state board regarding their legality.
- **Questionable or unsubstantiated statements.** When touting the chiropractic services, you offer, be careful not to appear to over-promise. Not everyone may expect the same results as a patient who was a best-case scenario. Also, make sure to cite the source for any statistics you use.

- **Offers of warranties, case-fee payments, terms implying superiority** of care may be in violation of state practice regulations and could lead to board action. A recent example is the advertising of two doctors who claimed their customers would lose 20 to 40 or more pounds in 40 days through a fat burning plan. However, they failed to mention that the plan consisted of a "very low-calorie diet" of 500 to 800 calories a day.
- **Negative comments about other healthcare methods.** This may foster an environment where practitioners look for an opportunity to retaliate against you. Also, this tactic makes you look unprofessional.
- **Confidential information.** Never use any information about a patient without their written consent.
- **Clinical jargon.** Using technical terms such as "thoracic" versus mid back, "Cervical" versus neck or "radiculopathy" versus radiating pain increases the chances your ad will be misunderstood. Moreover, many potential patients will look past your ad if they can't relate to it.
- **Offensive images.** What may seem commonplace to you as a healthcare practitioner might strike a layperson as unusual or even negative. Be careful that the photos and art you use don't have the potential to be misconstrued by potential patients.
- **Violating state requirements.** For example, some states won't let you use the word "physician"—unless you specify "chiropractic physician." Others require you to call yourself a "Doctor of Chiropractic" not just a doctor. *(Please see the Hawaii Advertising Regulation Below)*

As you develop advertising materials, check with your state board or your practice attorney to ensure they're consistent with the rules and regulations in your state.

When your advertising portrays your practice in a professional light, you put the principles of sound risk management into action. Plus, you'll gain the long-term respect of your community, your patients, your colleagues and your interdisciplinary relationships as well as help build understanding of the types of services you offer.

HAWAII ADMINISTRATIVE RULE 16-76-57

ADVERTISING PRACTICE (DOCTORS OF CHIROPRACTIC)

(a) This section pertains to all forms of advertising, including but not limited to radio, television, newspaper, magazines, telephone directories, window displays, outdoor signs, circulars, cards, or any other media which are used to communicate information to the general public.

(b) Advertising material shall not contain false, fraudulent, misleading, or deceptive statements or claims. A false, fraudulent, misleading, or deceptive statement or claim includes, but shall not be limited to, a statement or claim which:

- (1) Contains a misrepresentation of fact;
- (2) Is likely to mislead or deceive because in context it constitutes only a partial disclosure of relevant facts;
- (3) Is intended or is likely to create false or unjustified expectations of favorable results;
- (4) Contains other representations or implications that in reasonable probability will cause an ordinary, prudent person to misunderstand or be deceived;

- (5) Contains the terms "cure" or "guarantee" for any service, procedure, or device provided;
- (6) Contains advertisements that the licensee **specializes**, or is a **specialist** in, any particular field, aspect, or area of practice unless the licensee possesses special certification in that field, aspect, or area of practice from an accredited college, university, or from a national professional association, and provided the licensee retains qualifications necessary to that specialty;
- (7) Contains advertisements comparing the quality of chiropractic care;
- (8) Contains advertisements pertaining to referral services for chiropractic care unless the advertisement names the licensee to whom the referrals are made; and
- (9) Contains advertisements regarding the length of time of a chiropractic practice unless specific reference is made to the individual licensee's length of licensure.

(c) It shall not be false, deceptive, or misleading for a licensee to truthfully advertise prices of chiropractic services, provided that:

- (1) The advertisements fully disclose what is being offered for free or at a discount;
- (2) The advertisements clearly identify the period that free or discounted services remain in effect:

(A) If an advertisement appears in a medium which is published monthly or at more frequent intervals, the advertisement shall not be considered false, deceptive, or misleading if the advertised price remains in effect for at least thirty days or until publication of the next issue;

(B) If an advertisement appears in a telephone directory, it shall not be considered false, deceptive, or misleading if the advertised price remains in effect until publication and distribution of the next year's telephone directory; or

(C) Except as noted in subparagraphs (A) and (B), if an advertisement fails to identify the period for which it is effective, it shall not be considered false, deceptive, or misleading if the advertised prices remain in effect at least ninety days from the date of publication or mailing.

