

WCAC Meeting- February 26, 2015

Members Present:

Patrick Robinson (Chair)
Troy Prevot
Clark Cossé, III
Ray Peters
Michael Morris
Joesph Jolissaint
Greg Hubachek
Dr. Dan Gallagher
Joe Shine
Robert Israel
Denis Juge

Members Absent:

Dr. Jim Quillin
Dr. Hank Eiserloh
Eddie Crawford
Mark Kruse
Chuck Davoli
Julie Cherry

1) Agency Update and Introductions

- Thanks to Teresa Boeneke, who is retiring from her position as the director's assistant after 30 years of service.
- Patrick Robinson, the WCJ from Shreveport since 2011, has been appointed as the acting OWC director.
- Cynthia Hook is the new director's assistant. Cynthia has a degree in political science from LSU and previously worked with the Board of Tax Appeals before coming to OWC.
- Ashley Deshotels with the Attorney General's office has been assigned to represent the OWC in various matters including MICS compliance disputes.

2) Status of Medical Fee Schedule Update and Proposed Deadlines (time stamp 3:30)

- Per the Director, the updated fee schedule will be completed and available for review and comment by July 1st. It will be submitted to the registry in August, and available for additional public comment per the Administrative Procedures Act;
- Sherie Phillips continues to coordinate the update process, and has met with and gathered data from multiple providers;
- Director anticipates that the proposed fee schedule will be submitted to the Oversight Committees by November/December of 2015, and implemented in early 2016;
- Questions/Comments-
 - i. **Clark Cossé, III:** waiting for meeting about fee schedule
 - Response via **Patrick:** fee schedule will be on the agenda for the July WCAC meeting.
 - ii. Further discussion deferred pending status update from Sherie Phillips

3) Update of Medical Treatment Schedule (time stamp 7:13)

- Per Director, the goal is to present the updated MTS to the MAC in April and submit them per the Administrative Procedure Act for the August registry cycle, so that they can go the Oversight Committee by November/December.
- **Dr. Roy Lee**, OWC Associate Medical Director, gave status of where LWC is on updating fee schedule and where LWC plans to go.
- Questions/Comments:
 - i. **Troy Prevot**- Was there any negative reaction to the Reed Group website (mdguidelines.com) in regards to hyperlinks or mapping of guidelines?
 - Response via **Michael Morris**- OWC entered into contract with Reed Group so providers could access information.
 - **Troy Prevot** suggested possible improvement is link literature.
 - ii. **Patrick Robinson** – OWC Medical Services continues to see process issues, e.g. incomplete/improper submissions, resulting in rejections of 1009's. We are meeting with providers on request to assist them in that regard.
 - iii. **Rhonda Coffee** (audience) - Asked about methods for voluntary reconsideration of 1010 decisions at the physician/adjuster level.
 - Response via **Michael Morris**- Rules say provider put phone number on form for doctor to call to overturn decision. Timeframes are still running. This is just an opportunity to flush out details that may not be in records
 - Response via **Patrick Robinson**- current procedure probably requires a new 1010 with additional information
 - **Richard Hebert** (audience)- Not uncommon to resubmit new 1010 with additional information

4) Status of 1009/1008 Procedure re submission of “new” evidence (time stamp 23:07)

- Mr. Hubachek and Mr. Morris previously agreed to participate in a task force addressing issues re HB 1190 (Rep. Gaines bill) from 2014 session. The issue is how/when new information is submitted and considered during the 1009/1008 process.
- **Greg Hubachek**- He and Mr. Morris discussed the issue at length but did not reach a compromise and recommended that the task force be disbanded at this time. Current jurisprudence allows any additional evidence to be considered by the WCJ.
- **Michael Morris**- sticking point is ability to administratively manage the process.
- **Greg Hubachek**- suggested meeting with attorney, Trey Mustian, (in audience) to see if Rep. Gaines intends to resubmit a bill this session
- **Patrick Robinson**- A related issue is the amount of documents that are being submitted to the Medical Director with some 1009's. We need a definition on what can/should go to medical directors for review in order to address problem.
- **Michael Morris**- areas of agreement/expedition may be to have claim number on 1010 so some things may not be needed for submission
 - i. Focus on remand process
- Per Director, this may be able to be addressed by rule.

- 5) [Continuation of #3 Medical Fee Schedule](#) (time stamp 29:05)
- Sherie Phillips discussed status of the fee schedule update and where she/OWC is in the process.
 - Council discussion of competing interests and issues that must be addressed in the updated fee schedule.
 - **Wayne Fontana** (audience) noted that Louisiana is at or near the top of national statistics regarding safety, but also has higher costs per claim.
- 6) [Update of 1008 and Answer Form](#) (time stamp 57:45)
- The Director has asked Chief Judge Kellar to assemble a committee of judges and practitioners to consider modification of the 1008 and Answer forms. Mr. Hubachek and Mr. Juge agreed to participate.
- 7) [Review of 2015 LWC Educational Conference and Suggestions for 2016](#) (time stamp 1:01:00)
- The Director briefly reviewed the 2015 LWC Educational Conference and requested suggestions for topics to be presented at the 2016 conference.
- 8) [Status of New Administrative Rules](#) (time stamp 1:02:06)
- [Inpatient Reimbursement for Service Burns- LAC 40:2519](#) – OWC is waiting on the transcript from the public hearing held on January 27th and will submit the rules to the Oversight Committee once it is received.
 - [Hearing Rules re Preliminary Determination Procedures](#) – the final version of the hearing rules concerning the preliminary determination process will be submitted to the Registry on March 10th. No changes from public hearing or Oversight Committee
- 9) [Dates for Future WCAC meetings](#) (time stamp 1:03:15)
- Last page of handout
 - All 4th Thursday except in months with major holidays, and all at LABI in Baton Rouge.
- 10) [2015 Regular Legislative Session](#) (time stamp 1:04:15)
- [Extension of SIB Deductibles](#) [which expire in June]
 - i. **Pauline Williams, SIB** (audience)- Deductibles expire in July
 - [SIB Appropriation Increase-](#)
 - i. Discussed by **Pauline Williams** (audience)
 - Cost of claims has gone up
 - Money that has collected from SIF assessments is accumulating but can't be used for SIF payments absent an increased appropriation.
 - Requesting additional \$10 million appropriation
- 11) [Public Comment](#) (time stamp 1:08:43)
- Shana Veade, attorney with the House Labor Committee (audience)-
 - i. April 3rd at 5pm is deadline for submission
 - Can help on finding bill sponsorship

*****MEETING ADJOURNED*****