

**MINUTES OF WORKERS' COMPENSATION MEDICAL FEE ADVISORY BOARD
THOMPSON CENTER, 9th FLOOR, ROOM 9-039
HELD ON FEBRUARY 11, 2010**

Present at the meeting:

Acting Chairman Amy J. Masters

Mr. Eric Dean, International Association of Bridge, Structural, Ornamental and Reinforcing Ironworkers

Mr. Mark Flannery, Caterpillar Inc.

Mr. David Menchetti, Cullen, Haskins, Nicholson, & Menchetti

Mr. John Smolk, United Airlines

Attending the meeting via conference call:

Ms. Kimberly Moreland, Rising Medical Solutions

Mr. Roger Poole, International Association of Machinists and Aerospace Workers

Mr. Ronald Powell, United Food and Commercial Workers

Mr. David Grant, Department of Insurance

Also attending:

Mr. Dick Allender, Department of Insurance

Mr. Glen Boyle, Medical Fee Schedule Project Manager

Mrs. Bertha E. Parker, Acting Secretary

Ms. Susan Piha, Manager of Research & Education

Acting Chairman Masters called the meeting to order at 9:05 a.m.

In addition to meeting notice and agenda and minutes, the following documents were distributed to the board: Workers' Compensation Medical Fee Advisory Board Agenda Issues, Interstate Implant Fee Comparison, Utilization Review Regulatory and Compliance Update from the Department of Insurance, and Proposed Contract Settlement Disclosure Form.

The minutes from the December 10, 2009 meeting were unanimously approved.

Acting Chairman Masters informed the board that the Commission has begun to sponsor open houses each month, where the public can receive a tour of the Commission and observe arbitration and review hearings. She noted participants have provided positive feedback about their experience. Additional information is posted on the IWCC web site.

Acting Chairman Masters also provided an update on the rules review process, noting after review and comment from the rules committee and the Workers' Compensation Advisory Board, the first round of rules changes were reviewed and approved by the Commission. Those approved revisions will be submitted through the formal rulemaking process. Additionally, the rules committee will continue to review and recommend changes to remaining rules.

Acting Chairman Masters asked the board for input regarding prioritization of 2010 agenda items, referencing issues listed in the 2010 Workers' Compensation Medical Fee Schedule Report. She noted that the issues of implant fees, payment disputes in relation to involvement of Department of Insurance, and ASTC schedule were on the agenda for the current meeting. She also noted the importance of finalizing access to care rules language. Mr. John Smolk noted the importance of rulemaking for utilization review.

The Acting Chairman informed the board that additional medical fee seminars were being considered which would be targeted to attorneys, and that a meeting was planned with practicing attorneys later that day to get input about seminar content.

Mr. Glen Boyle, Medical Fee Schedule Project Manager, discussed implant fees and how they are charged by other states. Generally other states limit the fee to a specific percent or dollar amount above the implant cost. The board discussed how to define base cost of implants, what percent or dollar amount above the base cost would be fair, and whether or not shipping and handling costs should be included. Mr. David Menchetti suggested that a new implant fee should somehow factor in the statutory framework of 90% of the 80th percentile if possible. It was noted that there were no provider representatives present at the meeting, nor was the Illinois Hospital Association represented, and the discussion should be continued at the May meeting to obtain broader input and participation. In the meantime, the Commission would gather additional information regarding how other states define base cost.

Next Mr. Dick Allender and Mr. David Grant, both with the Department of Insurance (DOI), discussed how the DOI handles payment disputes, including fee schedule and contract issues and utilization review; how complaints should be filed; and cooperative efforts between DOI and IWCC. Acting Chairman Masters noted that the departments will continue to cooperate in regard to payment disputes and provide clearer information online to the public.

Ms. Liz Jeltima, with CorVel, discussed issues arising from the lack of an Ambulatory Surgical Treatment Center (ASTC) fee schedule in the 607 geozip. Mr. Boyle explained why geozip 607 did not have a fee schedule, and indicated a fee schedule for this geozip can be created. The board discussed methodology used to create the fee schedule, and agreed to have Mr. Boyle develop the fee schedule to be reviewed and discussed at the next meeting. Acting Chairman Masters noted a rules revision would not be necessary to correct this oversight.

Ms. Martha Gely, ATI Physical Therapy, presented her concerns about providers not being paid correctly once a case was settled at the Commission. The board discussed the issue and a proposed settlement form requiring medical bill information. Mr. Menchetti noted that requiring explanation of benefits would help to resolve this issue.

With no further business and motion made, the meeting adjourned at 11:25 a. m.