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STATE OF HAWAII DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS DISABILITY COMPENSATION DIVISION

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August 8, 2006

TO: Hawaii Workers' Compensation Community and Interested Stakeholders

FROM: Gary S. Hamada, Administrator

Disability Compensation Division

SUBJECT: Standardized Forms for Workers' Compensation Health Care Providers

Act 191 passed by the 2006 Legislature and approved by Governor Linda Lingle on June 14, 2006 requires the Director of the Department of Labor and Industrial Relations (DLIR), with input from interested stakeholders in the workers' compensation system, to establish standardized forms for medical service providers to use when reporting on or billing form injuries.

The DLIR convened a workshop on July 13, 2006 to allow interested stakeholders, including insurers, health care providers, employers and injured workers to present suggestions or recommendations on a standardized form. Twenty-three individuals attended the workshop. Comments and recommendations were submitted by the following parties:

- 1. Hawaii State Chiropractic Association, James A. Pleiss, D.C. (Enclosure A)
- 2. Ronald Gackle, M.D., Kaiser Hospitals (Enclosure B)
- 3. Hawaii Insurers Council, Janice Fukuda, First Insurance Company (Enclosure C)
- 4. Corvel, Kristy Kobayashi (Enclosure D)
- 5. IMS, Kris Kadzielawa (Enclosure E)
- 6. HEMIC, Michael Redman (Enclosure F)

Parties may request a copy of the comments and recommendations by contacting Mr. Clyde Imada at 587-8782 or via email at <u>Clyde.T.Imada@Hawaii.gov</u>. A follow-up workshop is scheduled for Thursday, August 31, 2006, at 1:00 p.m. at 830 Punchbowl Street,

Hawaii Workers' Compensation Community and Interested Stakeholders August 8, 2006 PAGE 2

Rooms 310, 313, and 314, Honolulu, Hawaii 96813. The treatment plan form proposals and billing forms will be discussed. The DLIR will be accepting comments and recommendations regarding the proposed forms.

The DLIR will review the comments and recommendations and will provide interested parties with proposed forms. A final workshop will be scheduled in September to solicit comments and recommendations on the proposed forms. The DLIR is optimistic that the final forms will provide all parties with essential information which will enable them to make proper decisions relating to medical billings and treatments. Comments have been made relating to when forms should be required. The DLIR may require amendments to our current rules in order to accommodate this issue.

If you have any questions, you may contact Mr. Clyde Imada at 587-8782.

Enclosures (6)



Hawaii State Chiropractic Association

P.O. Box 22668 Honolulu, HI 96823-2668 ph: (808) 926-8883 fx: (808) 926-8884 www.hawaiichiro.com

July 20, 2006

Gary Hamada Administrator Princess Keelikolani Bldg. 830 Punchbowl Street Honolulu, HI 96813

RE: DLIR Workshop Comments and Recommendations

Dear Mr. Hamada:

Thank you for allowing the HSCA to work with the stakeholders in preparing standardized forms in workers' compensation.

I have been communicating with Janice Fukuda regarding a standardized treatment plan/progress form. I have attached a copy of the HSCA's latest version that we are recommending.

In working with Janice, we are in agreement with the majority of both our form's content with the exception of the following:

- The HSCA can not support the use of language in their "Proposed Treatment" section that states: "Within ODG guidelines...Yes...No... Other Guideline:...". As you know, guidelines are not mandated at this time. The language that would include the use of any specific guidelines is not appropriate in this form. Physicians are trained to consider many factors when making treatment recommendations including but not limited to: their training both in school and post-graduate training, their review of the current literature, all appropriate guidelines, standards of care, best practices, and their clinical experience.
 - o I have spoken to Ron Gackle, MD, director of Occupational Medicine at Kaiser who is also not in favor of recognizing any specific guideline. In the spirit of compromise, if some sort of statement is necessary regarding treatment recommendations, both he and I would support language that stated the treatment was based on: "Evidence Based Best Practices".
- The only other area of relatively minor disagreement is in the "Measurable Objectives" section. We feel that there could be other measurable objectives besides just the ROM objectives. ROM by itself is not a good indicator for the need for treatment. For example: a person with normal ROM could still have functional limitations that require treatment; and a person with preexisting degenerative disease would have reduced ROM even before an injury occurs and this would not be an accurate determination for treatment. We are more than willing to work together to make this section work. If ROM is determined to be the only measurable objective, then we can work with that.