(3) Advertisements of fees for services shall be limited to routine chiropractic services and shall not be in a manner tending to deceive or mislead the public. A routine service is a service that a chiropractor performs frequently in the licensee's practice, is usually provided at a set fee with little or no variance in technique, and includes all professionally recognized components within generally accepted standards;

(4) Vague references to cost, such as "discounted", "reasonable", "economy", "low-cost", and "affordable" shall be professionally accountable, factual, and accurate;

(5) Free or discounted chiropractic services shall be provided to all patients during the period of time specified in the advertisements, whether or not the consumer is aware of the free services or discounted fee, and whether or not payment is to be made by the individual or a third party payer such as an insurance company;

(6) Free or discounted examinations shall be performed at standards equivalent to the standards for performance of those services provided at a full charge. Any free or discounted examination shall include taking a case history of the patient, a neurological, orthopedic, and physical examination, and when necessary, the taking, developing, and interpretation of x-rays or other specialized tests to establish a diagnosis and prognosis before the commencement of any chargeable services;

(7) Free or discounted chiropractic treatment shall be performed at standards equivalent to the standards for performance of these services provided at a full charge;

(8) When using the word "free", or any other term with essentially the same meaning, in reference to any service, examination, or treatment, the following disclaimer shall appear in **capital letters** clearly distinguishable from the rest of the text of the advertisement:

"THE PATIENT OR ANY OTHER PERSON OR ENTITY RESPONSIBLE FOR PAYMENT HAS A RIGHT TO REFUSE TO PAY, CANCEL PAYMENT, OR BE REIMBURSED FOR PAYMENT FOR ANY OTHER SERVICE, EXAMINATION, OR TREATMENT WHICH IS PERFORMED AS A RESULT OF AND WITHIN TWENTY-FOUR HOURS OF RESPONDING TO THE ADVERTISEMENT FOR THE FREE SERVICE, EXAMINATION, OR TREATMENT."

(9) Advertisements which describe any waiver of co-payments by an insured, commonly known as "No-Out-Of-Pocket-Expense" are prohibited. This does not preclude a practitioner from rendering a courtesy to a patient on an individual basis; and

(10) Advertisements of services covered by insurance shall state that the coverage is limited if full coverage is not provided.

[Eff 3/16/73; am and ren §16-76-22, 7/30/81; am and comp 8/3/84; comp 6/28/85; am and comp 6/1/89; am and comp 9/22/01] (Auth: HRS §442-5) (Imp: HRS §§442-9, 442-19)

VETERANS CHOICE PROGRAM TRANSITIONING OUT JUNE 6, 2019

As Federal funding for the Department of Veterans Affairs (VA) Veterans Choice Program (VCP) ends, VA will no longer use VCP to furnish community care to Veterans. All community care will transition to the Patient-Centered Community Care (PC3) program effective June 6, 2019.

This does not mean that community care for our nation's Veterans ends. **TriWest Healthcare Alliance will work closely with our community providers to transition all care to PC3.**

During this transition period, the authorization and referral processes will change the most. VA no longer issues any new VCP referrals and TriWest cannot accept any new VCP referrals. These changes went into effect May 1.

VCP providers are now known as certified providers. Certified providers who want to continue treating Veterans through PC3 referrals and authorizations can continue to do so, but will need to become a contracted PC3 provider within one year from the date the certified provider initially accepts a referral and treats a patient as a certified provider.

Other Change Highlights

- VCP referrals received via fax or any other methods will not be accepted by TriWest.
- Referrals for formerly 40-mile distance eligible VCP Veterans must be initiated by the local VAMC.
- Active VCP authorizations that extend beyond June 6, 2019, will automatically be converted to PC3 authorizations.
- All episodes of care initiated under VCP that do not end on or before June 6 will be converted to PC3 authorizations.
- Any VCP secondary authorization request /request for services (SAR/RFS) deemed necessary after June 6

will be processed on the converted PC3 authorization by the ordering VA Medical Center (VAMC).

