


OPIOIDS IN WORKERS COMPENSATION

2019 Oregon WC Educational Conference
October 17, 2019

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Opioids in Workers Compensation



<https://www.cdc.gov/drugoverdose/resources/rx-awareness-video.html>

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What Is a Prescription Opioid?

- Prescription opioids are a class of drugs used to treat moderate to severe pain, particularly chronic intractable pain
- Prescription opioids include Oxycodone (Oxycontin), hydrocodone (Vicodin), and morphine
- Opioids bind to and activate opioid receptors on cells in the brain and body
 - Pain signals are blocked, and large amounts of dopamine are released
 - Misuse of opioids can slow down breathing, which can lead to death

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Centers for Disease Control

- First wave of opioid overdose deaths began in the 1990s
 - Includes prescription opioids
- Second wave in 2010 was characterized by heroin deaths
 - Significant increase from 2010 to 2017
- Third wave of deaths started in 2013, involving highly potent synthetic opioids
 - Particularly illicitly manufactured fentanyl—found in combination with heroin, counterfeit pills, and cocaine

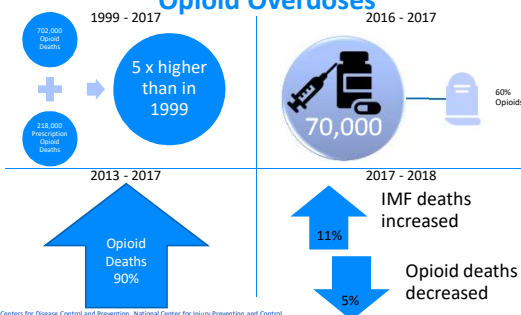
Centers for Disease Control and Prevention, National Center for Injury Prevention and Control
<https://www.cdc.gov/drugoverdose/opioids/>

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Center for Disease Control Opioid Overdoses



Centers for Disease Control and Prevention, National Center for Injury Prevention and Control
https://www.cdc.gov/mmwr/preview/mmwrhtml/mm6715a1.htm?_id=mm6715a1_w
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Changes in Opioid-Involved Overdose Deaths by Opioid Type and Presence of Benzodiazepines, Cocaine, and Methamphetamine — 25 States, July–December 2017 to January–June 2018 Weekly / August 30, 2019 / 68(34):737–744. R. Matt Gudden, PhD¹, Julie O'Donnell, PhD², Christine L. Mattson, PhD³, Paige Seib, PhD⁴

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2017 Overdose Deaths Involving Prescription Opioids

- The most common drugs involved in prescription opioid overdose deaths include:
 - Methadone
 - Oxycodone (such as OxyContin®)
 - Hydrocodone (such as Vicodin®)

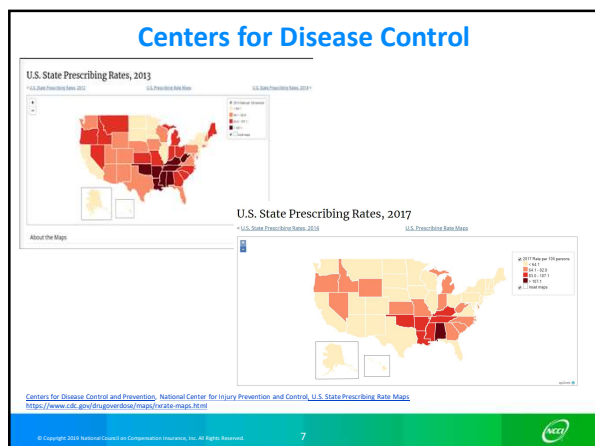


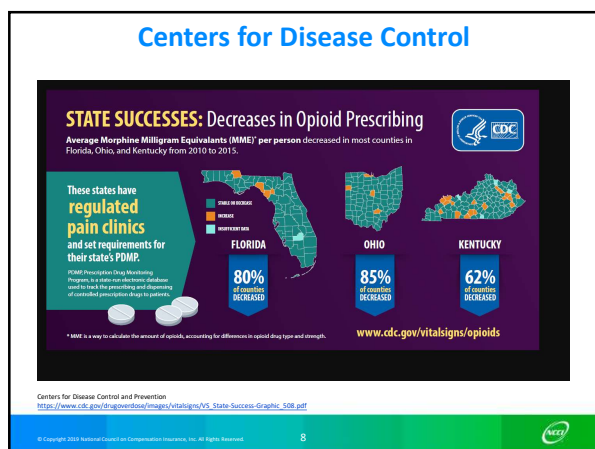
Centers for Disease Control, Overdose Deaths Involving Prescription Opioids
<https://www.cdc.gov/drugoverdose/fatal-prescribing/overdose-death-maps.html>
<https://www.cdc.gov/drugoverdose/opioids/prescribed.html>

