

PROPOSED REGULATION
MEDICAL TREATMENT – UNLAWFUL CHANGE OF PHYSICIAN
AND DEFINITION OF A MONTH

8 AAC 45.082 is amended and renumbered by adding a new subsection to read:

8 AAC 45.082. **Medical Treatment.**

(d) If, after a hearing, the board finds a party made an unlawful change of physician in violation of AS 23.30.095(a) or (e) or this section, the board will not consider the reports, opinions or testimony of the physician in any form, in any proceeding, or for any purpose. If, after a hearing, the board finds an employee made an unlawful change of physician, the board will, in its discretion, refuse to order payment by the employer.

8 AAC 45.082(f) is amended to read as follows:

(g) [(f)] If an injury occurs on or after July 1, 1988, and requires continuing and multiple treatments of a similar nature, the standards for payment for frequency of outpatient treatment for the injury will be as follows. Except as provided in (h) of this section, payment for a course of treatment for the injury may not exceed more than three treatments per week for the first month, two treatments per week for the second and third months, one treatment per week for the fourth and fifth months, and one treatment per month for the sixth through twelfth months. **For purposes of this subsection, a month is defined as four weeks and commences on the first day of treatment.** Upon request, and in accordance with AS 23.30.095(c), the board will, in its discretion, approve payment for more frequent treatments.

(Eff ___/___/___, Register _____)

Authority: AS 23.30.001 AS 23.30.005 AS 23.30.095 AS 23.30.097