DLIR Workshop Comments and Recommendations July 20, 2006

Overall, the only real area of major disagreement is with the language of guidelines. Other than that, we have been able to work to come up with a form that will work for both the providers and insurers.

Regarding criteria for when a progress report would be necessary to be submitted in between submission of a treatment plan we recommend the following:

- o A change in the patient's status
 - o New injury
 - o Worsening of patient's condition
 - o New medical condition affecting recovery
- o Request for diagnostic studies, consultation or additional treatment requests
- o Referral for physical therapy, massage, etc that was not contained in previous treatment plans
- o Request from carrier if there are questions regarding current status

As I stated in my power point, once the form is available, the DLIR, and representatives from the providers and insurers going out to the provider community on all islands to educate them on the use of this form would result in the highest compliance in its utilization.

I am emailing this to you with the original being faxed to you on 7/21/06. Please do not hesitate to call me if you need clarification regarding the above or have any other questions. We appreciate the opportunity to work with you.

Sincerely,

James A. Pleiss, DC, DABCO President, Hawaii State Chiropractic Association

Cc: Ron Gackle, MD Janice Fukuda Board of Directors

Provider Letterhead with Address and Telephone number						
Workers' Compensat	ion Treatment Plan	Start:		End:		
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Insurer:						
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2. code Description:						
3. code Description:						
4. code Description:	-					
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Prior Diagnosis & Status:						
Current Complaints/Status:						
	Prognosis					
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Muscle Weakness:		Current:		Goal:		
Other Measures:		Current:		Goal:		

Provider Letterhead with Address	s and Telephone number
Patient:	DOI:
Employer: Insu	
Occupation:	
APPROVED WORK	ACTIVITIES
Full Duty Effective:/	
Modified Duty From:/	To :/hours/day
Disabled Effective:/	Anticipated RTW:/
☐ Work Station Evaluation needed	
PHYSICAL LIMITATIONS:	
Standing Hrs. at one time 1	Гotal Hrs. Per Day
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Occasionally (0-33%)	
Carrying MAXIMUM lbs. 80+ 70 60	50 40 30 20 10 5
Frequently (34-66%)	
Occasionally (0-33%)	
Restricted Bend at waist Reach	Squat Kneel Other
Activities: Push/Pull Lbs. Clim	nb steps
Additional Comments or Other Physical Restrictions:	

Ronald Gackle, M.D., Kaiser Hospitals

With regard to Gary Hamada's request for input as to what should trigger an interim WC-2 to be filed by the treating physician:

When the case changes direction.

When an MRI or other diagnostic imaging >\$500 is needed.

When a consultation is requested.

When the diagnosis changes or there in an add-on.

When requesting a NCM or IME.

When surgery is recommended.

When the patient changes (or wants to change) providers.

When patient is declared stable and MMI.

Also recommend removal of referrence to an unproven commercial product such as "ODG" in the PROPOSED TREATMENT box and suggest replace with:

"Within evidence based best practices [] $$	Acceptable standard treatment guideline [] Other []

"Other" may include atypical or extenuating circumstances requiring unique or individualized care plan explained in body of visit report.

My thanks and appreciation for input to Paul J. Smith, M.D. and Patricia Walcyk, D.O.



July 21, 2006

Gary Hamada – Administrator Dept. of Labor, DCD 830 Punchbowl Street Honolulu, HI 96813

RE: DLIR Proposed Standardization of Workers Compensation Forms

Dear Mr. Hamada,

This is in response to your July 13, 2006 workshop regarding standardization of Workers Compensation forms. On behalf of the Hawaii Insurers Council, I would like to submit the attached form for your consideration.

