



Chiropractical Episode 17: We take a look back at Season 2 and share some of our favorite moments and episodes.

[00:00:00] **Chick Herbert:** Hi, welcome to Chiropractical. I'm Chick Herbert

[00:00:03] **Melissa Knutson:** I'm, Melissa Knutson

[00:00:05] **Mike Whitmer:** and I'm Mike Whitmer

[00:00:07] **Chick Herbert:** Throughout the year we provide a lot of information, and today we're taking a different approach. We've selected a handful of moments that stood out to us throughout the season

[00:00:14] **Melissa Knutson:** We're going to cover topics like professional boundaries, case studies, social media, a lot of really great stuff.

[00:00:22] **Mike Whitmer:** I think one of the episodes that stuck out to me, Chick and Melissa, in this past year was when we had Heidi Bevis on from our claims department. She's got over 30 years of experience and chiropractic malpractice defense, and it was just really fun to hear her stories and get to pick her brain for an hour.

[00:00:41] **Chick Herbert:** Yeah, I agree, Mike. And one of the things that I took away from Heidi was a lot of us go through life and we can get on autopilot, which seems good. But I think if you're a doctor and in practice, that can be a dangerous place.

[00:00:55] **Melissa Knutson:** I liked her reminders also about professional boundaries. Remember what's appropriate, what's not.

[00:01:01] **Mike Whitmer:** Always good reminders and Chick, good point about being on autopilot with your practice. I think we all do that in our everyday life. We have certain routines that we just go through the motions and it's just automatic. And then, you know, sometimes something happens and it's a wakeup call, oh, pay attention, which is fine in our daily lives. But when you're dealing with patient care, that autopilot is a dangerous place to be.



[00:01:24] **Chick Herbert:** Yeah. And you don't want your entire career and life development into a practice at risk by making some quick bad decisions, because you're not consciously thinking about it. Yup. Well, let's hear what Heidi had to say.

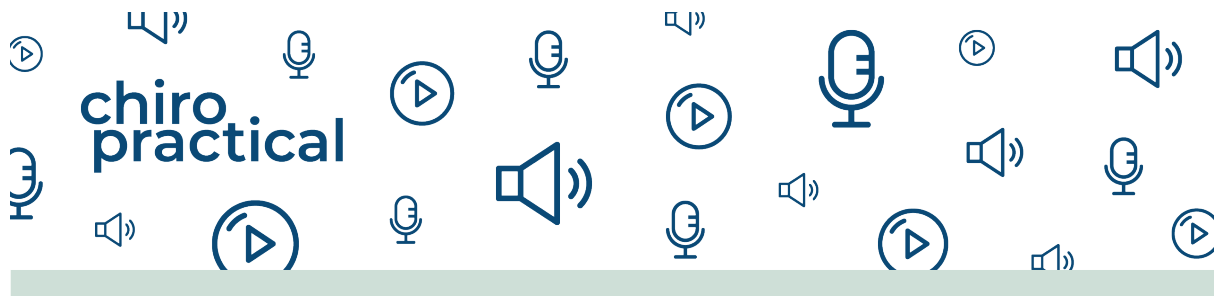
[00:01:36] **Heidi Bevis:** One thing I've said for the last 30 years to these physicians is imagine yourself in front of a jury. Imagine your records in front of a jury what's on there. What shouldn't be on there. What's not there that you wish you would've said, is there something you would say something would not say with your spouse standing right in front of you. Treat your practice that way. Give it the respect that it deserves for. You're working so hard to get where you are and be careful.

[00:02:01] **Heidi Bevis:** We know how hard all of you have worked to get your license. It's not an easy task. Don't throw it away by one bad decision. One bad comment, one maybe inappropriate treatment event where maybe you should have taken the time, take an extra five minutes, go over what you're going to do, make sure you have their approval and that they understand it's just not. Potentially giving up your license for what you've worked so hard to get.

[00:02:24] **Mike Whitmer:** That was Heidi Bevis from season two, episode six. When I look back on the last year of the podcast, one episode that really sticks out to me is when we had Dr. Kelley Humphries on talking about sports chiropractic. I talk to chiropractors all the time that want to get into sports chiropractic.

[00:02:46] **Mike Whitmer:** And over the past several years, this area of chiropractic has really exploded. I thought that she gave us just some really good insights and some things to think about when a doctor's considering pursuing sports chiropractic.

[00:03:01] **Melissa Knutson:** Yeah. There's a lot of hype around sports chiropractic. I like how Dr. Humphries really brought it down to the human level to share that, yeah, there's a lot of great things that come with it and it's a great career for a lot of folks, but it's not all glamour and roses. A lot of hard work and it's not all sexy work, so it's not right for everyone, but you have to



really understand what the profession is about and if it aligns with your motivations and what you want to get out of your practice.

[00:03:28] **Chick Herbert:** Like any job, it comes down to what are the activities that you're spending the majority of your time on. And you need to understand that before you make a decision in this field.

[00:03:38] **Mike Whitmer:** She did a really good job of pulling back the curtain a little bit on sports chiropractic and giving us insights beyond the glamour. What does it involve?

