



September 17, 2004

To: John Shilts, Administrator, Workers' Compensation Division

From: The Medical Advisory Committee

On September 5, 2001, the Medical Advisory Committee(MAC) recommended that Intradiscal electrothermal therapy (IDET) be excluded from compensability as not proven, pursuant to ORS 656.245(3). The MAC specifically agreed to review new literature periodically to determine if the procedure is proven in an appropriately controlled scientific study.

The Spine Journal 4 (2004), printed a paper which found the IDET procedure yielded significantly greater improvement for patients treated with IDET than with placebo under carefully controlled criteria.

The MAC believes this study demonstrates the IDET is a proven procedure when the criteria used in the study are adhered to.

Therefore, **MAC recommends, on a 5 to 1 vote**, the rule be changed to allow compensability of IDET at one or two levels when the following criteria are met: No previous lumbar surgery; no abnormal neurological examination findings other than ankle reflex changes; no radicular pain; no structural deformities at the painful segment level; no intervertebral disc herniations greater than 4 mm; no sequestered intervertebral disc herniations; no uncontrolled or acute medical illnesses, chronic severe conditions or pregnancy; pain > six months; failure to respond to non-operative care after > 6 weeks; a score less than 20 on the Beck depression scale; no surgical interventions within the previous 3 months; and less than 30% disc height narrowing on lateral plain film radiographs.

There was a dissenting vote by Rebecca Brown, R.N. and she has forwarded supporting information to you under separate cover.