

# **Occ Med Guidelines Mandated by States – Experience with Rule Making and Regulatory Agencies**

**GIN 2010**

**August 27, 2010**

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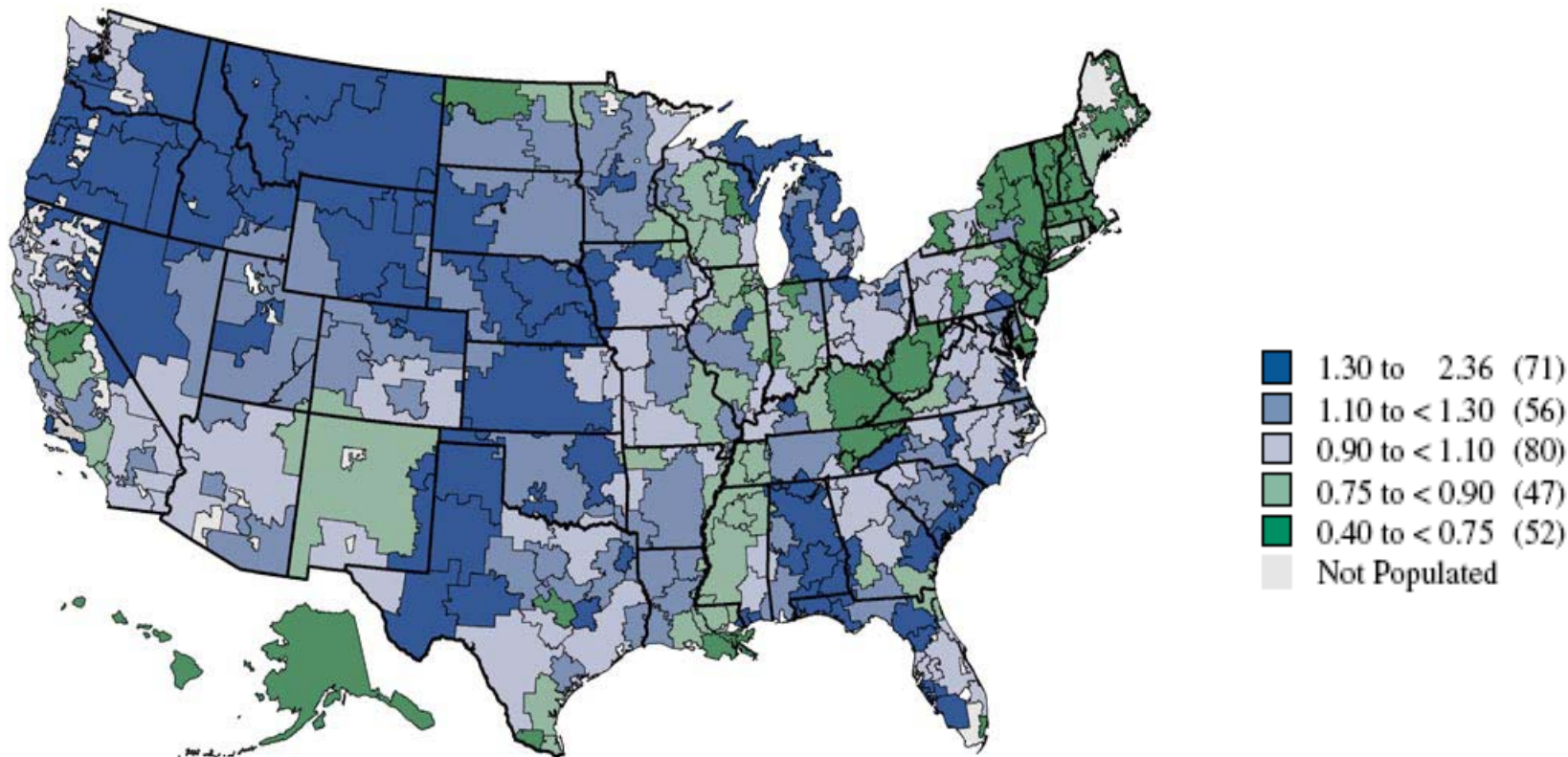
# Workers Compensation in the United States

- Oldest Social Health Care Program in US
- Generally subject to State's Laws
- Recent WC Reform has included mandated guidelines to both:
  - Limited over utilization
  - Improve under utilization
  - Accelerate RTW



