



Meeting Notes: July 21, 2006

Members Present: Chair; Ronald Bowman, M.D.; Vice-chair; Timothy Keenen, MD; Brad Lorber, M.D.; Franklin Wong, M.D.; Gary Rischitelli, MD.; Chloe Oliver, City of Portland; Linda Olsen, SAIF; Maria Carraher, Injured Worker Rep.

Members Absent: Hans Carlson, MD; Pam DeVisser, FNP; Frank Prideaux, DC; Tom Williams, PT;

WCD committee staff present: Debra Buchanan, Holly Mercer

Dr. Bowman called the meeting to order.

Minutes approved for May 19, 2006 meeting with minor correction.

SB311-Independent Medical Exams Update: *Wendy Stone*, IME Coordinator:

Medical providers continue to be added to the list of authorized IME providers. All vendors approved to train using DVD with a proctor or an online test will soon be available. The list of authorized providers is available using the Web site. Both the survey and the brochure have been translated into Spanish.

A process is in place to track complaints about an IME. General criteria/categories have been developed for these complaints and WCD will investigate when needed. The categories are:

- 1) Minor complaints; worker irritated, etc.
- 2) Complaints about the IME report
- 3) WC Law/rule violations
- 4) Complaints about how the IME provider interacted with the worker.

The doctor will have appeal rights if they are removed from the list.

Revised rules went into affect July 1, 2006, and one of the new requirements is that both the insurer and the IME provider are to give the injured worker the survey. Wendy stated that we have received about 90 worker surveys. We have received 13 complaints. Some complaints are regarding IMEs that occurred prior to the new rules.

A Physical Capacity Evaluation (PCE) and a Work Capacity Evaluation (WCE) have long counted as an IME if the insurer requests it. See OAR 436-010-0265(1). However, if the attending physician requests a PCE or WCE, and the insurer schedules the exam, then it does not count as an IME. Wendy Stone is willing to provide clarification regarding this issue when needed.

Wendy is looking into whether not we can develop some kind of automated alert via email for the public when the Web site is updated regarding who is on the director's list. It was suggested that the last date the list was updated be added to the Web site.

Dispensing Prescription Medications: *Debra Buchanan*

The proposed Div 010 rule regarding dispensing prescription medications from physician's offices for an unlimited amount of days has been reconsidered and has gone back to only allowing a 10-day initial supply.

Update Medical Quality Initiative (MQI): *Holly Mercer* (PowerPoint presentation) MQI 2006-2007 projects are

Electronic Data Interchange (EDI) – Internal committee first met on July 6, 2006. The internal committee has drafted the project charter and is being reviewed by the sponsor. The draft project goal is to prepare a plan to transition from Bulletin 220 reporting to ANSI 837 reporting (National standard).

Provider Outreach – Internal committee first met on July 18, 2006. The project charter is being drafted and the WCD training inventory tool is being developed.

Pharmacy – Internal committee first met on July 11, 2006. The project charter is being drafted. Research is being conducted on the Summary of 2003 Pharmacy Taskforce, the Workers' Compensation Research Institute (WCRI) report – June 2006, the summary of Heinz report to Governor Kulongoski – "Oregon Blueprint: Coordinated contracting of Prescription Drugs-A Fiscal and Policy Strategy for the State of Oregon", and interim pharmaceutical benefits. As well as cost comparisons of data regarding Oregon workers' compensation pharmaceutical; i.e., for general health, other state agencies, self-insured employers, using pharmacy benefit managers, and using formularies or preferred drug lists. We are also considering developing an Oregon Workers' Compensation pharmacy and therapeutics committee.

Data was shared regarding Interim Meds (meds prior to claim acceptance or denial); workers in approximately 20 % of all claims filed receive prescription medication in the first 60 days. Committee members commented that this figure seemed low. Some Committee members thought it would be good to compare the data regarding Interim Meds to prescriptions further in the life of the claim. It was suggested that that WCD MQI Pharmacy Committee recommendations should go through the MAC and ultimately the recommendations would be reviewed and if approved, then come from the MAC. Also, there were comments that having a person from the pharmacy committee reporting progress and recommendations back to MAC, on an ongoing basis, would be beneficial.

Approved/Edit Draft Memos: *Debra Buchanan*

Three draft memos were handed out for review by committee members:

1. IDET – prior decision: approved
2. Criteria for reviewing new technology studies – prior decision: revised. Next draft will be sent to the committee for comment, and then finalized, prior to the next meeting.
3. MAC Decision Process Model for reviewing technology, procedures, etc: Will be reviewed next meeting.

Comments and Discussion: For future reference, if the committee votes, they prefer that the technical memo not state who voted which way but rather that the vote record will be available in the minutes.

One-Year Plan 2006-2007: *Debra Buchanan*

Reviewed a memo of the one-year plan for MAC, i.e., what is on their plate.

Comments: Discussed criteria for when to have presentations from the public on issues coming before MAC.

Decision: The MAC will look at the written information submitted to the committee and then if they have questions they may ask someone to come before the committee to answer those questions; or the committee may simply ask for answers to their questions in writing.

Lumbar Artificial Disks: *Debra Buchanan* and *Juerg Kunz*, WCD/MRU Medical Reviewer

A large packet of studies and other information was given to committee members along with an index/spreadsheet that WCD developed to help sort through them. Juerg Kunz presented the index/spreadsheet and explained the categories. The information is for the committee to review in making their decision in a few months. Additional information will be coming at the next meeting. The packet handed out at the meeting will be mailed out to the members that are absent.

WCD will give notice to the industry that the MAC is reviewing this issue and that they may provide input to WCD until the end of August 2006. Members reviewed the draft Public Notice that will be posted on the web. Edits were made. Debra will revise the document and then have it posted on the web.

There was more discussion on the process for reviewing and categorizing the information and studies. Dr. Rischitelli will provide a flow chart to WCD on how to review and categorize studies. Dr. Keenen will go through the studies provided and will summarize or categorize them. Dr. Keenen will bring the completed information to the next meeting. Juerg will be the keeper of the spreadsheet.

Next Meeting: September 8, 2006 from 9-11:30

Agriculture Dept., Salem, in the hearings room, located in the basement.

Action Items:

What: Review Decision Process Model memo on reviewing treatment under ORS 656.245(3) and provide input at next meeting or e-mail comments to Debra before the next meeting September 8, 2006. debra.k.buchanan@state.or.us

By Whom: MAC Committee Members

By When: By next meeting on September 8, 2006

What: Lumbar Artificial Disk information. Using flowchart provided by Dr. Rischitelli, summarize, categorize and update index/spreadsheet.

By Whom: Dr. Keenen with assistance from Dr. Rischitelli. Juerg will be the keeper of the index/spreadsheet.

By When: By next meeting on September 8, 2006.