



California Workers' Compensation Institute

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July 18, 2018

VIA E-MAIL – dwcrules@dir.ca.gov

Maureen Gray, Regulations Coordinator
Division of Workers' Compensation, Legal Unit
P.O. Box 420603
San Francisco, CA 94142

Re: 30-Day Comments on Proposed Updates to the Medical Treatment Utilization Schedule (MTUS)

Dear Ms. Gray:

These comments on proposed evidence-based updates to the Medical Treatment Utilization Schedule (MTUS) are presented on behalf of members of the California Workers' Compensation Institute (the Institute). Institute members include insurers writing 82% of California's workers' compensation premium, and self-insured employers with \$69.8B of annual payroll (31.5% of the state's total annual self-insured payroll).

Insurer members of the Institute include AIG, Alaska National Insurance Company, Allianz Global Corporate and Specialty, AmTrust North America, Berkshire Hathaway, CHUBB, CNA, CompWest Insurance Company, Crum & Forster, EMPLOYERS, Everest National Insurance Company, The Hartford, ICW Group, Liberty Mutual Insurance, Pacific Compensation Insurance Company, Preferred Employers Insurance, Republic Indemnity Company of America, Sentry Insurance, State Compensation Insurance Fund, State Farm Insurance Companies, Travelers, XL America, Zenith Insurance Company, and Zurich North America.

Self-insured employer members include Adventist Health, Albertsons/Safeway, BETA Healthcare Group, California Joint Powers Insurance Authority, California State University Risk Management Authority, Chevron Corporation, City and County of San Francisco, City of Los Angeles, City of Torrance, Contra Costa County Risk Management, Contra Costa County Schools Insurance Group, Costco Wholesale, County of Alameda, County of Los Angeles, County of San Bernardino Risk Management, County of Santa Clara Risk Management, Dignity Health, Foster Farms, Grimmway Farms, Kaiser Permanente, Marriott International, Inc., North Bay Schools Insurance Authority, Pacific Gas & Electric Company, Schools Insurance Authority, Sempra Energy, Shasta County Risk Management, Shasta-Trinity Schools Insurance Group, Southern California Edison, Special District Risk Management Authority, Sutter Health, University of California, and the Walt Disney Company.

The Institute supports updates to the Medical Treatment Utilization Schedule (MTUS) that ensure that treatment for injured workers remains governed by evidence-based guidelines that are the most current available from ACOEM. Thus, the adoption of ACOEM's 2017 Traumatic Brain Injury Guideline is particularly appreciated.

The Institute requests that the Division consider the following suggestions:

- Correct minor typographical error in the *Cornerstones of Disability Prevention and Management* heading on page 29 (i.e., change Mangement to Management).
- ACOEM's chapter *Cornerstones of Disability Prevention and Management* could be improved by the creation of decision trees or charts for specific injuries and conditions.
- ACOEM's chapter *General Approach to Initial Assessment and Documentation* could be improved by including a sample questionnaire for the physician to administer at the commencement of treatment. Such a questionnaire could serve as a guide for proper history-taking and documentation, as well as provide a window into the patient as a whole in order to better manage disability (using the biopsychosocial model).

Thank you for the opportunity to comment, and please contact us if additional information would be helpful.

Sincerely,

Denise Niber
Claims & Medical Director

DN/pm

cc: André Schoorl, Acting DIR Director
George Parisotto, DWC Administrative Director
Raymond Meister, M.D., Executive Medical Director
John Cortes, DIR Counsel
CWCi Claims Committee
CWCi Medical Care Committee
CWCi Legal Committee
CWCi Regular Members
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