Our goal is to reduce paperwork and improve the efficiency of the treatment approval process. The proposed form will replace three forms currently being used by providers of service:

- 1. Disability slip
- 2. WC-2
- 3. Treatment plan

Our recommendation is to replace the existing WC-2 form. HRS386-96 requires providers of service to submit reports in a timely manner that addresses all of the criteria listed on our proposed form:

- Current Diagnosis
- Current Prognosis
- Status of recovery (improving, worsening objectives met on our form)
- Date of "medical stabilization"
- Dates of disability
- Any work restrictions
- Return to work date (full time, regular, light, part-time, or restricted)

The following information required by HRS386-96 should be included in the SOAP or clinical notes that are submitted with the HCFA1500 billing form:

- Information on the nature of examination and treatment
- Dates of treatments
- Results obtained within the treatment period
- Information on all tests performed within the treatment period and the results

Gary Hamada – Administrator July 21, 2006 Page 2 of 2

The WC-2 report is required within seven days after the date of first attendance or service rendered. Interim reports are required at 'appropriate intervals' to verify the claimant's continued treatment, periods of temporary disability, etc. A change in the injured worker's recovery status that would require a change in the prognosis, the treatment plan, disability status etc. would trigger the need for an interim report.

Section 12-15-34 of the Workers Compensation Medical Fee Schedule requires physicians to include the following in their treatment plan request:

- Projected commencement and termination dates of treatment
- ➤ A clear statement as to the impression or diagnosis
- A specific time schedule of measurable objectives to include baseline measurements at the star of the treatment plan and projected goals by the end of the treatment plan
- Number and frequency of treatments
- Modalities and procedures to be used and
- An estimated total cost of services

Although 12-15-34 limits the number of treatments within a specified period for a treatment plan, it does not preclude a physician from requesting treatment in excess of this requirement. Referencing evidence-based guidelines to substantiate the requested treatment as 'reasonable and necessary' would expedite the approval process.

The HCFA1500 and well-documented SOAP notes along with our proposed WC-2 form satisfies existing requirements of HRS 386-96 and 12-15-34. We feel that adoption of these forms will reduce the 'paperwork' and expedite the approval process for treatment requested by the attending physician. It is our intent that these forms will encourage providers of service to focus on the goal of returning the injured workers to employment and pre-injury status.

Sincerely,

Janice Fukuda

AVP WC Claims/SIU/Bill Review

Attachment – Proposed WC-2 form 2006

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Additional	Comments / Other	er Restriction	ons:							

CORVEL

July 19, 2006

Clyde Imada, Workers Compensation Chief Department of Labor and Industrial Relations 830 Punchbowl Street, Room 209 Honolulu, HI 96813

Re: Standardized Forms for Workers Compensation Health Care Providers

Dear Mr. Imada:

Thank you for the opportunity to provide suggestions and comments on standardizing forms for medical service providers to use when reporting on and billing for work related injuries. As you know, CorVel Corporation provides medical bill auditing, medical case management and a provider network (over 900 throughout the state) to its customers for both workers compensation and auto insurance. After the workshop and further thought we have the following suggestions and comments:

- Most providers are already billing on HCFA and UB forms, there are still some providers that do not. We recommend that ALL providers bill on HCFA and UB forms. Documentation supporting the billing/CPT codes should meet the American Medical Association CPT guidelines.
- We support doing away with the WC-2 forms for progress documentation as providers in order to get payment must submit documentation with their billing statements, such that WC-2 forms are redundant.
- We do like HIC's proposal with the addition on treatment plan page a box for vocational rehabilitation and on the Approved Activities page made the font smaller to incorporate Job Title, Job Description (heavy, medium, light, sedentary) and whether light duty or alternate work available with employer and under Modified Duty add "Next Review Date".
- Some providers submit "cookie cutter" type reports where providers appear to be providing same documentation from previous office visits with very little change. It would be beneficial for providers to document objective findings to assess progress or lack of.