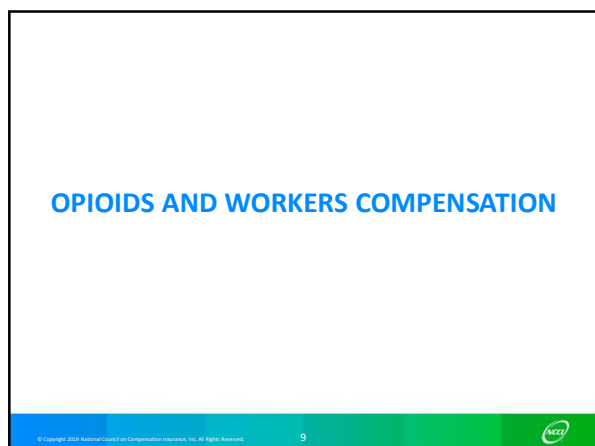
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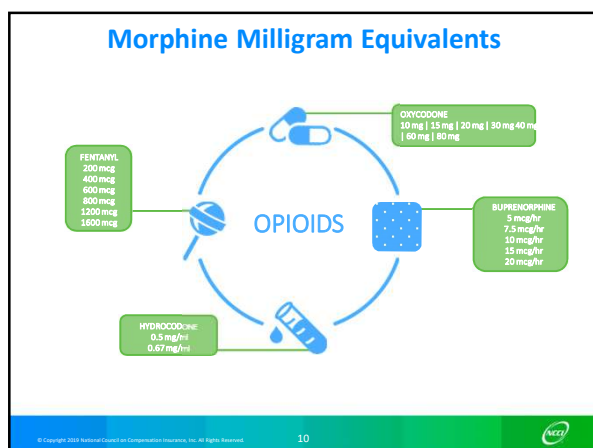
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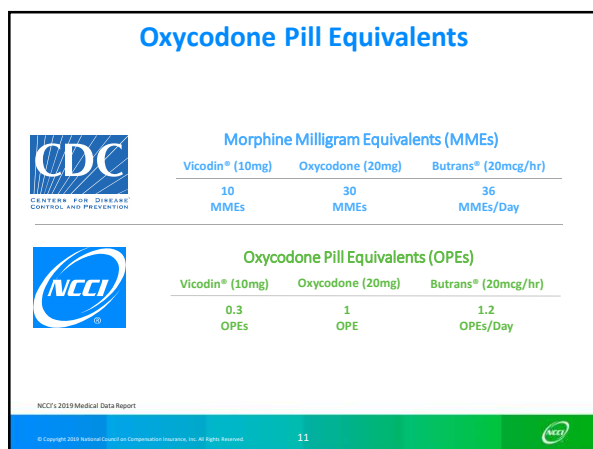


