



WORKERS' COMPENSATION
ADVISORY COUNCIL MEETING

July 27, 2017

Members Present:

Sheral Kellar
Jerry Jones
Michael Morris
Shannon Lindsey
Alejandro Perkins
"Bray" Williams
Edwin Murray
Marc Zimmerman
Ray Peters

Members Absent:

Julie Cherry
Dr. Daniel Gallagher
Shannon Dartez
Arielle Collins
Charles Davoli
Mark Kruse, D.C.
Maria Losavio
Pierce Nunley, MD

MINUTES

I. WELCOME

II. MINUTES

- a. Alejandro Perkins motion to accept
- b. Jerry Jones second
- c. All in favor

III. NEW COUNCIL MEMBERS

- a. Ray Peters (returning)
- b. Jerry Jones
- c. Marc Zimmerman

IV. LEGISLATIVE WRAP-UP

- a. Various bills- ~~Charles Davoli~~ **Pauline Williams**
 - 1.HB 192- Moreno/Mills
 - 2.HB 341- Miller/Mills
 - 3.HB 490- Leger/Mills
 - 4.HB 529- Broadwater
 - Died in House Labor
 5. HB 592- Talbot
 - Died
 - 6.HCR75 & SCR 21
 - 7.SB 55- Mills/Moreno
- b. HR219
- c. Opioid issue will come back

V. 2018 WC EDUCATIONAL CONFERENCE

- a. Will be at the Renaissance Hotel from February 1st-2nd
- b. 2019 looking for larger facility like L'Auberge
 1. Stakeholders help put conference together
 2. 2016 license adjuster

VI. NOIs

- a. Alejandro Perkins- motion to add SIB Form B
 1. Ray Peters- Second
 2. All in favor
- b. Records Request & Employee Authorization
 1. **André de la Fuente** (OWC) presented Records Request form
 2. **Ray Peters**- How often does someone not a party make a request?
 - i. **André de la Fuente**- 50 a day
 3. **Michael Morris**- Does it have to be mailed?
 - i. **André de la Fuente**- yes
 - **Michael Morris**- Letter of Representation is for attorney?
 - **André de la Fuente** – yes
 4. **Shannon Lindsey**- Is there an employer records request?
 - i. **Meridith Trahant** (OWC)- just send a letter
 - **Shannon Lindsey**- add instruction on website or separate form for employer
 5. **Meridith Trahant** (OWC) presented Employee Authorization
 - i. **Shannon Lindsey**- right to refuse; possible waiver?
 - Section speak about Title 23 statutes
 - Sheral Kellar- “you may refuse to sign this document”?
 - ii. Section III- keep confidential
 - Sheral Kellar- cite 1293
 6. **Shannon Lindsey**- suggest promulgate with changes
 - i. Marc Zimmerman- motioned
 - Alejandro Perkins- Second
 - All in favor
 7. **Trey Mustian** [audience]- take “employee” off title so form can be used for all requests
- c. SIB Questionnaire
 1. Pauline Williams (OWC) presented
 - i. Changed header, misspelling, & “understanding” statement
 2. **Shannon Lindsey**- include words “employee has express he or she understands”; certification this is post hire, add line for date of hire
 - i. Cut and paste language from Employee Authorization form
 3. **Michael Morris**- cannot certify they understand
 - i. Shannon Lindsey- say “express”
 - ii. Michael Morris- employee certified right above employer paragraph.
 4. **Pauline Williams**- don't want to enter into employment law
 5. **Trey Mustian** [audience] - should convey that it won't impact being hired and what the form actually is.
 6. **Ray Peters**- Look at purpose of form; presented after job offer
 - i. Date of hire vs. offer?
 7. **Dr. Paul Hubbell** [audience]- paragraph explain what for is & why
 - i. Concern about employees

- ii. Not seen as liable
- 8. **Jill Leonard** [audience]- used post offer but it is updated
 - i. **Alejandro Perkins**- include check box if for update purposes
- 9. **“Bray” Williams**- 1208.1 apply for employee
- 10. **Shannon Lindsey**- post hire; correct language is used
 - i. **Michael Morris**- review Section 1378; form started in 2010
- 11. Michael Morris and Shannon Lindsey to work with Pauline on questionnaire committee
- d. SIB Form B (added)
 - 1. Update
 - 2. Add JCN
 - i. No questions
 - ii. No comments
 - 3. Michael Morris motioned to accept
 - i. Alejandro Perkins second
 - ii. All in favor
- e. Fee Rule
 - 1. Chief Judge Diane Lundeen (OWC) presented
 - i. Grammar change
 - ii. Substantive
 - Settlement file
 - Filing fee
 - Mail service
 - Section B
 - 2. **Edwin Murray**- also applies (in draft paper) to section A?
 - i. Chief Judge Diane Lundeen- yes
 - 3. Marc Zimmerman motioned to accept
 - i. Michael Morris second
 - ii. All in favor
 - 4. Section 6613- corrected form number 1027
 - i. Ray Peters motioned to accept
 - Marc Zimmerman second
 - All in favor

VII. PRESCRIPTION OPIOID ISSUE

- a. **Dr. Paul Hubbell**-
 - 1. Doesn't just address prescription
 - 2. Pain docs are not the main ones prescribing
 - 3. Addressed the opioid commission
 - 4. FDA rule has drug deferrals built in
 - Which formulary says no due to cost
 - 5. Two main drugs abused are a “Y” drug
 - 6. WCRI put together to reduce cost because they are insurers
 - 7. Process gives major delays
- b. **Alejandro Perkins**- Process?
 - 1. **Dr. Paul Hubbell**- PMP- doctor shopping
 - Board of Medicine rules
- c. **Michael Morris**- broad spectrum on WCRI LA Advisory Committee
 - 1. Data from 45%

2.**Dr. Paul Hubbell**- data skewed; TX

d. Drug taskforce

VIII. MAC

- a. Colorado Guidelines
- b. Next meeting August 14th

IX. OTHER BUSINESS

- a. Dr. Gunderson letter
 1. 2 different types of pain management
 - Injections
 - Medicine
- b. “**Bray**” **Williams**- same issue in other specialties?
 1. Shannon Lindsey- have experienced working with different orthopedics; issues in pain management
- c. **Michael Morris**- What makes the difference of pain management?
 1. **Dr. Paul Hubbell** [audience]- pain medicine/pain clinic vs pain management
 2. 40:2198.11 adopted 3-5yrs ago
- d. Insurers do ask what code filing under
 1. address with bulletin

X. PUBLIC COMMENT

- a. **Troy Prevot** [audience]- LCTA
 1. Pharmacy taskforce- 35 people
 - 3 sections: costs, excess/direction of care, opioid
 2. Alternative ways of tracking pain
 3. Data- NCCI & WCRI
 - Mandate to be members
 - Rates based on NCCI
 4. Formularies in general health is cost driven; WC is not cost driven but evidence driven
 5. Y is backed by evidence medicine
 - Louisiana costs [CDC- high riser]
 - Well below pharmacy costs
 - Easy access
 - Gaping holes in bills
 - No penalty for not participating in PMP

XI. NEXT MEETING DATE

- a. August 24th

XII. ADJOURNMENT at 12:09pm

- a. “**Bray**” **Williams**- motion
- b. Ray Peters- second
- c. All in favor