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State of California

DWCNewsline

Division of Workers' Compensation
Carrie Nevans, Administrative Director

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

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Notice of rulemaking and public hearings for update of medical treatment utilization schedule

The Division of Workers' Compensation (DWC) has proposed regulations to update and restructure the medical treatment utilization schedule (MTUS), commonly referred to as medical treatment guidelines. The proposed regulations would update the elbow disorders chapter by adopting the American College of Occupational and Environmental Medicine's Occupational Medicine (ACOEM) Practice Guidelines, 2nd edition, 2007 elbow chapter. The regulations also propose adding two new sections to the MTUS: chronic pain guidelines and postsurgical treatment guidelines. Additionally, the proposed regulations restructure the MTUS into a clinical topics format, which will allow for easier updates in the future.

The proposal is posted on the DWC Web site at: http://www.dir.ca.gov/dwc/DWCPropRegs/MTUS_Regulations/MTUS_Regulations.htm and has been forwarded to the Office of Administrative Law for publication in the California Notice Register. Public hearings on the regulations have been scheduled for:

Date: Aug. 11, 2008

Time: 10 a.m. to 5 p.m., or until conclusion of business

**Place: Ronald Reagan State Office Building – auditorium
300 South Spring Street
Los Angeles, CA 90013**

Date: Aug. 12, 2008

Time: 10 a.m. to 5 p.m., or until conclusion of business

**Place: Elihu Harris State Office Building – auditorium
1515 Clay Street
Oakland, CA 94612**

Members of the public may comment on the proposed regulations until 5 p.m. on Aug. 12, 2008.

The MTUS currently consists of the ACOEM Practice Guidelines, 2nd Edition, 2004, and the acupuncture guidelines, which were adapted from the guideline promulgated by the State of Colorado. This proposal restructures the MTUS into a clinical topics format to facilitate regular updates through formal rulemaking, and proposes to adopt ACOEM's revised elbow disorders chapter. Specific revisions in the elbow chapter are new sections on surgery and chronic care.

The proposed postsurgical section sets forth an exception to the 24-visit limit for physical therapy, occupational therapy and chiropractic care for postsurgical physical medicine and rehabilitation services. The section is based on the Official Disability Guideline (ODG) with approximately one third based on evidence-based reviews (EBRs) by the DWC in conjunction with the Medical Evidence Evaluation Advisory Committee (MEEAC). The section applies during the postsurgical physical medicine period and, at the end of this period, treatment reverts back to the 24-visit limitation. The section establishes the goals that therapy should result in functional improvement, patient education and self-management of symptoms. It covers approximately 130 surgeries.

The proposed chronic pain section provides for treatment of close to 200 chronic conditions. The section is based on the ODG, but contains a new introduction written with input from the MEEAC, explaining the most current concepts on chronic pain. It also contains additional treatment recommendations based on EBRs. The section is evidenced-based and stresses the importance of returning patients to work through the use of treatments that show functional improvement and independence.

The proposed MTUS regulations are authorized by Labor Code sections 4604.5 and 5307.27. These regulations were previously posted to the DWC's online forum for public comment in August, October, and November of 2007.

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