

# Oregon Workers' Compensation Division Medical Advisory Committee Updated Recommendation Regarding Cervical Artificial Disc Replacement (ADR)

October 16, 2020

## Summary:

The Medical Advisory Committee of the Workers' Compensation Division researched and analyzed whether a two-level cervical artificial disc replacement should be a compensable medical service.

After conducting a thorough literature review and determining the most persuasive studies, the committee concluded that a two-level contiguous cervical artificial disc replacement should be a **compensable** medical service, when using a device that has received a Food and Drug Administration (FDA) approval for a two-level contiguous cervical artificial disc replacement.

The committee also discussed the contraindications it established in 2008 that are listed in OAR 436-010-0230(16). The committee found that cervical artificial disc replacement is now, unlike in 2008, a well established procedure that no longer necessitates a list of contraindications contained in administrative rule, but instead should be guided by standards of practice.

## Finding:

Two-level cervical artificial disc replacement using an FDA approved device should be **compensable**, because the procedures using these devices are:

- Scientific - scientific method has been applied
- Not outmoded - is within the current standard of care
- Proven - the evidence demonstrates efficacy in short- and long-term studies
- Not experimental - there is sufficient evidence to reasonably assess in short- and long-term studies.

## Recommendation:

- Cervical artificial disc replacement should **not** be a **compensable** medical service **unless** the procedure is a single level or a two level contiguous cervical artificial disc replacement with a device that has FDA approval for the procedure.
- Remove the cervical artificial disc replacement guidelines listed in OAR 436-010-0230(16).