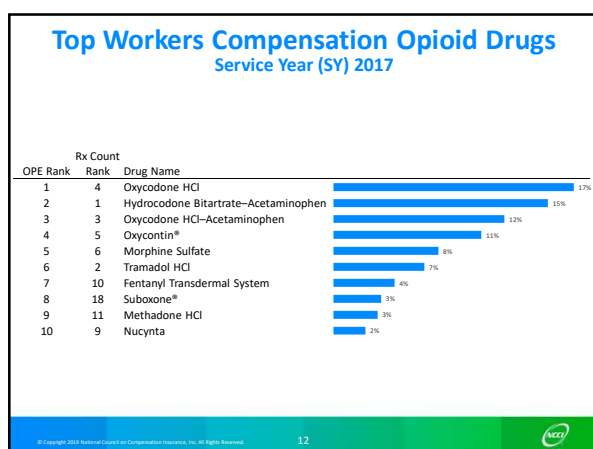


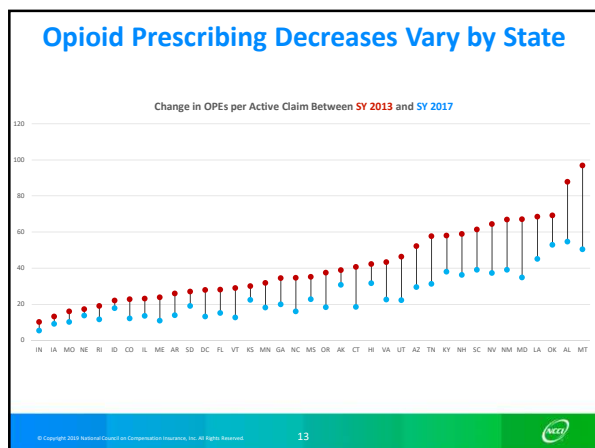


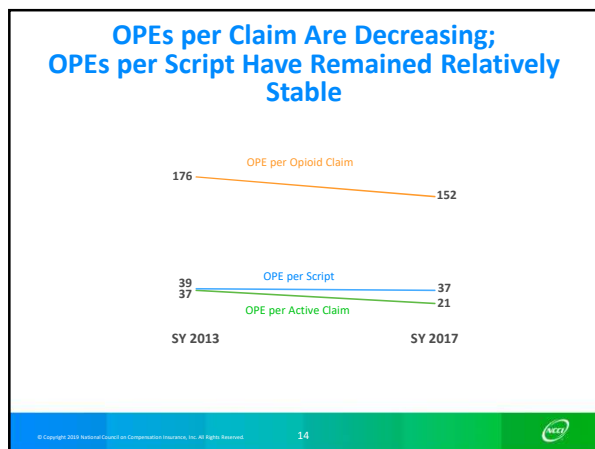


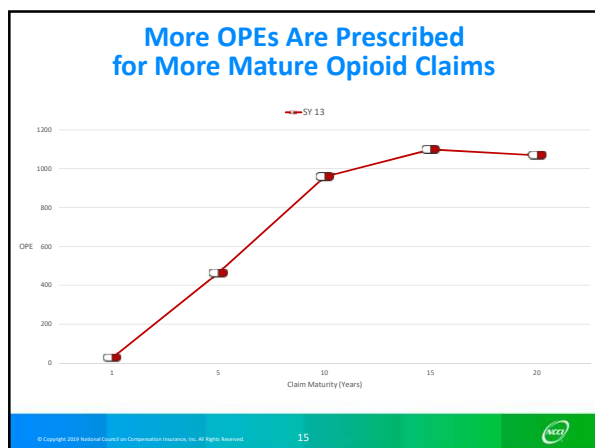








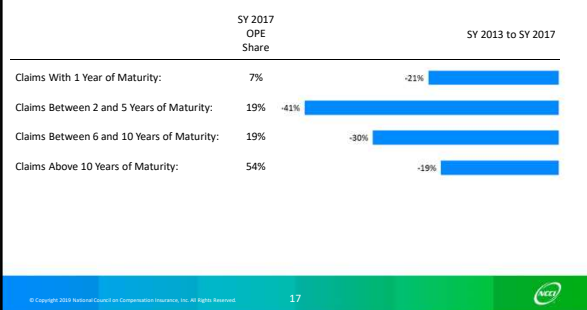




More OPEs Are Prescribed for More Mature Opioid Claims (Cont'd)



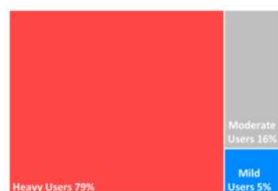
Decrease in OPEs Are Driven by More Mature Claims



Heavy Users Are Prescribed About 80% of All OPEs in SY 2017

Opioid claimants are classified based on yearly OPE consumption:

Risk Profile	Share of Opioid Claims
Heavy Users	10%
Moderate Users	20%
Mild Users	70%



CDC Guidelines for Prescribers

The CDC states, "Clinicians should use caution when prescribing opioids at any dosage."

