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- Take Note
- Milestones

State of California

# DWCNewsline

Division of Workers' Compensation  
Carrie Nevans, Acting Administrative Director

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1515 Clay Street, 17<sup>th</sup> floor, Oakland, CA 94612 (510) 286--7100

Internet Web Page: <http://www.dir.ca.gov>

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## Notice of rulemaking for medical treatment utilization schedule

The Division of Workers' Compensation (DWC) proposed regulations for the medical treatment utilization schedule will be published in the California Notice Register today, Jul. 7, 2006. A public hearing has been scheduled for Wednesday, Aug. 23, 2006, in the auditorium of the state building at 1515 Clay Street in Oakland. Members of the public may comment on the proposed regulations until 5 p.m. on that day.

The proposed medical treatment utilization schedule regulations, commonly referred to as medical treatment guideline regulations, are authorized by Labor Code section 5307.27, which requires the administrative director to adopt a medical treatment utilization schedule that incorporates evidence based, peer-reviewed, nationally recognized standards of care and that addresses, at a minimum, the frequency, duration, intensity and appropriateness of all treatment procedures and modalities commonly performed in workers' compensation cases.

The proposed regulations adopt and incorporate by reference the American College of Occupational and Environmental Medicine's Occupational Medicine Practice Guidelines (ACOEM Practice Guidelines) into the medical treatment utilization schedule. They also:

- ❖ Define key terms used in the regulations
- ❖ Require that treatment cannot be denied on the sole basis that the condition or injury is not addressed by the ACOEM Practice Guidelines
- ❖ Inform the public that the ACOEM Practice Guidelines are presumptively correct on the issue of extent and scope of medical treatment and diagnostic services addressed in those guidelines for both acute and chronic medical conditions
- ❖ Require that for all conditions or injuries not addressed by the ACOEM Practice Guidelines, authorized treatment and diagnostic services must be in accordance with other scientifically and evidence-based medical guidelines that are generally recognized by the national medical community, and set forth the hierarchy of scientifically based evidence that apply to determine the effectiveness of different medical treatment and diagnostic services
- ❖ Explain the creation, composition and term of service of the medical evidence evaluation advisory committee which will advise the administrative director on matters concerning

the medical treatment utilization schedule for purposes of revising, updating and supplementing the medical treatment utilization schedule as necessary. The regulations further clarify that the recommendations of the committee are advisory only and shall not constitute scientifically based evidence.

The notice of the proposed rulemaking, initial statement of reasons and the proposed regulations for this rulemaking package have been posted at the DWC Web site at [http://www.dir.ca.gov/dwc/DWCPropRegs/MedicalTreatmentUtilizationSchedule/MTUS\\_regulations.htm](http://www.dir.ca.gov/dwc/DWCPropRegs/MedicalTreatmentUtilizationSchedule/MTUS_regulations.htm).

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