

Medical Case Management – outside the MCO

What is medical case management?

Medical case management refers to the planning and coordination of health care services appropriate to achieving the goals of medical rehabilitation. It may include case assessment, as well as implementing or coordinating a medical care plan with health care providers, the worker and possibly the worker's family members. It may also include evaluation of the results of, or outcomes from, treatment provided by health care providers.

In general, medical case management is a collaborative process that is intended to facilitate physician-recommended treatment plans in order to assure that appropriate and timely medical care is provided to workers.

Not all “case managers” have medical training or nursing certification. A considerable amount of “case management” activities are conducted telephonically, many from out-of-state companies that are in the business of facilitating the worker's return to work, either regular work or modified work activities, in accordance with an employer's work injury management program.

Field work

A common scenario is to have a case management company that is contracted with an insurer, self-insured employer or service company assist with those aspects of claims processing that involve medical case management. When this type of service involves going into the field and interacting with health care professionals, these companies almost universally employ nurses who are certified in one or more states to provide nursing services.

Nurse case managers providing field work services will typically visit providers, sometimes with the worker present, to discuss the status of treatment and return to work options. When a nurse case manager attends an appointment with the worker, it is essential that the requirements of OAR 436-010-0230(4) (worker consent) are met.

Communication

Medical case managers may communicate with providers in order to gather information, including medical records, and to gain an understanding of the nature of the worker's condition, the anticipated treatment plan and the expected outcome for the worker. This may include a current assessment of the worker's work capacities.

Non-MCO (i.e., managed care organization) medical case managers may not communicate with providers in an effort to influence, or attempt to influence, medical decisions addressing the nature or extent of treatment that is being provided to the worker. In other words, outside the sphere of a certified managed care organization, a medical case manager is not permitted to direct medical care.

MCOs

Only a certified MCO may restrict a worker's choice of health care provider or medical service provider; restrict worker access to any category of medical service provider; restrict provider to provider referrals; require preauthorization or precertification to determine necessity of medical services or treatment; or restrict treatment provided to specific treatment guidelines, protocols or standards.

Out-of-state employers

In the past, the division has encountered out-of-state employers with one or more Oregon locations, that contract with a case management company. The services that such a company provides to the employer may include gathering medical information in order to apply certain protocols that have been developed by that company, which determine whether a proposed course of treatment will be allowed. This is a violation of Oregon law for at least two reasons:

First, if the company is employed or contracted by the employer to obtain information concerning the work injury, the only information that can be obtained by an employer, or the agent of the employer, is information about work capacities. The employer is not entitled to receive, and the provider is not permitted to divulge, any information about the worker's medical treatment.

Second, although it is permitted in certain states, Oregon does not permit the employer, or an agent of the employer, to require preauthorization for medical treatment outside the sphere of a certified MCO.