[00:03:48] **Chick Herbert:** Well, let's hear what Dr. Humphries had to say.

[00:03:50] **Kelley Humphries:** So many people jump on sports medicine in general because it's glamorous because they think it's more than that. And I love what I do. I really do love what I do, but understand that as the medical director, I'm the low man on the totem pole.

[00:04:07] **Kelley Humphries:** People don't want to see me. They don't want to be dealing with me because if they're dealing with me, there's something wrong with the athlete. If that's not the life you kind of want to lead, sometimes you have to think about those things. That's my biggest piece of advice. Define it, and then measure it against your own personal mission, vision, and values, and how you want your career and your life to look when you're done with it.

[00:04:28] **Mike Whitmer:** All of this from season two, episode three, featuring Dr. Kelley Humphries. Another one that I really enjoyed was our conversation with David Siebert, president of NCMIC Insurance Company. He has a lot of claims experience. He's been with NCMIC for close 25 years. He shared some really interesting case studies with us.

[00:04:52] **Chick Herbert:** Yeah. Listeners seem to respond well to the case study approach. If I recall correctly, this was tales of the crypt. This was a really good lesson around the importance of documentation.



[00:05:02] **Melissa Knutson:** Yeah. And a lot of really great stories. That's what got me. If you like true crime or any type of those podcasts, this is an episode for you.

[00:05:12] **Chick Herbert:** What we provide here is just a clip from one of the segments. So we dive right in with some fairly alarming things. Let's take a look.

[00:05:19] **David Siebert:** About 10 days before trial, we learned that the patient, Susan, actually decided to have her left leg amputated below the knee. The amputation was performed by a general surgeon because none of the orthopedic doctors would do. The amputation also went forward without a psychological assessment, which is something you would typically see.

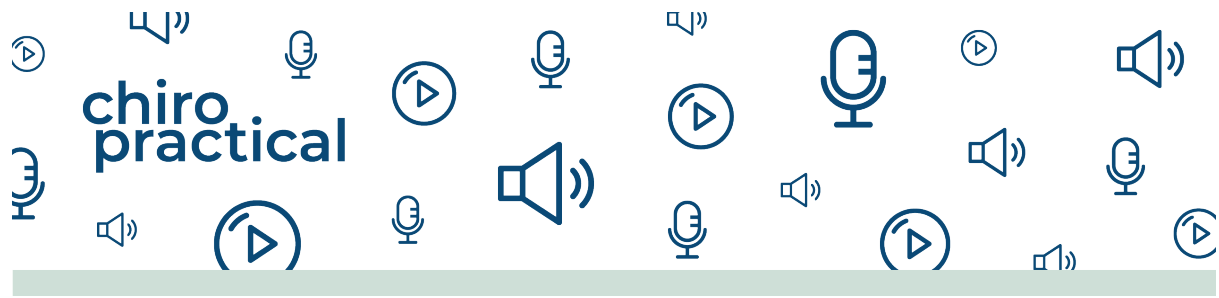
[00:05:41] **David Siebert:** This case became really scary because of those significant damages, because of that amputation. On top of that, our doctor only had a hundred thousand dollars in limits on the policy, which really didn't give us a whole lot of room to negotiate a settlement in this matter. Fortunately though there were a ton of positives for the defense of this case.

[00:06:03] **David Siebert:** And our defense team didn't feel that a settlement was in the best interest of the doctor. Dr. Rhodes kept really good records and told a very different story than the patient, which were again supported by those records. In addition, Dr. Rhodes was really professional and credible while the plaintiff, her testimony came across as being really dramatic and not overly believe that.

[00:06:27] **Melissa Knutson:** I'm pleased to report we had a defense verdict on that case. So good news came from something that was a little scary.

[00:06:33] **Mike Whitmer:** Always good news to get a defense verdict. What I really like about that episode was it reinforces all the risk management basics. We're always trying to drive home.

[00:06:42] **Chick Herbert:** Is documentation your favorite word?



[00:06:45] **Mike Whitmer:** One of my favorites. That's from season two, episode eight, with David Siebert, Chick and, Melissa. Another one of my favorite episodes that really stands out to me from the past year was when we had Dr. James Demetrius on and we took an NCMIC claims case, presented it, and then picked it apart and talked about what the doctor did and didn't do that helped with defense of the malpractice claim.

[00:07:12] **Mike Whitmer:** And I loved it because it really was a great reinforcement of all the risk management, basics, documentation, informed consent, exam history, all that.

[00:07:24] **Melissa Knutson:** Yeah. Great reminders. Another reason why it's a really important episode is because it's about disc herniation and that's a really common thing that we hear about and is important for doctors to understand the type of risk management and documentation that you need to do should that happen to any of your patients.

