

# Compliance and Regulations Newsletter

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### CALIFORNIA

#### **CA DWC Proposes Evidence-Based Update to MTUS**

The Department of Industrial Relations, Division of Workers' Compensation, proposed evidence-based updates to the Medical Treatment Utilization Schedule (MTUS) to incorporate the most recent American College of Occupational and Environment Medicine's (ACOEM) treatment guidelines into the General Approaches, Clinical Topics, and Special Topics sections of the MTUS.

Updates are proposed to the following sections of the MTUS:

- § 9792.20 Medical Treatment Utilization Schedule - Definitions
- § 9792.22 General Approaches
- § 9792.23 Clinical Topics
- § 9792.23.1 Cervical and Thoracic Spine Disorders Guideline
- § 9792.23.2 Shoulder Disorders Guideline
- § 9792.23.3 Elbow Disorders Guideline
- § 9792.23.4 Hand, Wrist, and Forearm Disorders Guideline
- § 9792.23.5 Low Back Disorders Guideline
- § 9792.23.6 Knee Disorders Guideline
- § 9792.23.7 Ankle and Foot Disorders Guideline
- § 9792.23.8 Stress Related Conditions
- § 9792.23.9 Eye Disorders Guideline
- § 9792.23.10 Hip and Groin Guideline
- § 9792.23.11 Occupational/Work-Related Asthma Medical Treatment Guideline
- § 9792.23.12 Occupational Interstitial Lung Disease Guideline
- § 9792.24.1 Acupuncture Medical Treatment Guidelines

- § 9792.24.2 Chronic Pain Guideline
- § 9792.24.3 Postsurgical Treatment Guidelines
- § 9792.24.4 Opioids Treatment Guideline

The MTUS was adopted on June 15, 2007, and most of its guidelines have not been updated since it was established when it referenced ACOEM guidelines initially published in 2004.

Since the MTUS has not been updated since 2007, the latest scientific and medical developments have not been incorporated into the MTUS. The DWC's notice stated, "The MTUS must be able to keep up with the evolving nature of scientific evidence to ensure that its recommendations accurately represent current standards of care. Thus, the primary policy objective of this action is to update the MTUS' medical treatment guidelines so that its recommendations accurately represent current evidence-based standards of care."

A public hearing has been scheduled for September 6, 2017, to provide all interested parties an opportunity to present oral or written statements or arguments related to the proposed evidence-based updated to the MTUS.

[Source](#)

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## COLORADO

### ***Proposed Changes to Rules for Physician Accreditation and Medical Treatment Guidelines***

The Colorado Workers' Compensation Division has scheduled a public hearing to discuss proposed rules related to physician accreditation and medical treatment guidelines.

The proposed change to Rule 13 for accreditation would require providers to demonstrate an understanding of the Division materials by passing a Division-administered examination.

New requirements have been added to obtain Level II accreditation. Providers must demonstrate an understanding of the Division materials including the American Medical Association Guides to the Evaluation of Permanent Impairment. Providers must comply with Division rules and all Division-issued guidance. Providers would be required to submit their first three impairment rating reports deemed sufficient by the Division within 12 months of passing the Level II accreditation examination.

The division is also proposing to update treatment guidelines in Rule 17, Exhibit 7, Complex Regional Pain Syndrome and Reflex Sympathetic Dystrophy and Exhibit 9, Chronic Pain Disorder.

The public hearing is scheduled for September 13<sup>th</sup>. Written arguments and position papers will also be accepted.

[Source](#)

## WASHINGTON

### ***Department of Labor & Industries to Launch Acupuncture Pilot***

The Washington state Department of Labor & Industries began processing applications for the Acupuncture Pilot Project in early August. The project will collect information for acupuncture treatment provided by East Asian Medicine Practitioners (EAMPs) to injured workers covered by Washington's workers' compensation system.

The Department of Labor & Industries will pay qualified providers participating in the pilot to provide acupuncture treatment to injured workers with low back pain related to an accepted condition on a workers' compensation claim. Documentation to support payment must be submitted after each treatment. Self-insured employers are not required to participate in the pilot or cover acupuncture treatment during the pilot, although they may choose to cover acupuncture under the terms of the pilot program. The patient and provider should verify participation of the self-insured employer before initiating acupuncture treatment.

The pilot program will run for two years and will be limited to up to 150 acupuncture providers located in the state of Washington. The pilot will cover up to 10 acupuncture visits per injured worker's claim. Other treatment within the EAMP's scope of practice are not covered under this pilot and will not be reimbursed separately.

Providers accepted into the pilot may begin providing acupuncture treatment to injured workers on October 1, 2017.

Acupuncture treatment is not covered under Washington's workers' compensation system. After reviewing medical literature, the Department of Labor & Industries determined "there is evidence of the effectiveness of acupuncture for treating low back pain."

[Source](#)