

American Specialty Health and Anti-Trust Laws

Anti-Trust laws, as their name suggests, were passed by Congress to break up the 19th century "Trusts" which were the early American equivalent of modern corporations. These 19th century corporations had become too large, too powerful and too wealthy. They were abusing the regular citizens and using their power and money to stifle competition.

Amazingly, Trusts came back in the second half of the 20th century in the form of Corporations. Now these corporations have become too large, too powerful, too wealthy and they are abusing the regular citizens again. Politicians are drunk on donations from these powerful corporations so they are unlikely to stop the abuses.

In the mean time, you might wonder, "Why aren't these Anti-Trust laws being used to break up these giant corporations?" The simple answer is the citizens aren't angry enough yet and they are still being fooled into believing that "Greed is good." So what does a 21st century Chiropractor do when faced with a giant corporation like American Specialty Health ("ASH") and its overwhelming power and its ability to punish any Chiropractor who dares to question its all-knowing, all-omniscient power?

Good luck. As it turns out, modern corporations are now using the Anti-Trust laws AGAINST YOU !!! They have found a loophole in the Anti-Trust laws that were designed to protect little people from rich, giant corporations so that they can now prevent doctors from getting together to talk about how badly they are being abused and discussing ways to protect themselves.

Amazingly, if you were to stand up before a meeting of Chiropractors and say, "We should boycott ASH and all resign on December 31, 2012," YOU would probably get sued by ASH under the federal Anti-Trust laws. Since ASH has tens of millions in profits every year to pay lawyers to harass and intimidate you, you wouldn't stand a chance. How many millions of dollars could you afford to pay your attorney to defend you against ASH's lawsuit? Anti-Trust laws have been turned upside-down and are now being used BY the giant corporations AGAINST the little people they were intended to protect. I guess deregulation of these corporations wasn't such a good idea, eh?

I was amused recently when I read a letter to the editor of Dynamic Chiropractic submitted by Lloyd Friesen, DC, Vice-President of Public Affairs for ASH. Aside from his contortionist-like writings trying to justify how valuable HMOs are to America, the fact remains that ASH is a giant corporation whose sole purpose is to make profits for its owners. Vast profits. You are just an annoying bug to them and they will squash you, destroy your livelihood, ruin your professional practice and financially devastate your family without one single guilty feeling.

As a personal injury attorney, I have read hundreds of defense medical reports in which these doctors twist the truth and downright lie because they have sold their souls to the insurance companies for a bowl of porridge. The tone of Dr. Friesen's letter seemed very similar to me to all those reports I have read over the years. I have often wondered whether these defense whores that write defense medical reports actually believe what they have written. My gut tells me they either have no conscience (in order to intentionally lie to hurt people) or that they have simply

drunk the Kool-aid and have been brainwashed into believing they are doing the right thing. I remember when Dr. Friesen was a morally upstanding Chiropractor and leader of the profession. His letter, frankly, surprised me.

Dr. Friesen wrote, "There are numerous statutes, federal and state, related to anti-trust activities, and violation of these statutes should not be encouraged by either individuals or associations." How is that for a subtle threat? The Vice-President of ASH has warned you *in writing*. It reminds me of The Godfather. "I'm going to do to you what you did to my brother..." It also reminds me of the Gestapo. He might as well have said, "Don't f**k with ASH or we will destroy you." Trust me, they would in a heartbeat.

So, again, what can the 21st century Chiropractor do? We need to advocate for a change in the LAW. When a law is being mis-used as ASH has threatened in *writing* to do, the little people must elect people that will change the law. We all know which political party favors giving MORE power to giant corporations, reducing the taxes on those giant wealthy corporations and deregulating them so they can abuse little people more. I voted for that party for a long time even though chiropractic leaders advised me to vote for my self interest. I will NEVER vote for them again now that I have seen (as a lawyer) how their deregulation laws have nearly destroyed the chiropractic profession, the medical profession and a host of other middle class entities. I now vote for the party that promises to reign in the abuses of the wealthy corporations.

The only entity powerful enough to stop these abusive corporations is the government. We desperately need at this time to elect an overwhelming majority of Senators and Congress members who promise to protect the little people, which is us. Whatever you do, don't stand up and advocate anything that could look like collective bargaining because ASH will sue you. Don't speak publicly about a large group of chiropractors simultaneously resigning from ASH or they will sue you. Don't get together with a group of your friends and come up with a plan to get large numbers of chiropractors to simultaneously resign from ASH or they will sue you.

Do stand up in public meetings and tell your fellow chiropractors that we need to change the law. Advocate for a law that permits collective bargaining for doctors in your state and in the U.S. Tell your fellow chiropractors to vote for the party that at least pretends to care about protecting the little people. Lobby your congressperson to pass a law permitting collective bargaining by doctors. Donate money to state politicians that promise to pass a law that allows chiropractors to form a group that can stand up to ASH in a "collective" way. Advocate for laws that close the loopholes in the Anti-Trust laws that are being used against chiropractors right now. Stand up and fight this political fight before ASH and other wealthy corporations destroy you and your profession.

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