

# Medical Advisory Committee

Meeting Minutes  
November 18, 2011

**Chair Ronald Bowman called to order at 9:05 am on November 18, 2011, a meeting of the Medical Advisory Committee to the Workers' Compensation Division at Clackamas Community College.**

**Present:**

Ronald Bowman, MD (Chair); Timothy Keenen, MD (Vice-Chair); Brad Lorber, MD; John Braddock, MD; Franklin Wong, MD (MCO Representative); Joey Blubaugh (Employer Representative); Tom Williams, PT; Juerg Kunz (WCD); Jacqueline Sewart (WCD); Charlene Barber (WCD); Nathan Johnson (WCD); Tyler Larson (WCD)

**Absent:**

Marilyn Terhaar (Worker Representative); Frank Prideaux, DC; Hans Carlson, MD; Gary Rischitelli, MD; Constantine Gean, MD (Insurer Representative);

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**Introductions – Jacqueline Sewart**

(CD .11)

Welcome to Tyler Larson. Tyler has been doing data research for Workers' Compensation as an intern. He did some work on lumbar fusion and will be giving a report today.

**September 16, 2011 Minutes**

(CD 1.15)

The September 16, 2011 meeting minutes were approved with a unanimous vote.

**Lumbar Fusion – Tyler Larson**

(CD 5:20)

The agency took another look at lumbar fusion and what other states are doing as well as the guidelines that the different MCO's have been using. Juerg did a summary of the MCO guidelines and sent the summary out to the MAC members.

Tyler researched and gathered information on what other states have on lumbar fusion and guidelines. This information was sent out to the MAC members. Tyler briefly shared a few points:

- 13 states have guidelines for the performance of spinal lumbar infusion. Guidelines are usually adopted by groups similar to MAC.
- 37 states do not have guidelines.

- There seems to be arguments supporting for both sides for having or not having guidelines.
- Studies show that using guidelines or not, the number for workers on disability is still at about 70%.
- Nathan will check with Workers' Compensation Research Institute to see if they have data comparing claim costs for those states which have fusion guidelines, versus those who do not.

**Opioids – Juerg Kunz**  
(CD 30:05)

The Division of Medical Assistant Program (DMAP) which administers Medicaid and is part of the Oregon Department of Human Services, has to report back to legislature by 2012 to address where the DMAP is going for chronic pain. They don't have to have guidelines ready by then, just a plan. DMAP wants to organize three task forces (subcommittees) with other stakeholders to work on this with. Two of these task forces are of interest to Workers' Comp: 1) Education about opioids use with potential development of standardized opioids treatment guidelines and development of tool kits with a variety of documents such as risk assessment forms and provider patient opioid treatment contracts, etc. 2) Develop prevention ideas for pain so that care results in the avoidance of pain development or arrest pain before it becomes a chronic condition. This is the first time another state agency has shown interest in working with Workers' Comp on developing a program so this is potentially promising to us as an agency.

**Discussion**

- MCOs have been working with other doctors on implementing guidelines. At least two out of the five MCOs currently have guidelines.
- It will take a statewide education.
- The prescription drug monitoring program went online in September of 2011 and will help pharmacies and doctors find drug abuse.
- There are more deaths from medical drugs than from car accidents.
- 15 states have adopted guidelines for treatment of pain.
- MAC should draft a position paper to present to MLAC regarding opioids.

**Access/Continuity of Care – Jacqueline Sewart**  
(CD 1:10:35)

Mike has been working on changing the name of the project "Access" to "Continuity of Care". Workers do have initial access to care, but the continuity of care after the first visit is the issue.

The OMA and MLAC are having a joint meeting to discuss why providers refuse to see Workers' Compensation patients. The meeting will be held at OMA in Tigard on December 6<sup>th</sup>, 2011 from 6:30-8:30pm. Also, SAIF, OMA and Workers' Comp are joining together to do a

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provider survey to get more information. SAIF is paying for the survey. The agency will provide feedback from these two projects at the next MAC meeting.

The question was raised; “Are there not enough providers to provide care or not enough providers willing to provide care for Workers’ Comp patients?”

- What about getting other providers in the system such as the physical therapists? They want to get involved and see workers’ comp patients (a negative is they can’t prescribe pain medication).
- The agency can do rule changes but statute has to go through the legislature and this type of change is statutory.
- The agency would not be the ones to initiate it, the physical therapists would have to. The deadline for the agency is coming up and there would not be enough time to meet the deadline this time.

### **E-Billing – Juerg Kunz**

(CD 1:22:38)

The next Advisory Committee meetings are February 7, 2012 and March 6, 2012. The agency is looking for provider input (their office manager or billing staff).

- The e-Billing for Workers’ Comp will be similar to general health, but not the same so we will need input.
- The model rule, which is a requirement for e-Billing, may be available by March 6<sup>th</sup> meeting.
- E-Billing to be implemented sometime in 2013. Want to make mandatory, but will allow exceptions.
- Working on how to submit chart notes (web, email, or fax), because chart notes are separate from billing.
- February 7, 2012 meeting will be an open forum/discussion style meeting.

### **Rules Update – Juerg Kunz**

(CD 1:27:45)

January 1, 2012 there will be new rules in effect for Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS). What it will be is a 110% of Medicare. There will be an Appendix E for codes with dollar amounts for maximum reimbursement.

On November 29, 2011 there will be an Advisory Committee meeting on the upcoming April 1, Division 009, Division 010, and Division 015 rules issues, which are the payment, treatment, and MCO rules. The meeting will be held in Salem, in the L&I Building, Room 260. An agenda has been sent out, but if you did not receive it let Juerg know so he can send it out.

### **New Technology – Juerg Kunz**

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(CD 1:32:30)

Early next year we will be looking at plasma injection. Does anyone have any trends to look at? In 2013 a review will be run on the artificial disk.

**Subcommittees Meet**

(CD 1:34:36)

Nothing to report, there are no subcommittees right now.

***Meeting was adjourned at 10:42 am by Chair Ronald Bowman. The next Medical Advisory Committee Meeting will be at 9 am on January 20, 2012 at Clackamas Community College.***