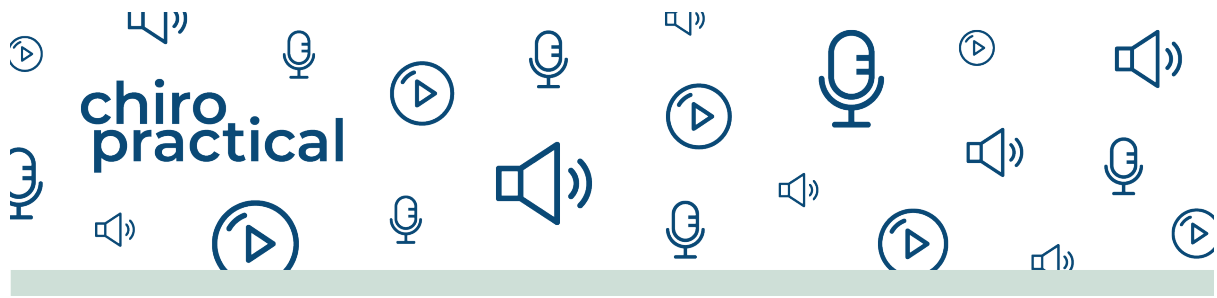
[00:07:41] **Chick Herbert:** And I liked the episode because Dr. Demetrius is a lot smarter than me and does a great job of citing fact-based and evidence-based research.

[00:07:49] **Mike Whitmer:** It makes it a lot of fun because he gets very excited about the citations and the research. And it's really good stuff that is helpful to doctors practicing, good practical information for them.

[00:08:02] **Chick Herbert:** So he does provide studies and we're going to jump right into the middle of those. And that's where he'll pick it up.

[00:08:08] **Dr. James Demetrius:** There was an article by Jensen in 1994, that looked at a hundred asymptomatic patients, never had pain before and 52% of them had bulging and herniated discs. There's a beautiful Mayo clinic, systematic review that was performed in 2015.

[00:08:22] **Dr. James Demetrius:** And it looked at the prevalence of disc herniation in our populations from 20 to 80 years of age, the prevalence of bulging discs in the asymptomatic never had pain category was anywhere from 30 to 84 lumbar protrusions, 30 to 43%. These are this carnations and



protrusions and bulges that are common in the non-pain group Nakashima and the cervical spine found in the asymptomatic population in the journal spine 88% of patients will have bulging discs.

[00:08:53] **Mike Whitmer:** That was from season two episode seven, with Dr. James Demetrius. Those are a few of my favorites from this past year. Chick and, Melissa, what were some of your favorite episodes?

[00:09:02] **Chick Herbert:** One of my favorites was Jennifer Herlihy, who is one of our frequently used defense attorneys and she is full of stories and full of wisdom. She focused a lot on social media and the effect of posting comments, pictures, videos, responding to reviews and the risk associated.

[00:09:23] **Melissa Knutson:** Yeah, you have to be really careful whether it's your personal site or your business site and what you're putting out there, because it does last forever. A lot of people can see it and you don't want to cross professional boundaries on those social media sites.

[00:09:36] **Mike Whitmer:** She gave us some really good insights and practical advice when building your digital presence online, which doctors are doing more and more. There's definitely downside risk.

[00:09:48] **Chick Herbert:** I remember seeing a video of a doctor holding an infant upside down by their ankles. That's an image that's going to be very imprinted on people's minds.

[00:09:58] **Chick Herbert:** Well, let's take a listen to hear what Jen has to say.

[00:10:01] **Jennifer Hurlihy:** I don't want to infringe on any chiropractor's personal beliefs, but once it's placed on to their public website or a blog or Facebook, that becomes the issue. I always tell my chiropractors, what would your board think of the posting that you're putting on there?

[00:10:18] **Jennifer Hurlihy:** Could it be seen as unprofessional? Could it be seen as giving out advice that you should not be giving at that point, or it's not really in your realm of expertise? Really? The unprofessional part is where I get



concerned, because we do see members of the public print those posts out and contact their board for that exact purpose.

[00:10:39] **Jennifer Hurlihy:** You have a right to your opinion, but not if it's adverse to the regulations of the state. And that's exactly what I've seen happen in several cases. If you can't give a vaccine, then you don't have an opinion on its efficacy on a website that is out to the public as a chiropractic physician. If you privately want to feel a certain way, you're entitled to. But that is the way I define scope of practice. Can you do it? You can't? So you shouldn't be talking about it.

[00:11:04] **Mike Whitmer:** That was from season two, episode nine, featuring Jen Herlihy. Melissa. We haven't heard from you yet. What were highlights for you from this past season?

[00:11:14] **Melissa Knutson:** Mike, there were a lot of really great episodes, so I can't pick just one, but one thing that really stood out to me is that there is a word that we said in every single podcast, multiple times and. It was not chiropractic.

[00:11:29] **Mike Whitmer:** I think I know what it was.

[00:11:31]: Documentation, documentation, documentation, documentation, documentation, documentation, documentation

[00:11:38] **Chick Herbert:** As much as we joke about it, it comes down to the fundamentals of running a good practice. And that is one of the key fundamentals. So Mike, I appreciate your focus on documentation.

[00:11:49] **Mike Whitmer:** I'm here to serve, Chick.

[00:11:52] **Chick Herbert:** We could make it a drinking game next year or next season. Maybe that's what we need to do for our audience. Well, that wraps up our year-end review. Thanks for listening. We appreciate it very much. And we look forward to having you back next season.

[00:12:03] **Melissa Knutson:** Take care, be well and Document!