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May 29, 2003

Becky Osborne, Administrator  
Mobile Diagnostic Imaging, Inc.  
600 University Ave., SE  
Minneapolis, MN 55414

Dear Ms. Osborne,

The Chiropractic Examining Board has received many inquiries from chiropractors and service providers about mobile diagnostic services. In its publication, the Regulatory Digest, for June 2002, the Board published the following:

**Fee-Splitting or Fraudulent Billing Through Use of Diagnostic Testing Services**

The Board has recently been approached by providers of certain diagnostic testing services seeking approval of agreements under which a chiropractor refers a patient to the service, which performs and interprets a diagnostic test. A problem arises if the testing service bills for the technical component and the referring chiropractor bills for the professional component. Practitioners should be aware that an arrangement that permits a chiropractor to bill for services not performed may be either fraudulent or fee-splitting.

However, as you and I discussed, the Board's opinion is that **Wisconsin chiropractors may utilize mobile diagnostic units as long as** (1) the chiropractor documents the medical necessity for the diagnostic test, (2) the chiropractor does not bill for either the technical component or the professional component of the test, and (3) **there is no fee-splitting or kickback to the chiropractor.**

Sincerely,

A handwritten signature in black ink, appearing to read "John Schweitzer".

John Schweitzer, Legal Counsel