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DWCNewsline

Division of Workers' Compensation
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Division of Workers' Compensation new medical treatment utilization schedule regulations approved by Office of Administrative Law

New schedule becomes effective July 18, 2009

The Division of Workers' Compensation (DWC) has adopted new regulations updating the medical treatment utilization schedule (MTUS), commonly referred to as medical treatment guidelines. The final regulations were filed with the secretary of state on June 18, 2009 and become effective July 18, 2009. The regulations add a new section for chronic pain and postsurgical physical medicine treatments to the MTUS, as well as updating the chapter on treatment of elbow injuries. The regulations also restructure the MTUS into a clinical topics format, which will allow for easier updates in the future.

“In addition to adding the new sections for chronic pain and postsurgical treatment, the clinical topics format allows us to make future updates on a chapter by chapter basis,” said DWC acting Deputy Administrative Director Destie Overpeck. “In this way, we can continuously incorporate quality, evidence-based treatment for injured workers, which help them recover quicker and keep costs down for employers.”

The postsurgical section sets forth an exception to the 24-visit limit for therapeutic 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. The section also establishes the goal that therapy should result in functional improvement, patient education and self-management of symptoms. It covers approximately 130 surgeries.

The chronic pain section provides for treatment of close to 200 chronic conditions. The section is based on the ODG, but contains an introduction written with input from the MEEAC. 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 revised elbow chapter reflects an update from ACOEM.

The regulations, found in the California Code of Regulations, Title 8, sections 9792.20 through 9792.26, are authorized by Labor Code sections 4604.5 and 5307.27.

Non-substantive changes were made to the text of the regulations. The approved regulations, as filed with the secretary of state, can be found on the DWC Web site at: http://www.dir.ca.gov/dwc/DWCPropRegs/MTUS_Regulations/MTUS_Regulations.htm.

The final statement of reasons for the rulemaking, a summary of public comments made during the rulemaking, and the division's responses to those comments are also available on the Web site.

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