

Newsline No. 10-13
February 22, 2013
<a href="#">Twitter @CA_DIR</a>
<a href="#">Facebook</a>

### **DWC issues notices of public hearings for Independent Bill Review regulations**

The Division of Workers' Compensation (DWC) has issued a notice of public hearing for the Independent Bill Review (IBR) regulations. A public hearing on the proposed regulations has been scheduled at 10 a.m., April 9, in the auditorium of the Elihu Harris Building, 1515 Clay Street, Oakland, CA, 94612. Members of the public may also submit written comment on the regulations until 5 p.m. that day.

The proposed rulemaking is to permanently adopt the IBR emergency regulations which became effective on Jan. 1, 2013. The IBR regulations implement Senate Bill (SB) 863's mandate to establish an efficient procedure to resolve medical treatment and medical-legal billing disputes in the workers' compensation system. Prior to this year, such disputes could only be resolved through litigation after the filing of a lien with the Workers' Compensation Appeals Board. Under the proposed regulations, for dates of service on or after Jan. 1, 2013, a medical provider who disputes the amount of payment made on a bill must first submit a timely request to the claims administrator for a second review.

If the provider disagrees with the outcome of the second review, they may request further review by an independent, conflict-free medical payment and billing expert applying fee schedules adopted by DWC. The regulations detail the IBR process, and include the timeframes and manner for a medical provider to seek a second review and IBR, the forms that must be completed, the billing documents that must be filed, and the IBR fee. Additionally, the regulations update and clarify the standard for the electronic submission of medical treatment bills, and amend the Medical-Legal Fee Schedule to conform to statutory changes made by SB 863. DWC will consider all public comments, and may modify the proposed regulations for consideration during an additional 15-day public comment period. The notice of rulemaking, text of the regulations, and the initial statement of reasons can be found at on the [DWC rulemaking](#) page. More information about the rulemaking process can be found on [OAL's website](#).

###