

Workers' Compensation
Management-Labor Advisory Committee
Care Provider Subcommittee
Tuesday, August 15, 2006
NECA-IBEW Electrical Training Center
16021 NE Airport Way, Portland, OR

Subcommittee Members Present:

Ellen Cutler, Harry and David, Medford, OR
John Kirkpatrick, IUPAT District Council, Portland, OR
Gregory Miller, Gunderson LLC, Portland, OR
Mike O'Rourke, Plumbing and Steamfitters UA 290, Tualatin, OR
Sheri Sundstrom, Hoffman Construction Company, Portland, OR
Greg Miller, Gunderson LLC, Portland, OR
Lon Holston, Grants Pass, OR

Subcommittee Members Excused:

Lisa Trussell, Associated Oregon Industries, Salem, OR

Review Minutes

The subcommittee reviewed the minutes from the June 8, 2006 Care Provider Subcommittee meeting. Greg Miller made a motion to accept the minutes as submitted; Mike O'Rourke seconded the motion. A vote was taken and all members present voted to accept the minutes as submitted.

Data Summary

Worker Survey

Brian Skalberg, Tracy O'Connor, Information Management Division
Mr. Skalberg provided a document titled "Care Provider Study, Worker Survey Response" to the subcommittee and gave a brief summary of the initial analysis of the results of the summary. Ms. O'Connor provided some clarification on the data provided.

Committee Discussion:

A request was made for information on the demographics of the respondents and type of injury. Additional information was provided about the nature of decisions made by the researchers when the responses did not clearly fit in the specific categories for the data.

Employer Focus Groups

John Shilts, Workers' Compensation Division (WCD)

Employers were asked for their perspective regarding injured workers' access to providers, opinion on provider types available to injured workers, as well as their perspective on expanding the selection of provider types. The numbers of employers who have come to the focus groups has been small. The division will add another focus group in the evening to be able to get a greater response and provide additional information at the next subcommittee meeting.

Literature Review

Mike Manley, Information Management Division

Mr. Manley provided a bibliography of literature being reviewed in the study and explained the reasoning used for selecting the literature reviewed. The study is limiting the review to quality studies

that focus on public policy issues related to care providers in Workers' Compensation and include severity controls. In addition, studies that had outcome measures beyond just the cost were sought. The review of literature has not shown evidence that either supports or opposes a change to current Oregon policy.

MCO

John Shilts, Jerry Managhan, WCD

Subcommittee members were provided a packet of materials regarding MCOs. The materials were provided with the assistance of the Managed Care Organizations as well as staff from the WCD. The packet of materials includes a summary memorandum from John Shilts, and four attachments that provide data. He gave a brief explanation of the data provided in the packet. In addition, Mr. Shilts gave some possible reasons for the differing numbers of providers on MCO panels.

Committee Discussion:

Current information is that the MCOs are allowing providers from out of state to be on the panels, particularly in the border areas.

Additional Data Analysis

Tracy O'connor, Bryan Skalberg, Information Division

A document was provided to the subcommittee, the first page of which is titled "Care Provider Study, Data Analysis, Definitions. The document provides data in response to requests from the subcommittee from previous meetings. A brief explanation of the data was given.

Podiatrists

Tom Barrows, Dr. Mozina, Dr. Johanson Oregon Podiatric Medical Association

The legislature defines the scope of practice of a podiatrist. Information on the educational and training required of podiatrists was provided. Podiatrists are regulated by the Board of Medical Examiners and are considered full physicians by Medicare. Podiatrists treat within their scope of practice as regulated by the Board of Medical Examiners and within the scope of their expertise. Historically they have a low cost average per claim because they can quickly diagnose, treat, and get the worker back to work. Expenses could be reduced by podiatrists having attending physician status and therefore not having to refer to an MD--get a referral back to the Podiatrist--then have to refer back to the attending physician to get the worker released to regular work. Usually the attending physician defers to the Podiatrist for the decision on release to regular work.

Discussion: In group-health 80% of patients come to a podiatrist from physician referral, particularly in MCOs; however, they can have direct access.

Physician Assistants

Marshall Coba, Ben Johnson, Scott, Beyer, Oregon Society of Physician Assistants

Mr. Coba provided three documents to the subcommittee, information on demographics, printed slides from a PowerPoint presentation, and Senate bill 1001 from the 2005 Session. Mr. Johnson and Mr. Beyer discussed the information from the presentation with the subcommittee. The Physician Assistants are seeking the same treatment limits as nurse practitioners currently have.

Discussion – MDs submit a plan of supervision of the physician assistant to the Board of Medical Examiners based on the competencies and specialties of the physician assistant.

Naturopaths

Kevin Wilson, Oregon Association of Naturopathic Physicians.

Dr. Wilson provided a document titled “Naturopathic Physicians in the Oregon Workers’ Compensation System.” Mr. Wilson explained his written testimony to the subcommittee, including suggestions for changes to statute. In addition he questioned some of the data provided on the studies relating to naturopathic physicians.

Discussion: Dr. Wilson discussed his experience with problems with patient access. A request was made that Dr. Wilson communicate with the department on data in the study.

Public Comment

Laurel Gunderson, Providence MCO

Ms. Gunderson provided clarifications on recruitment of alternative care providers by Providence MCO. Data that WCD provided may not give an accurate representation of recruitment because Providence recruits through Complimentary Health Care Plans. Ms. Gunderson gave information to the subcommittee regarding their recruitment efforts and would be happy to provide additional data on recruitment efforts. In addition, Ms. Gunderson indicated that Providence frequently allows treatment with providers over state borders.

Vern Saboe, Doctor of Chiropractic Medicine

Dr. Saboe provided letters from workers who had been instructed that they could not treat with a chiropractor. Dr. Saboe recommended a one-page disclosure sheet clearly outlining the patient’s treatment rights given to worker at time the worker fills out paper work for injury. It could also be distributed through providers at time of presentation at the clinic.

John Shilts, WCD

WCD will look at existing communications to give more clear information to workers about their treatment options. In addition, Workers should be encouraged to come forward and report if they are denied treatment options.

The meeting adjourned at 4:00 p.m.