



California Workers' Compensation Institute

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February 15, 2019

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: 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 81% 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, 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 Pasadena, 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, Semptra 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 Division is proposing updates to the Medical Treatment Utilization Schedule (MTUS) that include adoption of a Workplace Mental Health Disorders section (§ 9792.23.8), as well as updates to four existing sections (§§ 9792.23.1, 9792.23.3, 9792.23.4, and 9792.23.7). These changes incorporate by reference the latest published guidelines from the American College of Occupational and Environmental Medicine (ACOEM) for the following:

- Workplace Mental Health: Posttraumatic Stress Disorder and Acute Stress Disorder Guideline (ACOEM December 18, 2018)
- Cervical and Thoracic Spine Disorders Guideline (ACOEM October 17, 2018)
- Elbow Disorders Guideline (ACOEM August 23, 2018)
- Hand, Wrist, and Forearm Guideline (ACOEM January 7, 2019)
- Ankle and Foot Disorders Guideline (ACOEM July 16, 2018)

The Institute supports updates to the Medical Treatment Utilization Schedule, ensuring that treatment for injured workers remains governed by evidence-based guidelines that are the most current available from ACOEM. Thus, the Institute especially appreciates the Division's adoption of a Workplace Mental Health Disorders section, starting with the adoption of ACOEM's Post Traumatic Stress Disorder and Acute Stress Disorders Guideline.

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

Sincerely,

Denise Niber
Claims and Medical Director

DN/pm

cc: Executive Director, Department of Industrial Relations
George Parisotto, DWC Administrative Director
CWCI Claims Committee
CWCI Medical Care Committee
CWCI Legal Committee
CWCI Regular Members
CWCI Associate Members