CDC Daily Thresholds	OPE Yearly Threshold	Recommendation
30 MME (1 OPE)	365 OPE	CDC's calculated average daily dosage for an opioid user.
≥ 50 MME (1.67 OPE)	≥ 608 OPE	"Clinicians should carefully reassess the benefits and risks when considering increasing dosage to this level."
≥ 90 MME (3 OPE)	≥ 1,095 OPE	"Clinicians should avoid increasing dosage or carefully justify a decision to prescribe past this level."

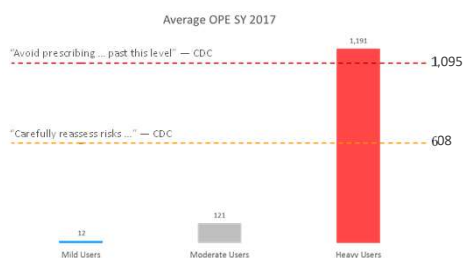
Source: https://www.cdc.gov/drugoverdose/pdf/Guidelines_FactSheet_a.pdf

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Heavy Users Break the Annual CDC Threshold



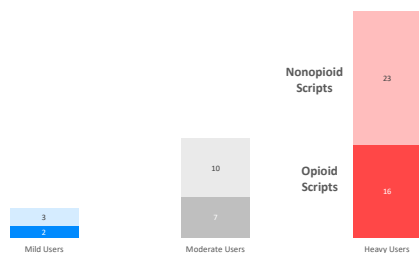
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Heavy Users Are Prescribed Nearly Eight Times the Number of Prescriptions of Mild Users

Average Number of Prescriptions SY 2017



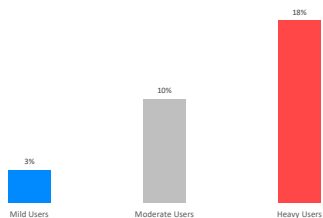
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Nearly One in Five Heavy Users Is Concurrently Prescribed Benzos

Share of Opioid Claims With Benzos – SY 2017

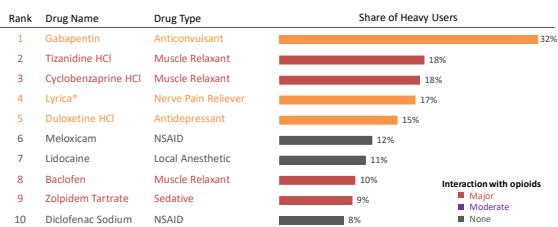


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Most Prevalent Nonopioid Drugs Heavy Users – SY 2017

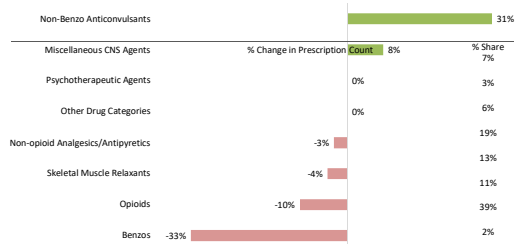


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Changes in Prescribing Patterns for Opioid Claims—SY 2013 to SY 2017



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Recent Legislative Activity



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Prescription Drugs

- In 2019, nine states considered legislation addressing prescription drugs in workers compensation
- At least two states proposed adopting an evidence-based drug formulary
- Other states considered legislation to restrict the use of opioids in WC
- Proposed New York legislation would include marijuana as a “prescription drug” for workers compensation purposes (A 2824/S 2054)

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Legislative Activity

- Illinois
 - HB 2587—Requires a recipient of certain pain management medication to sign a written agreement with the prescribing physician agreeing to comply with the conditions of the prescription; prohibits additional prescriptions while the recipient is noncompliant; limits the applicability of the lack of pain management as a consideration in awarding benefits; provides for the disclosure of violations of the agreement upon request by the employer; requires a prescribing physician to file quarterly reports to obtain payment (pending).
 - HB 2794—Amends the Workers’ Compensation Act in relation to custom compound medications. Sets forth conditions for approval of payment; provides that charges will be based on the specific amount of each component drug and its original manufacturer’s National Drug Code number and also on specified criteria; providers may prescribe a one-time seven-day supply unless a prescription for more than seven days is preauthorized by the employer (pending).
 - HB 2795—Provides that the Illinois Workers’ Compensation Commission—upon consultation with the Workers’ Compensation Medical Fee Advisory Board—will promulgate an evidence-based drug formulary; requires prescriptions in workers compensation cases to be limited to the drugs on the formulary (pending).



