



February 21, 2017

Exhibit
"5"

Fred Bruyns, Rules Coordinator
Workers' Compensation Division
P.O. Box 14480
Salem, OR 97309-0405

RE: SAIF Corporation testimony for proposed changes to workers' compensation rules:
OAR 436-009, Oregon Medical Fee Payment rules and
OAR 436-010, Medical Services

Dear Fred:

SAIF Corporation (SAIF) has reviewed the proposed Workers' Compensation Division (WCD) rule changes. As always, we appreciate the opportunity to provide input on the proposed rule changes. SAIF provides the following comments for WCD's consideration:

1. OAR 436-009-0020(5)(g) Frequency of hospital cost to charge calculation

We support the change to an annual versus semi-annual calculation of the hospital cost to charge ratios.

2. OAR 436-009-0025(2)(e) Clarify when reimbursement is payable by insurer

We support clarifying the language regarding insurer timeframes for reimbursing workers. SAIF suggests, however, the final language state that the request must be complete and accompanied by supporting documentation.

OAR 436-009-0025(2)(e) The insurer must reimburse the worker within 14 days of any action causing the reimbursement request to be payable, or within 30 days of the insurer's receipt of the documented reimbursement request, whichever is later.

3. OAR 436-009-0030(3)(b) Timeframe for EOB

The proposed language could be interpreted as applying to bills prior to a claim decision. SAIF suggests that the adding language to clarify that the rule applies to EOBs for treatment related to the accepted compensable injury or disease.

OAR 836-009-030(3)(b) Once a claim has been accepted, the insurer or its representative must provide a written explanation of benefits (EOB) of the services being paid or denied within 45 days of receipt of the bill. If the billing is done electronically, the insurer or its representative may provide this explanation electronically. The insurer or its representative must send the explanation to the medical provider that billed for the services. For the purpose of this rule an EOB has the same meaning as an explanation of review (EOR).

4. OAR 436-009-0049(6) Physical medicine evaluation codes

We support the adding the new CPT physical medicine evaluation codes to the physical medicine 3-code rule.

5. OAR 436-009-0110(6) Rate differential for certified interpreter


We are not opposed to a rate differential between certified and non-certified interpreters. However, we request that WCD establish a new code for a certified interpreter service to assist with identifying when the rate differential should be applied. We suggest an Oregon Specific Code of D0042.

6. OAR 436-010-0210 Type B provider information

We support adding this information to Division 10 to help providers understand the workers' compensation Type B provider requirements.

Again, SAIF greatly appreciates the opportunity to participate in the rulemaking process. Please let us know if you have any questions.

Sincerely,



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