

***Workers' Compensation  
Medical Services Review Committee  
Meeting Minutes***

July 10, 2020

**I. Call to order**

Acting Director Joseph Knowles, Chair of the Medical Services Review Committee, called the Committee to order at 9:02 am on Friday, July 10, 2020. Due to concerns related to the COVID-19 public health disaster, the meeting was held by telephone and video conference.

**II. Roll call**

Acting Director Knowles conducted a roll call. The following Committee members were present, constituting a quorum:

Dr. Mary Ann Foland          Jennifer House          Susan Kosinski          Pam Scott  
Misty Steed

Members Vince Beltrami and Dr. Robert Hall were excused. Member Timothy Kanady was absent.

**III. Introduction of New Members and Guests**

Acting Director Knowles introduced senior staff present, and Carla Gee with Optum.

**IV. Approval of Agenda**

A motion to adopt the agenda was made by member Scott and seconded by member Foland. The agenda was adopted unanimously.

**V. Review of Minutes**

A motion to adopt the June 19, 2020 minutes was made by member Foland and seconded by member Kosinski. The June 19, 2020 minutes were unanimously adopted by the committee.

**VI. Fee Schedule Guidelines Development Discussion**

Acting Chief of Adjudications Ronald Ringel discussed fees for out-of-state providers. Carla Gee reminded everyone that the committee had proposed language at the June 19, 2020 meeting, to clarify that the lower of the either the Alaska GPCI or the GPCI in the state where the treatment occurs, if applicable. Carla will provide updated language at the August 11, 2020 meeting.

Acting Director Knowles presented the updated Fee Schedule issues for consideration.

The committee discussed access to care. Each member reiterated that from their role within the workers' compensation system, whether as physician or hospital representative, or as insurer or claim administrator, they do not see access to care as an issue.

*Break 9:50 am – 10:15 am*

## **VII. Public Comment**

Sandy Travis - representing self

- Stated that the Public Notice does not meet requirements under the public meetings act.
- Stated she is unable to make public comment because she received the meeting packet on July 9, 2020 and has not had time to read it all.
- Stated that the “New drug program” increases claims due to the side effects and reactions of the drugs, and that the program favors pharmaceutical companies.
- Stated that Administrative Officer Alexis Newman has discriminated against disabled people.

Barbara Williams - representing Injured Workers’ Alliance

- Stated that under Section 4 of the American’s with Disabilities Act, the Division has an obligation to provide accommodations for disabled individuals.
- Stated the Division holds multiple public meetings at the same time to prevent the public from being able to attend.
- Stated SIME doctors should be held to the same fee schedule as other physicians.

## **VIII. Fee Schedule Guidelines Development Discussion Continued**

Carla Gee and Nanette Orme from Optum stepped through proposed changes for the 2021 Medical Fee Schedule.

The Committee reviewed the proposed language that a provider shall not require a deposit from the patient, in response to their discussion at the June 19, 2020 meeting regarding a particular provider who was requiring a deposit for hearing aids. The committee agreed to the proposed language.

The Committee reviewed the proposed language regarding “mixed” drugs, in response to their discussion at the June 19, 2020 meeting. The committee made additional suggestions, and Carla will present the new language at the August 11, 2020 meeting.

The Committee reviewed the proposed language regarding transcutaneous electrical nerve stimulation (TENS) Units. Member Foland provided anecdotal information that further demonstrated this was a problem area. Carla presented the TENS Unit language under Colorado’s Fee Schedule, and data surrounding the four billing codes. The committee discussed rental language, and possible ways to cap the cost such as requiring a physician assessment after two months. Carla will present new language at the August 11, 2020 meeting.

The Committee reviewed the proposed language regarding hearing aids. Member Steed suggested that additional dispensing codes be added and the committee agreed. Member Steed also noted that she spoke to several audiologists since the last meeting. Unanimously, they had stated that they do not charge for any evaluations within the warranty period, therefore the proposed global billing period would not be an issue for the audiologist community. Member Steed also provided documentation that she had received from an audiologist that she spoke to. Member Kosinski suggested that the committee adopt language similar to Wyoming, which states that a replacement hearing aid requires a written report from

the physician specifying that a new hearing aid is required. The Committee reviewed hearing aid language from other state Fee Schedules. The committee voiced particular interest in adopting verbiage similar to Wyoming and Washington.

*Lunch 12:07 pm – 1:10 pm*

The Committee discussed conversion factors. Due to the COVID-19 pandemic, hospitals and physicians already face hardship and the committee was averse to making large cuts that would further negatively affect them. However, if no cuts were made, Alaska rates would quickly rise as Medicare rates increase annually. The committee agreed minimal reductions were necessary to stay in line with national rates. Carla Gee presented data comparing Alaska rates to the region and country. The Committee agreed upon 5% reductions to surgery, radiology, anesthesia, ambulatory surgery centers, and Durable Medical Equipment.

Member Scott motioned to approve the proposed 5% reductions to surgery, radiology, anesthesia, ambulatory surgery centers, and durable medical equipment. Member Foland seconded. The motion passed unanimously.

Acting Director Knowles reminded the Committee that the next MSRC meetings were scheduled for August 11, 2020 and the joint meeting of the MSRC and the Workers' Compensation Board was scheduled for August 28, 2020. These meetings would be held by teleconference and video conference.

Motion to adjourn was made by Member Kosinski, and seconded by Member Steed. The motion passed unanimously.

*Meeting Adjourned 2:07 pm*