

ORIGINAL: 2542

Gelnett, Wanda B.

From: Wunsch, Eileen [ewunsch@state.pa.us]
Sent: Monday, June 26, 2006 12:39 PM
To: Henneman, Karla
Cc: Kuzma, Thomas J. (GC-LI); Howell, Thomas P. (GC-LI)
Subject: FW: MEDICAL COST CONTAINMENT COMMITTEE SPECIAL MEETING

KARLA,

For your log in. These are Liberty Mutual's comments.

Eileen K. Wunsch, MS, CPIW, ARM
Chief, Health Care Services Review
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Department of Labor & Industry
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-----Original Message-----

From: Sevin, Virginia [<mailto:Virginia.Sevin@LibertyMutual.com>]
Sent: Monday, June 26, 2006 12:31 PM
To: Wunsch, Eileen
Cc: Ross, Craig; Miller, Jannie; Richardson, Becky
Subject: RE: MEDICAL COST CONTAINMENT COMMITTEE SPECIAL MEETING

Eileen,

Here are the comments that I am submitting on the proposed regulations:

127.105 Currently there are some chiropractors that are billing for services under the surgical code section of the CPT manual. Can the regulation be amended to restrict chiropractors from billing surgical codes?

127.128 Can the trauma regulation be defined to evaluate trauma services strictly on ACS (American College of Surgeons) criteria rather than including both the ACS and EMS criteria? The EMS criteria is not uniform from county to county and presents challenges on evaluating cases. The ACS criteria is clear and defined. Also, the wording urgent injury does not accurately describe a trauma case and should be removed. Any emergency case is considered an urgent injury. The life threatening injury description in the definition is appropriate for trauma cases.

7/12/2006

127.129 The out of state provider fee cap should remain. This is a fair and reasonable reimbursement to providers in state and should be likewise for those border state providers. There are very few out of state providers that challenge the cap.

127.30 Agree that the specification of codes for special reports is not necessary, but the removal of the 80% cap for the reports is not recommended. Providers tend to adjust their pricing over time. The 80% cap helps to address this to a small degree. It will not eliminate the increases in charges, but it is consistent with the 80% cap for unlisted codes in other billing scenarios.

127.208 The 30 day time frame for bill payment is a challenge when you must determine if all of the submitted information is adequate. Proposal to increase the time frame from 30 to 45 days.

127.209 Objection to the use of an EOR to detail all reasons for denying a medical bill. This will be a hardship on the insurer when there is no filing of a claim. Our systems for EOR generation depend on the establishment of a claim. We cannot generate an EOR without claim being filed. Additionally, we object to the format of the EOR being prescribed by the bureau. Elements required on the EOR can be adapted without incurring software charges. Changes to the actual format or presentation of the EOR would generate undue expense for the carriers.

127.209a Relating to the registration of any entity that may adjust or administer payments. There are contractual agreements made between providers and other entities that are outside the realm of the bureau. As long as these contractual arrangements exist the entities should not be required to register. How does the bureau intend to maintain and enforce the registry? If an entity does not register what is the penalty? What would cause a provider to be removed? What is the intent of the registration?

127.210 Interest on untimely medical bills. Those bills submitted for URO and that have been initially denied for liability should be considered exempt from interest calculations.

127.260 The requirement for the hearing officer to issue decisions and orders within 90 days should remain. There needs to be a method of accountability for all divisions.

127.856 View the permission for submission of peer-reviewed studies and articles by insurers as a positive.

127.858 Submission of IME's should be permitted. What is the rationale for disallowing submission of an IME? It is a part of the claimant's overall records. When we send an IME to a physician for his/her response and opinion, and he responds. Both are then part of the medical record. Does this mean the IME can't be sent, but the response can?

127.864 Requiring "that reviewers apply the best available clinical evidence in rendering determinations regarding the reasonableness and necessity of treatment. Providers must also specifically reference generally accepted treatment protocols, independently funded peer-reviewed studies and reliable medical literature applicable in light of the diagnosis rendered by the provider under review." What are the penalties for physicians and URO reviewers that do not reference appropriate literature? Will there be any Quality Assurance intervention in a case where the URO reviewer fails to apply the best available clinical evidence?

Virginia Sevin
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-----Original Message-----

From: Wunsch, Eileen [<mailto:ewunsch@state.pa.us>]
Sent: Thursday, June 22, 2006 3:13 PM
To: Wunsch, Eileen; Randi.Kretchman@AIG.com;
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Cc: Kupchinsky, John; Crum, Elizabeth; Kuzma, Thomas J. (GC-LI); Howell, Thomas P. (GC-LI); Dupin, Kathleen
Subject: RE: MEDICAL COST CONTAINMENT COMMITTEE SPECIAL MEETING

This is a reminder of next week's important meeting. Karla has heard from very few of you. Because of the potential for a larger number than usual, we need you to call in or e-mail Karla to tell her if you are coming and the names of the one or two people that will be attending. Please make sure you do this by Tuesday, June 27, 2006. We need to have correct numbers in order to get the room set up with enough seats for those attending. Please let us hear from you one way or the other.

