

***Workers' Compensation
Medical Services Review Committee
Meeting Minutes
July 29, 2016***

I. Call to order

Director Marx, acting as Chair of the Medical Services Review Committee, called the Committee to order at 9:01 am on Friday, July 29, 2016, in Anchorage, Alaska.

II. Roll call

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

Dr. Mary Ann Foland
Dr. William Pfeifer

Tammi Lindsey
Pam Scott

Kevin Smith

Member Ross Newcombe was excused. Members Beltrami and Hall were absent.

III. Approval of Agenda

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

IV. Approval of Minutes

A motion to adopt the minutes from the July 15, 2016 meeting was made by member Foland and seconded by member Smith.

- Member Pfeifer requested a correction on statements he made at the prior meeting. The minutes were revised.
- Member Pfeifer made a motion to add his previously submitted letter as an attachment to the July 15, 2016 meeting minutes. Member Smith seconded the motion. After minimal discussion a vote was held, two in favor, three opposed. The motion failed.
- The July 15, 2016 minutes, as amended, were unanimously adopted by the committee. Member Smith abstained from voting as he was absent at the last meeting.

V. Planning Discussion

Director Marx indicated she would try to submit draft guidelines from Optum to the Committee by August 3, 2016 in preparation for the August 5, 2016 meeting.

Director Marx stated that at the request of the Committee she had researched the legislative history concerning critical access hospitals. Legislative committee minutes discussed the legislation's intent to specifically exempt critical access hospitals from the fee schedule. Member Pfeifer asked whether the committee minutes discussed further details of how and when the critical access hospital exemption would apply. Director Marx indicated not to her knowledge.

Director Marx suggested the Committee focus on carving out specific exceptions to the Centers for Medicaid and Medicare Services (CMS) billing and coding rules, giving the example of work hardening and permanent partial impairment (PPI) ratings. She provided a spreadsheet of codes for the Committee to review.

Carla Gee gave a general explanation of the various status codes, and recommended the Committee address those codes that had a relative value of zero.

Member Pfeifer asked for clarification about whether all Medicare rules were being adopted when the Committee agreed to adopt CMS billing and coding rules. He requested a representative from Medicare address the Committee. Member Foland asked if there was a specific concern raised by Member Pfeifer that the Committee could address. Director Marx clarified that it was not the intent of the Division to create its own billing and coding rules. The decision was to use CMS billing and coding rules. The Committee's recommendation in its report was to follow CMS billing and coding rules. Where problems arise the Committee could address the issues by regulation or the claims process, as it did with work hardening.

Dr. Pfeifer stated it was his belief the Committee was not adopting all Medicare rules, but only those related to billing and coding.

Carla Gee of Optum clarified there is a major distinction between the Alaska fee schedule and CMS, which is despite that Alaska is using the CMS model, Alaska is using its own conversion factors and reimbursement rates. Director Marx also clarified Alaska is not paying Medicare rates. Although Alaska adopted the methodology established by CMS, Alaska applies our own state-specific conversion factor to each service to calculate the maximum allowable reimbursements.

The Committee agreed to address chiropractic codes at its next meeting.

Break 10:05 am-10:15 am

VI. Public Comment

Misty Steed, PACBLU

- Clarified that Medicare does not cover certain treatment (e.g., acupuncture).

Lisa Andreozzi, Med-Data (bill review service)

- Ms. Andreozzi is educated on Medicare and has been working in the bill review field for many years. She expressed disappointment that Alaska adopted this fee schedule without proper guidance to implement it. She stated it is not appropriate to adopt Medicare policy, as the Medicare demographic is age 65 and older, and injured workers have different issues. Most states that adopt Medicare rules adopt only the code rules, not the policies. She encouraged the Committee to adopt a dollar value for PPI ratings. She referenced an email she had sent to Director Marx noting that historically the fee schedule had been applicable to all providers, and now only physicians are addressed.

Sheila Hansen, Corvel

- Ms. Hansen has prepared some examples of CCI edits as requested at the last meeting and submitted those to the Committee.

Brian Malone, Denali Physical Therapy

- Mr. Malone expressed concern that there is no distinction in the rules between chiropractic CPT codes and physical therapy CPT codes. There is a difference in utilization of certain codes between those two providers, e.g. massage therapy. He encouraged the Committee to consider separating those two provider groups.

VII. Planning Discussion, contd.

The Committee clarified it wished to carve out an exception for PPI ratings. They requested Optum provide a specific recommendation for an appropriate RVU for PPI ratings. Ms. Gee will provide that information to the Director to pass on to the Committee. Member Pfeifer encouraged the Committee to adopt an RVU that kept costs down.

Member Foland raised a concern that lab work ordered by nurse practitioners and physician assistants were being reimbursed at a lower rate than lab work ordered by physicians. The Committee clarified this was not the intent and that it may be a payer education issue.

Member Pfeifer requested the Committee consider status codes N and I, specifically electrical muscle stimulation (code #97014), as was addressed in his letter. The Committee agreed to consider this code at its next meeting.

The Committee agreed to schedule all future meetings as half-days only, from 9:00 am – 1:00 PM.

Meeting Adjourned 10:55 am.