

Workers' Comp Regulatory Activity

July 15, 2019 – September 1, 2019

CALIFORNIA

Reg ID: CA51397

Issues: Workers' Compensation Utilization Review

Summaries: The Division adopted amendments to the rules addressing evidence-based updates to the Medical Treatment Utilization Schedule (MTUS). The evidence-based updates to the MTUS incorporate by reference the latest published guidelines from American College of Occupational and Environmental Medicine (ACOEM) for the following: (1) Low Back Disorders Guideline (ACOEM March 7, 2019); and (2) Introduction to the Workplace Mental Health Guideline (ACOEM March 13, 2019).

What Just Happened: The final order was published, and the updates are effective 8/11/2019.

Links:

- [Final Order Notice](#)
- [5/6/2019 Hearing Notice](#)
- [Proposed rule text](#)

KENTUCKY

Reg ID: KY37971

Issues: Workers' Compensation Prescription Drug Formulary

Summaries: The Department adopted emergency and permanent rules related to establishing a drug formulary within the workers' compensation program. H.B. 2 (2018) directs the Commissioner of the Department to establish a drug formulary for medications prescribed for the cure of and relief of the effects of a work injury or occupational diseases on or before 12/31/2018. In addition, the measure requires that evidence-based treatment guidelines for medical treatment [...] including but not limited to chronic pain management treatment and opioid use be developed on or before 12/31/2019.

Please note there is a parallel Regulatory Advisory Committee (RAC) which will develop the process for implementing the recommendations of the Medical Advisory Committee (MAC).

What Just Happened: The House and Senate committees approved the rules and the LRC updated the text of the Kentucky Administrative Regulations code with the new rule language. Final rules are not published in the Kentucky Register.

Note: This information is neither intended to be all-inclusive for the industry, nor for public redistribution. Please feel free to send your questions, comments, suggestions, and requests for further information to Coventry at Regulatory@cvtv.com.

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What's Next: The permanent rule is effective 7/11/2019.

Links:

- [Text of Final Rule](#)
- [Notice of Withdrawal of Emergency Rule](#)
- [Text of Amendments Made by ARRS \(p. 33\)](#)
- [June 2019 ARRS Meeting Agenda](#)
- [Board's Recommended Revisions to ARRS for 5/14/2019 Hearing](#)
- [Public Comment Letter Submitted to ARRS for 5/14/2019 Hearing](#)
- [Agenda for 5/14/2019 ARRS Meeting](#)
- [Agenda for 4/9/2019 ARRS Meeting](#)
- [Notice of Revised Rule Text \(see pages 2928 and 3003\)](#)
- [Notice of ARRS review \(pdf pg. 6\)](#)
- [Notice of proposed rule \(pdf pg. 244\)](#)
- [Notice of emergency rules \(pdf pg. 26\)](#)
- [H.B. 2 \(2018\):](#)
- [8/30/2018 Joint MAC-RAC Meeting Minutes:](#)
- [9/27/2018 MAC Meeting Minutes:](#)
- [10/3/2018 RAC Meeting Minutes:](#)
- [10/31/2018 RAC Meeting Agenda:](#)

MISSOURI

Reg ID: MO51391

Issues: Opioid Prescribing Guidelines

Summaries: The Department adopted emergency rules and permanent amendments to the rules impacting physicians, physician assistants and nurses. The rule updates several issues including prescriptive authority, collaborative practice, and scope of practice related to substance abuse. The amendments include the following: (1) change permits an advanced practice registered nurse (APRN) to prescribe buprenorphine, a Schedule III drug, for thirty (30) days without refill for patients receiving medication assisted treatment for substance use disorders under the direction of the collaborating physician; and (2) prohibits the collaborating physician or supervising physician from entering into a collaborative practice arrangement or supervision agreement with more than six (6) full-time equivalent advanced practice registered nurses, full-time equivalent licensed physician assistants, or full-time equivalent assistant physicians, or any combination.

What Just Happened: Notice of the final rules was published in the Missouri Register. The rule is effective 8/30/2019.

Links:

- [Final Rule \(pdf pp. 2034-2035\)](#)
- [Emergency and Proposed rule \(pdf pg. 1012-1021; 1037 - 1042\)](#)

OKLAHOMA

Reg ID: OK51010


Issues: Opioid Prescribing Guidelines

Summaries: The Bureau has adopted a rule concerning opioid prescribing. The rule allows for a second opioid prescription no less than seven days after the initial prescriptions.

What Just Happened: The final rule is effective 7/25/2019.

Links:

- [Notice of Final Rule](#)
- [Notice of Governor/Legislature Submittal](#)
- [Notice of Proposed Rule](#)



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