

**State of California
DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Workers' Compensation**

**NOTICE OF DOCUMENTS ADDED TO RULEMAKING FILE
PROPOSED REGULATIONS**

**Workers' Compensation – Official Medical Fee Schedule - Pharmaceuticals
Title 8, California Code of Regulations Section 9789.40**

NOTICE IS HEREBY GIVEN that the Administrative Director of the Division of Workers' Compensation (hereinafter "Administrative Director"), pursuant to the authority vested in her by Labor Code sections 59, 133, 4603.5, 5307.1, and 5307.3, has added to the rulemaking file the following documents which the Administrative Director relied on in proposing the regulations:

1. Wilson L, Gitlin M. New Workers' Compensation Legislation: Expected Pharmaceutical Cost Savings. *American Journal of Industrial Medicine*. 2005;48(4):239 - 48.
2. Matthew Gitlin, Pharm.D., Leslie Wilson, Ph.D. The Pricing and Distribution of Repackaged Drugs: Cost Effects to the California Workers' Compensation System, Payers and Providers. Department of Clinical Pharmacy, University of California, San Francisco, San Francisco 94143.
3. Gitlin M., Wilson L. Repackaged Pharmaceuticals in the California Workers' Compensation System: From Distribution and Pricing Options to Physician and Retail Dispensing. *American Journal of Industrial Medicine*. Pending Revisions.

These documents have been added to the rulemaking file and posted on the Division's website at:

http://www.dir.ca.gov/DWC/DWCPropRegs/OMFS_Pharmaceuticals/OMFS_Pharmaceuticals_regulations.htm

PRESENTATION OF WRITTEN COMMENTS AND DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS

Members of the public may submit written comments regarding these documents.

Written comments should be addressed to the Division's contract person:

Maureen Gray, Regulations Coordinator
Department of Industrial Relations
Division of Workers' Compensation
Post Office Box 420603
San Francisco, CA 94142

The Division's contact person must receive all written comments concerning these additional documents no later than 5:00 p.m. on Friday, November 3, 2006. The final date by which written comments must be received on the proposed regulations themselves has not changed, and remains 5:00 p.m. on October 31, 2006. Written comments may be submitted by facsimile transmission (FAX), addressed to the contact person at (510) 286-0687. Written comments may also be sent electronically (via e-mail), using the following e-mail address: dwcrules@hq.dir.ca.gov.

COMMENTS TRANSMITTED BY E-MAIL OR FACSIMILE

Due to the inherent risks of non-delivery by facsimile transmission and email transmission, the Administrative Director suggests, but does not require, that a copy of any comments transmitted by facsimile transmission or email transmission also be submitted by regular mail.

Comments sent to other e-mail addresses or other facsimile numbers will not be accepted. Comments sent by e-mail or facsimile are subject to the deadline set forth above for written comments.

AVAILABILITY OF DOCUMENTS AND RULEMAKING FILE

Copies of these documents, and the entire rulemaking file, are currently available for public inspection during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding legal holidays, at the offices of the Division of Workers' Compensation listed below:

Division of Workers' Compensation
1515 Clay Street, 17th Floor
Oakland, California 94612

It is suggested that those wishing to inspect the documents first contact the Division's regulations coordinator, Ms. Maureen Gray, at (510) 286-7100 to arrange to inspect the rulemaking file.

AVAILABILITY OF RULEMAKING DOCUMENTS ON THE INTERNET

These documents are available on the Division's website: www.dir.ca.gov. To access them, click on the "Rulemaking - proposed regulations" link, then click on the "Division of Workers' Compensation regulations" link and scroll down the list of rulemaking proceedings to find the rulemaking link, "Official medical fee schedule – pharmaceuticals."