

**MINUTES OF IWCC MEDICAL FEE ADVISORY BOARD
IWCC CHICAGO OFFICE, ORAL ARGUMENT ROOM
HELD ON APRIL 24, 2008, 9:00 a.m.**

Present at the meeting were:

Dennis R. Ruth, Chairman
Ms. Elena Butkus, Medical Provider Representative
Mr. John Smolk, Employer Representative

Other attending IWCC board member were:

Mr. Mark Flannery, Workers' Compensation Advisory Board

Attending the meeting via conference call:

Ms. Madeline Bowling, Employer Representative
Dr. Jesse Butler, Medical Provider Representative
Mr. Eric Dean, International Association of Bridge, Structural, Ornamental and
Reinforcing Ironworkers, Employee Representative
Ms. Kathryn Tazik, Employer Representative

IWCC staff present at the meeting were:

Ms. Kathryn Kelley, General Council
Ms. Amy Masters, Secretary of the Commission
Ms. Susan Piha, Manager of Research & Education

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

Chairman Ruth informed the board that due to numerous comments in regards to the proposed medical fee schedule rules received on the last day of the comment period, that the Commission had not yet had a chance to fully review all comments and draft a response. Due to the broad timeline involved, he suggested the board meet again in June to discuss these issues in more depth.

Upon motion duly made, seconded and unanimously carried, the minutes of the Medical Fee Advisory Board meeting held April 24, 2008 were approved as presented.

The board also discussed the date for the next meeting, and scheduled the next meeting on June 19, 2008 at 9:00 a.m.

Next the board began to discuss the issue of access to quality health care and reviewed the draft document on this subject as submitted by Mark Flannery.

Chairman Ruth also informed the board that Jacksonville Rehab Center withdrew its petition in front of the Commission requesting relief from the medical fee schedule as the medical facility is closing its business.

The board discussed various aspects of access to quality health care including whether or not only the injured worker should have the responsibility of filing a request for relief from the fee schedule. The Chairman noted that if the burden is placed on the injured worker likely few requests would be pursued and legitimate access issues would end up not being addressed. Ms. Butkus asked that the board consider allowing the provider opportunity to file a request for relief, especially given the fact that it was a provider who most recently filed in this matter. The board also discussed access criteria and Ms. Bowling suggested it should be based on access as opposed to profitability. It was also noted that problems with access could result in increased costs for employers. Dr. Butler noted that it is imperative that a certain level of reimbursement be maintained, and referenced the dismal rates of Medicare coverage and its negative impact on medical providers and quality health care. The remedy provided for claims regarding access to quality health care was also discussed.

Upon conclusion of the discussion Chairman Ruth noted that it is imperative that a procedural rule be developed for addressing access issues. He asked each community to work to develop acceptable procedures and criteria regarding access for the next meeting using Mark Flannery's suggested rule as a starting point. The Chairman noted and thanked Mark Flannery for his efforts in developing a proposed rule, which will be very helpful in the process.

Upon motion, the meeting was adjourned at 10:15 a.m.