

**Oregon Workers' Compensation Division
Medical Advisory Committee
Draft Updated Recommendation Regarding
Cervical Artificial Disc Replacement**

August 31, 2020

The Medical Advisory Committee met on August 21, 2020 to make a draft recommendation to the administrator of the Workers' Compensation Division regarding compensability of a two-level cervical artificial disc replacement.

Summary:

The committee 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; and
- Not experimental – there is sufficient evidence to reasonably assess in short- and long term studies.

Recommendations:

- 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.
- Delete the cervical artificial disc replacement guidelines listed in OAR 436-010-0230(16).

Public Testimony

If you would like to provide oral testimony on the above recommendations at the October 16, 2020 MAC meeting, please notify and provide written testimony to Summer Tucker (summer.l.tucker@oregon.gov) by October 12, 2020.

- Testimony at the meeting will be subject to a five minute time limit.
- Written testimony and oral summary must disclose any financial interest or relationship to cervical artificial disc replacements.

Contacts

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