Also, please remember that we have requested you submit your comments to me in writing no later than Monday, June 26, 2006.

7/12/2006

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> -----Original Message-----

> From: Wunsch, Eileen

> Sent: Monday, June 05, 2006 10:39 AM

> To: 'Randi.Kretchman@AIG.com'; 'lcampbell@eckertseamans.com';

'Lorie.Myers@CNA.com'; 'John.Madigan@compservicesinc.com';

'JanetSandillon@DonegalGroup.com'; 'semmet@eains.com';

'Richard.Wisniewski@Erieinsurance.com'; 'donam@guard.com';

'jgreer@ifpenn.org'; 'smarshall@ifpenn.org';

'Virginia.Sevin@libertymutual.com'; 'klord@pnat.com'; 'Deborah'; Keiser,

Margaret; 'eakenned@stpaultravelers.com';

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'pepple@pharmacists.com'; Romberger, Charles A;

'praskaus@paturnpike.com'; 'dfrank@hq.novacare.com'

> Cc: Kupchinsky, John; Crum, Elizabeth; Kuzma, Thomas J. (GC-LI);

Howell, Thomas P. (GC-LI); Dupin, Kathleen

> Subject: RE: MEDICAL COST CONTAINMENT COMMITTEE SPECIAL MEETING

>
> This will confirm the special meeting of the Medical Cost Containment
Committee on Thursday, June 29, 2006 at 9:00 AM in Room 326 here at the
Bureau, to discuss the proposed revisions of the Medical Cost
Containment Regulations.

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> At the suggestion of several members, we will start the meeting at 9
AM instead of 10 AM.

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> We expect that the proposed regulations will be published in the
Pennsylvania Bulletin on Saturday, June 10, 2006. The website for the
Bulletin is www.pabulletin.com and you can access the proposed
regulations through this site, possibly as early as Friday, June 9,
2006.

>
> One of the starting points for these regulations was this Committee's
"wish list" which we compiled over three years ago! You may see many of
your suggestions in these proposed regulations.

>
> We ask that you submit any written comments regarding the proposed
regulations to me by Monday, June 26, 2006. You will also be able to

7/12/2006

submit written comments during and after the meeting. You can submit these comments to me by e-mail, fax or snail mail.

>
> Please remember to contact Karla at 717 787-3486 or khenneman@state.pa.us to advise us of your attendance and who will be attending. And also remember that, due to space constraints, each Committee member is limited to two (2) attendees.

>
> We look forward to your attendance at this important meeting and your comments about the proposed revised regulations!

>
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>
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> Department of Labor & Industry
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> -----Original Message-----
> From: Wunsch, Eileen
> Sent: Wednesday, May 24, 2006 12:50 PM
> To: > 'Randi.Kretchman@AIG.com';
'lcampbell@eckertseamans.com'; 'Lorie.Myers@CNA.com';
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'donam@guard.com'; 'jgreer@ifpenn.> org'; 'smarshall@ifpenn.org';
'Virginia.Sevin@libertymutual.com'; 'klord@pnat.com'; 'Deborah'; Keiser,
Margaret; 'eakenned@stpaultravelers.com';
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'dmccoy@pamedsoc.org'; 'cwilson@pamedsoc.org'; 'pos@paorthosociety.org';
'pepple@pharmacists.com'; Romberger, Charles A;
'praskaus@paturnpike.com'; 'dfrank@hq.novacare.com'
> Cc: Kupchinsky, John; Crum, Elizabeth; Kuzma, Thomas J.
(GC-LI); Howell, Thomas P. (GC-LI); Dupin, Kathleen
> Subject: MEDICAL COST CONTAINMENT COMMITTEE MEETING
> Importance: High

>
> In an effort to provide you with as much notice as possible concerning the important meeting on the proposed regulations, we have TENTATIVELY scheduled a meeting of the Committee for Thursday, June 29, 2006 at 10 AM here at the Bureau.

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> The proposed regs have made it through all channels and it looks like we MIGHT have publication on June 3 or 10.

7/12/2006

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> Please remember that this meeting will be limited to 2 attendees
for each company or group. Space does not permit more than that. This
will be an important meeting for the Bureau to obtain your input on
behalf of your company/constituency.

>
> We will confirm this meeting once we know the actual publication
date. Stay tuned!

>
>
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