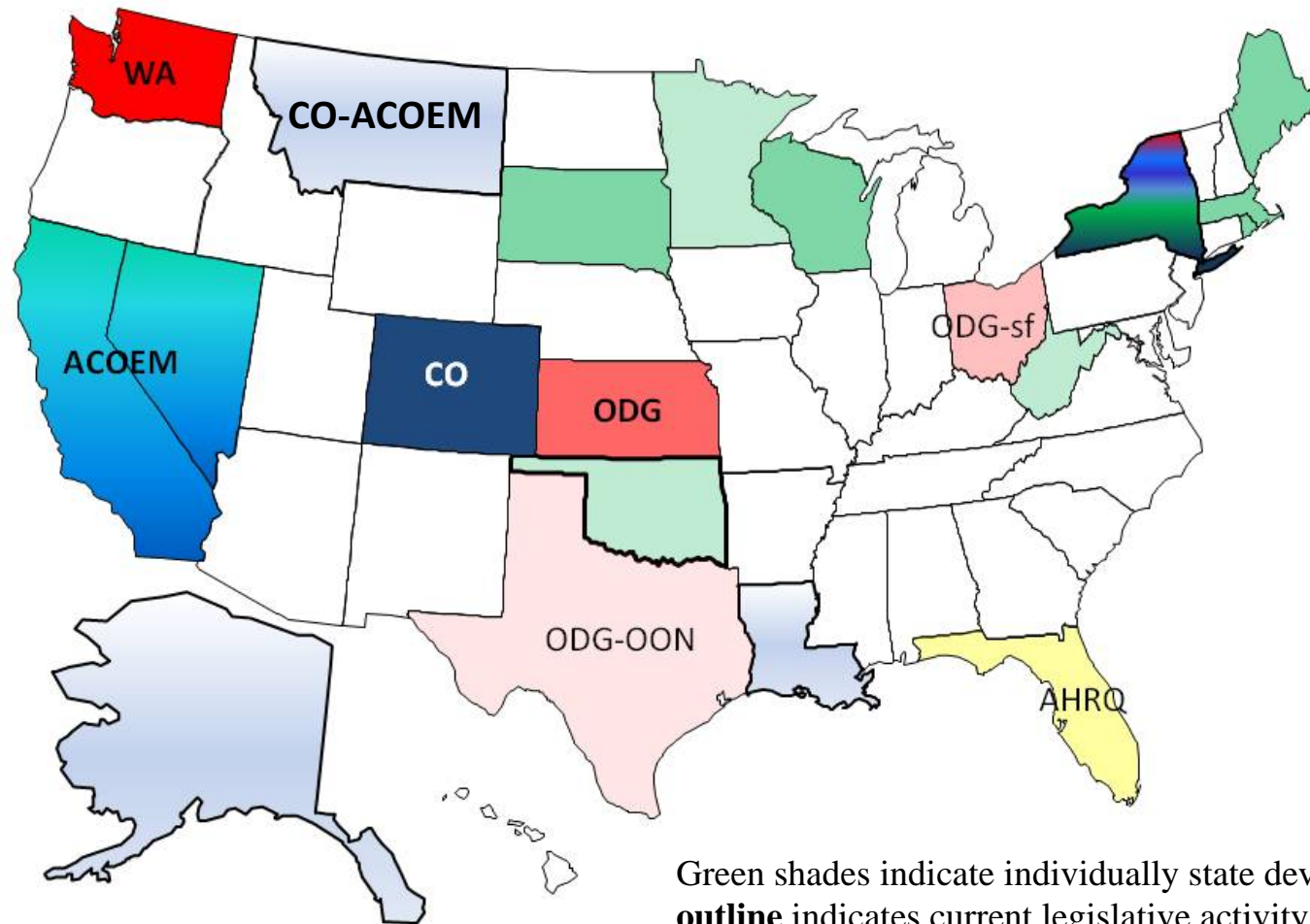
# Treatment Varies State by State

Ratio of Total Rates of Spine Surgery to the U.S. Average  
by Hospital Referral Region (2002-03)



Source: *Spine Surgery. A Report by the Dartmouth Atlas of Healthcare.* CMS-FDA Collaborative.