CorVal Corporation
Www.corvel.com

Pacific Park Plaza 711 Kapiolani Soutevard, Suite 150 Hemolulu, HI 96813-5249

בחוארר בחות חותו וזחוא

808,563,1430 phone 806,593,1444 fex

CORVEL

Page Two July 19, 2006

- Combining treatment plan and progress reports would greatly reduce the paperwork as treatment plans should include documentation justifying need for the treatment request which is usually documentation included in progress reports. However, in order to insure payers review treatment plans timely providers as currently required must state "TREATMENT PLAN REQUEST".
- In regards to hospital billing/statements. It is correct that billing by DRGS would be easier for the hospitals but reimbursement would be much less than the current fee schedule allows. Majority of the hospital bills that we see are using CPT codes when applicable.

We understand that use of forms cannot be mandatory at this time, we would suggest that forms either by administrative rules or legislatively be made mandatory to insure consistency and compliance.

Thank you again for your time and consideration. Should you have any questions, please feel free to contact me at 593-1430 ext. 310.

Very truly yours,

Kristy Kobayashi

Hawaii Branch Manager

Www.corvel.com

Pacific Park Plaza 711 Kapiciani Boulevard, Sulto 150 Honolulu, HI 98813-5249 808,593,1430 phone 908,593,1444 fax 888,383,3803



841 Bishop Street Suite 2250 Honolulu HI 96813 Tel: (808) 531-2273 www.audatex.com

DISABILITY COMPENSATION

July 21, 2006

Clyde Imada Workers' Compensation Chief Department of Labor and Industrial Relations State of Hawaii 830 Punchbowl Street, Room 209 Honolulu, Hawaii 96813

SUBJECT: Standardized Forms for Workers' Compensation Health Care Providers

Dear Mr. Imada:

We suggest that the following forms (attached) be used as standard billing forms by Workers' Compensation Health Care Providers. These forms (the HCFA-1500 and the UB92) have been developed by the Center for Medicare Studies (Medicare/Medicaid) and are the standard throughout the US healthcare industry both in private and public health insurance sectors.

The HCFA-1500 is used for all outpatient services while the UB-92 is used for hospital services.

If you have any questions please call me at 531-2273 ext. 25.

Regards

Kris Kadzielawa
Director of Operations

IMS - a Solera Company

Attachments:

HCFA-1500

UB-92

PLEASE DO NOT			
STAPLE IN THIS			
AREA			
PICA	HEAT THING	SURANCE CLAIM FORM	
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2. PATIENT'S NAME (Last Name, First Name, Middle Initial)	3. PATIENT'S BIRTH DATE SEX	4. INSURED'S NAME (Last Name, First Name, Middle In	nitial)
5. PATIENT'S ADDRESS (No., Street)	6. PATIENT RELATIONSHIP TO INSURED	7. INSURED'S ADDRESS (No., Street)	
	Self Spouse Child Other		
CITY STATE		CITY	STATE
ZIP CODE TELEPHONE (Include Area Code)	Single Married Other	ZIP CODE TELEPHONE (INCLU	IDE AREA CODE)
()	Employed Full-Time Part-Time Student Student	()	À
9. OTHER INSURED'S NAME (Last Name, First Name, Middle Initial)	10. IS PATIENT'S CONDITION RELATED TO:	11. INSURED'S POLICY GROUP OR FECA NUMBER	
a. OTHER INSURED'S POLICY OR GROUP NUMBER	a. EMPLOYMENT? (CURRENT OR PREVIOUS)	a. INSURED'S DATE OF BIRTH	DEV
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as Cignature of Physician of Curry	YES NO		\$
	ADDRESS OF FACILITY WHERE SERVICES WERE (If other than home or office)	33. PHYSICIAN'S, SUPPLIER'S BILLING NAME, ADDRE & PHONE #	ESS, ZIP CODE
apply to this bill and are made a part thereof.)		, **	

Hi Clyde,

The following recommendations are what HEMIC proposes for ACT 191 Developing Workers' Comp Standardized Forms:

- 1) Provide CPT and ICD 9 Codes on the revised WC-2 and Treatment Plans forms.
- 2) Continue the use of the interim WC-2 report. This interim report is a very valuable tool when assessing the progress and status of the claimant's medical improvement. HEMIC would further recommend that the WC-2 interim report be revised so as to exclude redundant information already received as a result of the treatment plan submission.

Please let me know if you have questions or need additional clarification.

Thanks, *Michael Redman*