



WORKERS' COMPENSATION
ADVISORY COUNCIL MEETING
September 20, 2018

Members Present:

Sheral Kellar
Charles Davoli
Shannon Dartez
Shannon Lindsey
Jennifer Marusak
Alejandro Perkins
Larry Stokes

Members Absent:

Marc Zimmermann, Ph.D.
Michael Morris
"Bray" Williams
Julie Cherry
Edwin Murray
Jerry Jones, PT
Mark Kruse, D.C.
Pierce Nunley, MD
Maria Losavio
Arielle Collins, Pharm.D.

MINUTES

- I. WELCOME** start at 9:40am
- II. MINUTES**
 - a. April, June, July
 - 1.No quorum
- III. NEW MEMBER**
 - 1.Larry Stokes- introduction
 - A Licensed Rehabilitation Counselor and Licensed Professional Counselor.
- IV. IMEs: La. R.S. 23:1123 & 23:1124.1**
 - a. From January 1, 2018 to September 19, 2018
 1. # of IMEs= 226
 2. # of MGDs= 2286
 3. Medical Services staff are getting overwhelmed
 - b. 23:1123 is appointed by Director IF dispute of medical capacity and 23:1124.1 is appointed by Court for any reason
 1. Drafts combined the statutes and place solely in the Courts.
 - c. Courts are more aware of doctors in a local area
 - d. **Alejandro Perkins**- Do we know who judges appoint?
 1. Sheral Kellar- List could be made public
 - e. **Shannon Lindsey**- If no 1008, how does one request an IME?
 1. **Sheral Kellar**- 1015 form

2. **Shannon Dartez**- make sure Judge who does the 1015 is not forced to do any subsequent 1008.
- f. **Alejandro Perkins**- How does process change?
 1. **Sheral Kellar**- just the appointing party changes
- g. **Shannon Lindsey**- think dispute resolution specialist handling 1015 is fine but probably should keep out of court
 1. **Shannon Dartez**- should not have an Order
- h. **Sheral Kellar**- will look at venue issue and work with Chuck Davoli
- i. **Joe Jolissant** [*audience*]- suggestion to help stop from shopping. Problem can arise if District is large (i.e. D9 court in Houma but treat in Baton Rouge)

V. CHRONIC PAIN GUIDELINES: NOI

- a. Jason Picard (*OWCA*)
 1. **Chuck Davoli**- Basis of update?
 - **Jason Picard** (*OWCA*)- Colorado
 2. **Chuck Davoli**- Who were members?
 - **Jason Picard** (*OWCA*)- me, Luke Lee, Paul Hubbell, Vincent Forte, Kevin Martinez, Najeeb Thomas, etc.
 - **Sheral Kellar**- Ava Dejoie (LWC) attended a few, Robin Krumholt and Jill Leonard (LWCC) non-voting members
- b. **Shannon Lindsey**- a couple issues; a lot on providers in regards to Return-to-Work (i.e. functional gain); 1127 communication problems; requirement for psychosocial evaluations can cause equal protection problems
- c. **Cynthia Uhrbach** (*OWCA*)- review the Administrative Procedure Act and how to read a Notice of Intent format.
 1. **Sheral Kellar**- NO current date to file Notice of Intent. Emphasis on transparency. Redline and clean version drafts will be posted on laworks.net for everyone to review and make comments
- d. **Chuck Davoli**- very important to read and make comments because eventually these will be filed
- e. **Kim Hardman** [*audience*]- When will it be posted online?
 1. **Cynthia Uhrbach** (*OWCA*)- by 4:30pm Friday
- f. **Luke Lee** [*audience*]- explain these are guidelines and MAC's review
- g. **Shannon Lindsey**- Seems psychosocial now with Chronic Pain
 1. **Jennifer Marusak**- new medical trend and will see it throughout treatment areas

VI. OTHER BUSINESS

- a. No November meeting
 1. Need January reports from taskforce
- b. **Chuck Davoli**- Review of Medical Marijuana
 1. **Shannon Lindsey**- if legislative change, will MAC update guidelines?

VII. PUBLIC COMMENT

- a. none

VIII. NEXT MEETING DATE

- a. October 25th
 - 1. LaSalle Building

IX. ADJOURNMENT ~11:10am

- a. No quorum