# Legislative Landscape



# States Under Discussion

California (Business Costs)	2005
New York (Costs, IW access)	2010
Montana (Costs)	2011

# California

- 2000-2004 many WC Insurers Failed
- 2005 ACOEM Second Edition, “Presumed Correct”, other reforms
- 2006-2010 ACOEM 2<sup>nd</sup> supplemented with Colorado, ODG (Chronic Pain), MEACC
- Gaps can be addressed with other Evidence
- MPNs can be exempted
- Costs now increasing @ pre-reform rates

# New York

- 2006 Governor Initiated WC Reform Agenda
- 2007 4 Main Body Parts Proposed
  - LB ACOEM Based
  - Neck, Shoulder, Knee Colorado Based
- 2010 NY Customizations Based on Pilot, Public Comment



# Montana

- 2009 Stakeholder Meeting
- 2010 Medical Provider Group Evaluated
  - ACOEM
  - ODG (MPG preferred)
  - Colorado (Identified as least restrictive)
- 2011 Montana Guidelines formed by Colorado, supplemented by ACOEM





# ACOEM Occupational Medicine Practice Guidelines, 3rd Edition



AMERICAN COLLEGE OF  
OCCUPATIONAL AND  
ENVIRONMENTAL MEDICINE

## ACOEM Practice Guidelines *Plus*

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- Shoulder Disorders
- Elbow Disorders
- Hand, Wrist and Forearm Disorders
- Low Back Disorders
- Hip and Groin Disorders
- Knee Disorders
- Chronic Pain
- Ankle and Foot Disorders
- Stress-related Conditions
- Eye

### ACOEM Practice Guidelines Product Update

March 1, 2010 ACOEM released a new upgrade to its electronic platform APG-I. This upgrade, APG-I Plus, will allow users to view the most current ACOEM releases and a state specific module for California MTUS guidelines, current subscribers will be upgraded free of charge. Other state versions scheduled for release this year include New York and Colorado. The new content includes over 300 recommendations focusing on diagnostic testing and treatment for 20 hand, wrist or forearm disorders. Recommendations regarding vertebroplasty and kyphoplasty were updated on September 23, 2009 reflective of new evidence. Updated recommendations for these treatment types are now found in separate treatment summaries located under 'Low Back Disorders - Surgical Considerations'.

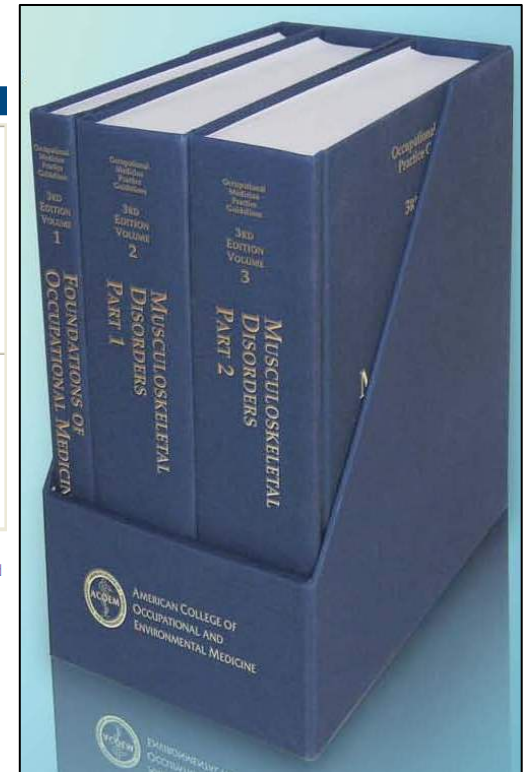
State-based Guidelines

- California
- Montana
- New York
- Colorado

### ACOEM Practice Guidelines Content Update

The Hand Wrist and Forearm content has been updated on the 19th October 2009. The new content includes over 300 recommendations focusing on diagnostic testing and treatment for 20 hand, wrist or forearm disorders. Recommendations regarding vertebroplasty and kyphoplasty were updated on September 23, 2009 reflective of new evidence. Updated recommendations for these treatment types are now found in separate treatment summaries located under 'Low Back Disorders - Surgical Considerations'.

ACOEM's Guidelines are the gold standard in effective treatment of occupational injuries and illnesses. They are intended



# Conclusions

- State adoption - hybrid likely to continue
- Hybridization state controlled, stakeholder driven:
  - Providers
  - Labor
  - Business
  - Regulators
- Evidence-base accelerates faster than regs but not a current factor when deciding on a Guideline

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## Thank You !