- Providers will be able to see both VCP and PC3 authorizations on the Provider website based on authorization number.
- There will be no disruption to the processing of claims payments. TriWest's claims processor, WPS Military and Veterans Health (WPS MVH), will process VCP claims for authorized episodes of care received up to 180 days after June 6.
- Providers with questions or inquiries after June 6 should call the PC3 Customer Service Line at 1-855-722-2838.

Join the Network

Remember, if you are a VCP certified provider and would like to continue serving our Veterans, you need to sign a network PC3 contract with TriWest to become a credentialed PC3 provider! Go to the [Join Our Network](#) page at www.triwest.com for more information or contact your local Network Subcontractor.

REMINDER! Medical Documents Now Go to VA (not TriWest)

If you haven't heard yet, VA now requires you to send your medical documents to the authorizing VA Medical Center (VAMC) instead of TriWest. This change went into effect May 1, 2019.

The authorizing VAMC is listed on the first page of your authorization letter from TriWest. You should be able to access contact information for the VAMC by checking your VA consult documentation. You may also refer to this web page from VA: <https://www.va.gov/directory/guide/home.asp>. Be sure to submit your initial visit and end-of-episode-of-care records to the VAMC. This ensures coordination of care for Veterans.

There are three exceptions to this rule:

1. **Unlisted CPT codes** – When billing using unlisted CPT codes, submit medical or supporting documentation with your claim to TriWest's claims processor, WPS Military & Veterans Health (WPS MVH). Without documentation to substantiate the use of an unlisted code, the claim will deny.
2. **Clinical quality review** – TriWest may sometimes request your medical records to review clinical quality, such as for medical necessity. In these cases, submit medical documents to TriWest.
3. **Secondary Authorization Requests (SAR)** – This applies only to situations where TriWest schedules the appointment. In these cases, if you need to add additional services to an authorization or extend the timeframe of an existing authorization, you'll need to submit a SAR to TriWest. To show clinical need, you'll also need to include medical documentation with the SAR.

Medical Document Upload Feature on Provider Portal Disabled

Because of this change, TriWest has disabled the feature on its Provider Portal that allows providers to upload medical documentation. If you try to upload medical documents using the TriWest Provider Portal, you will receive an error message directing you to your authorizing VAMC.

Why the Change?

VA made a modification to TriWest’s contract taking over the responsibility of collecting medical documentation. The contract modification went into effect May 1, 2019.

Providers will still have a grace period between now and June 30, 2019. Should you accidentally submit medical documents to TriWest during this time, TriWest will forward your documentation to the correct VAMC. However, starting July 1, 2019, TriWest will shred any medical documents it receives in error.

For more information on the medical documentation process and new requirements, sign up for the Medical Documentation Webinar, hosted by the TriWest Provider Education team.

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SPEAKER: Dr. GINA KIM, D.C.

DATE: July 27 & 28, 2019 (9am to 5 pm)

PLACE: Wailuku, Maui, HI

FEES: \$250 by 07/5/19 \$300 after

DATE: Oct 26 & 27, 2019 (9am to 5 pm)

PLACE: Aiea, Oahu, HI

FEES: \$250 by 10/4/19 \$300 after

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Medicare Plans

Medicare Advantage

Medicare Advantage Plans which also sometimes is referred to as Medicare part C are plans that private insurance companies offer. The Medicare advantage plan will cover what original Medicare part a and b covered and can be a great option for many individuals as it often adds additional health benefits to the plan with either a low or no monthly premium.

Medicare Supplement

A Medicare Supplement plan, which is also referred to as Medigap, is made available through private insurers. These plans pay for some of the medical and hospital charges that are not covered by Original Medicare, including deductibles, coinsurance, and copayments.

Chiropractor benefits

Many Medicare advantage plans have chiropractic visits built into the plan at 0 or low cost to the client.

Keep your patient coming back to you ...help them get into the right plan that offer the richest benefits.

Some Medicare advantage carriers offer more billing codes to the chiropractor than what basic Medicare covers.



Kieran McCartney (Owner)
(808)728-4380





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