



Meeting Notes: February 9, 2007

Members Present: Ronald Bowman, M.D., Chair; Timothy Keenen, M.D., Vice-chair; Brad Lorber, M.D.; Hans Carlson, M.D.; Frank Prideaux, D.C.; Gary Rischitelli, M.D.; Franklin Wong, M.D.; Tom Williams, P.T.; Pam DeVisser, F.N.P.; Maria Carraher, Injured Worker Rep.

Members Absent: Chloe Oliver, City of Portland

WCD committee staff present: Holly Mercer, Debra Buchanan, Juerg Kunz, Nathan Johnson (IMD), Doreen Ratzlaff

1. Approve/Edits of Prior Meeting Notes:

Prior meeting notes dated November 17, 2006 were reviewed. Draft minutes were approved with edits.

2. Legislative Issues and Updates *Debra Buchanan & Holly Mercer*

Public Input to MAC on Provider Bills: Dr. Bowman asked if there was anyone there to present any input to MAC regarding legislation proposed by various medical provider groups regarding their parameters and authority to treat patients in workers' compensation. No one offered input to MAC.

Current Legislative Medical Bills of Interest: Debbie distributed two new handouts: 1) Table of WCD-related legislative bills (two pages dated 2/5/07), and 2) "Oregon Legislative Homepage" dated 2/9/07 with web address for checking bill status. For any bill that MAC members are interested in they can find out what is happening with the bill by going to this website.

Holly updated the committee on Senate Bill 34 which requires the State Board of Pharmacy to establish an electronic database for information reported by pharmacies regarding dispensing of certain controlled substances. The bill creates an Electronic Prescription Drug Database Advisory Commission and provides for strict limitations regarding disclosure of data.

Holly also discussed the Oregon Prescription Drug Plan and its availability to individuals without prescription drug coverage.

Holly discussed the Provider Bills that MAC reviewed last month where they completed a survey for WCD, which was subsequently reported to the Management Labor Advisory Committee (MLAC). MLAC was very appreciative of MAC's responses and the fact that Dr. Bowman, and Dr. Wong went to the MLAC meeting to answer their questions. MLAC is considering a bill that would change the allowable treatment period for all provider types (other than the current attending physicians). The proposed new treatment period would start from the date of first treatment (initial visit to that provider) instead of from the date of injury.

3. Medical Quality Initiative (MQI) Update: *Holly Mercer & Nathan Johnson*

Electronic Data Interchange (EDI) Medical Reporting: Holly explained the American National Standards Institute (ANSI) standard format for data is being developed for implementation not only here in Oregon but nationally. Nathan (IMD) explained how the data will be gathered and gave examples of questions the data will answer. In order to gather data on provider types and utilization, a National Provider Identification (NPI) will be effective/required on March of 2007 for Medicare. However, it is optional this year for workers' compensation, but may be required in the future. WCD will be tracking facility type and individual provider types. Eventually, the goal is to go to "all claims data." Holly also informed MAC that the MQI projects will be absorbed into the newly formed Medical Section of WCD.

4. Criteria Tool for Study Analysis and ADR : *Debra Buchanan*

Debra recapped where MAC is in the process of reviewing the Lumbar Artificial Disc. The decision process for review is captured in a memo approved by MAC dated September 2006. MAC has gathered, categorized and reviewed information including various studies, articles and policy statements. Based on the Sept. 2006 MAC memo on the decision process, Dr. Rischitelli developed a flow chart for the review process. (distributed) This flow chart captures the questions that MAC must answer first regarding the compensability question: is Lumbar Artificial Disc 1) unscientific, 2) experimental, 3) unproven, or 4) outmoded? MAC has defined each of these terms in a memo dated Dec. 7, 2001. The compensability questions are just the first prong of an essentially two-pronged process. If the committee does not exclude ADR from compensability and if MAC chooses to go on to the next prong, they will address general appropriateness of a treatment or technology.

Dr. Rischitelli, Dr. Keenen, and Juerg Kunz (WCD) reviewed the *Cochrane Handbook for Systematic Reviews of Interventions 4.2.6* [updated September 2006]; Higgins JPT Green S, editors. They have developed and adapted a model for reviewing and grading studies for MAC; the draft "**MAC's Criteria Tool for Study Analysis**", which was distributed. This tool should aid MAC in creating a standard process and criteria for reviewing studies related to various technologies and treatments in the workers' compensation system.

Decision: MAC unanimously agreed to adopt the Criteria Tool. Also, they agreed that the tool should be a skeleton and edited as needed. One such edit will be the addition of some plain language examples for each portion of the tool. WCD will draft those.

Research Methodology Subcommittee: A subcommittee was recommended to refine the Criteria Tool for Study Analysis and to develop other tools to address MAC's research methodology. Dr. Rischitelli and Dr. Keenen volunteered to be on the subcommittee, as supported by Juerg Kunz (WCD).

Decision: Subcommittee was unanimously approved by MAC.

The subcommittee will meet or communicate as needed and bring recommendations to the full committee.

Juerg applied the draft Criteria Tool for Study Analysis to studies related to Lumbar Artificial Disc that we have gathered. (see matrix on-line) Based on that, he drafted a handout: "**Analysis of Lumbar Artificial Disc Replacement (ADR) Studies**". He identified the studies that met the criteria (already developed by MAC) as applied in the Criteria Tool. In his analysis, he explained which studies did not meet the criteria and why. There was discussion by the group. The committee liked the ideas captured by the draft analysis. There was a suggestion that MAC consider artificial discs by "constrained" versus "semi constrained" function and structure, rather than by brand name. There was also a suggestion that discs could be grouped by surgical approach, such as anterior, etc. Some questions are: Is Charite different from ProDisc, or Maverick? If so, how? Should they be reviewed separately, but concurrently?

For consideration after the compensability question is answered (a second prong issue): Is there a difference in efficacy, etc, between 1, 2 and 3 level replacements? What would be inclusion and exclusion criteria?

Lumbar Artificial Disc Subcommittee: There was a recommendation that a subcommittee was needed for further review because not all MAC members have time to review each study in detail. Dr. Lorber, Dr. Carlson and Dr. Keenen volunteered to be the subcommittee for reviewing the ADR.

Decision: Subcommittee approved by all.

The subcommittee will consider the questions above in their review. This subcommittee will review the studies recommended in the draft handout (by Juerg) and any other studies/articles from the matrix the subcommittee determines is needed. The first step (prong) for the subcommittee to review is the compensability question.

Action Item: The subcommittee will bring a recommendation on the compensability of the lumbar artificial disc issue for the full committee to consider at the next meeting, March 16th. After that is decided, and if the procedure is not excluded from compensability, the full-committee can decide if they want to proceed with developing criteria and guidance to the industry on when this procedure is usually appropriate.

WCD will fully support MAC and it's subcommittees by all means possible, including, staff assistance with research, drafting reports, scheduling, and presentations, etc.

5. MAC Review Process and Prioritization

There were comments that MAC will have to prioritize what subjects come to this review process because of the limited number of times the committee meets, only every other month. WCD will review the issue and consider drafting criteria.

Meeting adjourned at 11:00 a.m.

Next Meeting: March 16, 2007, 9:00 - 11:30 a.m., Clackamas Community College Training Center, Wilsonville.