

## **MEDICAL ADVISORY COMMITTEE MEETING**

February 24, 2016

### **ATTENDEES:**

David Tutor, MD, Committee Chair

Robert Snyder, MD, Medical Director, Bureau of Workers' Compensation

Abbie Hudgens, Administrator, Bureau of Workers' Compensation

Richard Murrell, Esq., Bureau of Workers' Compensation

Keith Graves, DC, Chiropractor

Rob Behnke, Cracker Barrel

John Brophy, MD, Neurosurgeon

Misty Williams, Travelers Ins.

Ginny Howard, Zurich Ins.

Jim Talmage, MD, Assistant Medical Director, Bureau of Workers' Compensation

Jeff Hazlewood, MD, Assistant Medical Director, Bureau of Workers' Compensation

Suzy Douglas, Bureau of Workers' Compensation

Cris Gonzalez, Bureau of Workers' Compensation

Suzanne Gaines, Bureau of Workers' Compensation

### **ON PHONE:**

Randall Holcomb, MD, Orthopedic Surgeon

Sushil Mankani, MD, Liberty Mutual

### **GUESTS:**

James Andrews, AHCS

Tracy Bustin, Eckman Freeman

Yarnell Beatty, Tennessee Medical Association

Tammy Crafton, TOA

Paula Niemi, Eckman Freeman

LeAnn Lewis, Coventry

Faith Parrish, Vanderbilt

Robin Smith, NSC

Jim Schmidt, Schmidt Govt. Solutions

Brian Murphy, Results Physiotherapy

Michael Robinson, Baker Donelson

A quorum was determined.

Introductions were concluded.

**APPROVAL OF MINUTES:**

Minutes were approved as circulated.

**OLD BUSINESS:**

Dr. Snyder announced the posting of the instructions for the treatment guidelines, the drug formulary and the revised wording for the work of the SSSG.

Dr. Brophy said that the posting was unsatisfactory, had no teeth, and the language was dismissive of the work of the group. He moved for the following revised language:

“The Spine section of ODG has been carefully reviewed by a committee of experienced Tennessee Spine Surgeons. Their recommendations have been reviewed by Business, Union, Insurance, and Government representatives and are considered important improvements to ODG for the injured workers of Tennessee. For the purpose of Utilization Review, these recommendations will override competing ODG suggestions.”

Discussion that followed included comments from a number of the members, guests and the Administrator. The committee’s role is advisory and ultimately the Administrator makes the decision. Representative groups requested clarification as to how the decision was made. There was significant time, effort and discussion between Dr. Brophy, Dr. Snyder and within the Bureau as to the language that was used. The insurers on the committee had copied and distributed the posting to their adjusters to be used as part of the tools they use to approve requested treatments. There was (and is) disagreement as to the way some physicians view how they perceive the insurers intent in the use the guidelines and how the insurers use them (not seeking to deny but seeking to approve). The items addressed by the statements represent a very small percentage of the cases that might be addressed by any guideline.

ODG's position was that the statements (coming from the work of Colorado and Washington, consensus documents) were not supported by the scientific evidence and therefore could not be considered within the framework of their recommendations. Further reconsideration would in part depend on the possibility of providing convincing research.

There was a fundamental disagreement as to what the position of the SSSG (as well as the choice of ODG) was understood by one member to be from the beginning. Was it to "over-ride", "be in conjunction with", "a substitute", "a supplement", or something else? The motion was withdrawn when there was no second to the motion. The committee agreed without dissent to revisit the issue (language and position) of the statements.

The insurers said that the drug formulary went "live" in their systems without a problem.

Dr. Snyder handed out copies of web links and discussed future training sessions.

Administrator Hudgens provided a legislative update.

#### **NEW BUSINESS:**

A motion was made and passed for the committee to consider the present applicability of the Medical Fee Schedule.

Dr. Snyder asked that everyone review the Peer-to-Peer handout and be prepared to discuss it at the next meeting.

#### **NEXT MEETING:**

May 4, 2016, 1:00 PM CDT.

**MEETING ADJOURNED.**

