

**WORKERS' COMPENSATION
MEDICAL ADVISORY COMMITTEE**

May 8, 2015
9 a.m. – 11:30 a.m.

MAC Committee Members Present:

Lon Holston (Worker Representative); Ronald Bowman, MD (Chair); Timothy Keenen, MD (Vice-Chair); Brad Lorber, MD; Dr. Franklin Wong, MD (MCO Representative); Susan Strom, DC; John Soffer, RN, NP

DCBS Staff Present:

Juerg Kunz, Cara Filsinger, Jennifer Reed, Jennifer Milleman, Jamie O'Brien

MAC Committee Members Absent: Constantine Gean, MD (Insurer Representative); Gary Rischitelli, MD; Tom Williams, PT; Joey Blubaugh (Employer Representative)

Agenda Item	Discussion
Welcome, Introductions (0:00:00)*	Dr. Bowman called the meeting to order at 9:00 a.m.
Administrative discussion (00:00:07)*	Review and approve minutes for Friday March 13, 2015, meeting- MAC The committee approved the March 13, 2015 meeting minutes as drafted.
Payment model for closing exams and reports (00:02:27)*	Payment model for closing exams and reports – Discussion – Juerg Kunz Juerg Kunz asks for advice on determining time and effort devoted to closing examinations and report writing for the purpose of developing new medical billing codes. Juerg created a model of three code levels that mirror the current arbiter exams and include a closing report. Dr. Bowman noted the patient's history is important. Potentially, if there is a moderately complex history and exam, it would need to be reflected in the levels. It was decided that where it states "complex exam" in report level 2 & 3, that it now states "complex history and exam". There will also be a fee schedule amount after current billing and payment data is reviewed and values will be assigned to the levels as part of next year's division 009 rules update.
Impairment Rating Methods (00:08:26)*	Impairment rating methods: loss of strength – Jennifer Milleman and James O'Brien WCD is seeking advice for the best way to define the phrase "significantly limited in the repetitive use" of a body part under OAR 436-035-0019(1). Currently it is only defined as "significantly limited". The Court of Appeals held that the term "significantly limited in the repetitive use" of a body part was not adequately explained. Jennifer Milleman asks "as a physician what does significantly limited mean to you?" Dr. Lorber stated it meant to him "interfere with functions". Jennifer asks if this makes "significantly limited" a judgment or measurement standard? It will be a subjective report from the physician due to the fact the patients will all claim different results and depends on the validity of the patient. Jennifer Milleman notes that Courts are moving away from accepted conditions to work injury so that may be another potential issue. For initial injury claims, it is allowing the attending physician more scope. However, if the insurer denies the condition, then the worker would not be entitled to benefits unless that denial was overturned by the courts. The changes will

continue going forward and WCD will check in with the MAC Committee for input as changes are made.

Technology Reviews

(00:37:52)*

Technology Reviews – Juerg Kunz

Sub-Committee needs to review literature. Dr. Keenen stated that there are now six devices that are comparable/similar for artificial disc replacement in regards to results.

Platelet Rich Platelet Injections - Subcommittee has just been formed and will continue to discuss.

Spinal Cord Stimulators - More billing and payment data analysis is needed. Juerg gives the frequency of spinal cord stimulator claims reported to WCD by year by the date of implant: 2009 - 40 claims, 2010 - 30 claims, 2011 – 36 claims, 2012 – 20 claims, 2013 – 23 claims, 2014 – 16 claims (2014 may not be full capture of total claims). Going forward WCD is not going to contact workers directly (too labor intensive and difficult to reach people).

Closing

(00:51:34)

The meeting adjourned at 9:53 am for subcommittees on lumber and cervical artificial disc and prolotherapy/platelet rich plasma injections.

The next MAC meeting will be held on July 10, 2015. No meeting will be held in September 2015. Subcommittees may wish to meet during that time.

*The audio files for the meeting minutes and public testimony (both written and audio) can be found here: http://www.cbs.state.or.us/wcd/rdrs/mac/mac_mtgmnts.html