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Legislative Activity

- Nebraska
 - LB 487—Requires the Nebraska Workers' Compensation Court to adopt an evidence-based drug formulary (did not pass).
- New Jersey
 - A 1993—Restricts medical expense coverage for opioid drugs unless the prescribing healthcare professional follows certain guidelines (pending).



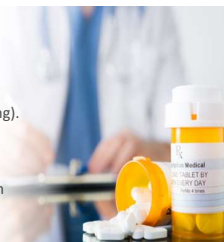
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Legislative activity

- New York
 - A 2824/S 2054—In part, deems medical marijuana a “prescription drug,” “covered drug,” or “healthcare service” as necessary to authorize coverage under workers compensation and clarifies that it may be covered as a prescription drug under commercial insurance coverage (pending).
 - A 5075/S 2061—Creates a presumption that the death of an injured worker from an opioid overdose is compensable if that injured worker was prescribed opioids to treat a workplace injury (pending).
- Oklahoma
 - HB 2632—Creates the Patient’s Right to Pharmacy Choice Act, establishing uniform access to a pharmacy provider (enacted).



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Federal Activity

- Federal:
 - New Initiative to Stop Opioid Abuse and Reduce Drug Supply and Demand
 - CDC Guidelines provide recommendations for prescribing opioid pain medication
- Prescription Drug Monitoring Act of 2017

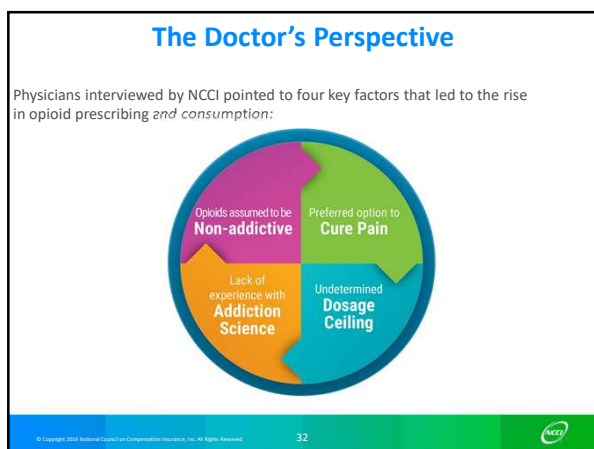


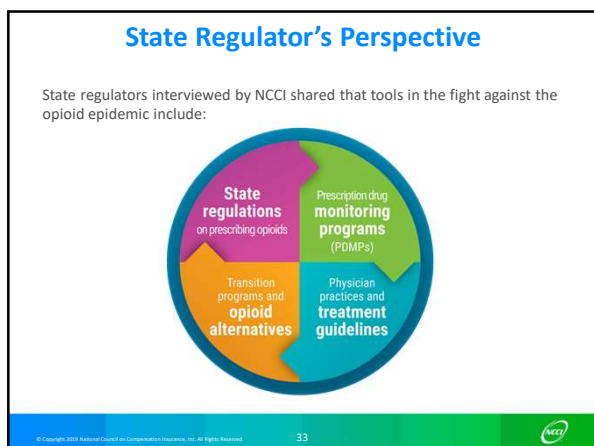
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The Claims Professionals' Perspective

Claims professionals interviewed by NCCI said that there are four key elements that are critical for successfully managing claims involving opioids:



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Next Steps for the Industry



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Potential Alternative Treatments

- Nondrug Treatments
 - Physical therapy
 - Yoga
 - Acupuncture
 - Massage therapy
- Drug Treatments
 - NSAIDs
 - Gabapentin
 - Lidocaine
- Medical Marijuana?



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Return-to-Work

https://youtu.be/izB9y_HN6wE

Why we do what we do!

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Thank You!



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