

Workers' Comp Reforms Cut Costs But a Loophole Delays Treatment for Patients

The Workers' Comp reforms passed by the state legislature in 2003 and 2004 gave employers and insurers, who pay the bills, more control over how doctors treat and evaluate patients by making them subject to new rules and reviews. As a result, the overall cost of workers' comp has been reduced approximately 60% in two years, driving down insurance rates by a comparable amount. A key factor has been a 46% drop in new claims for workers' compensation. This has made employers happy, but since the changes went into effect, injured workers have complained that the new system created so much red tape that doctors sometimes cannot provide needed care.

Now the Division of Workers' Compensation Medical Director, Dr. Anne Searcy, agrees that at a loophole may give the new reviews process an unfair amount of power. The central feature of the workers' comp reforms was the creation of HMO like guidelines for what constitutes proper medical treatment for workplace injuries. Lawmakers also created a process, called utilization review, to provide an additional "watch dog" over treatment requests. Since the review began in 2005 it has been conducted on a honor system with no penalties for non-performance. As a result some patients seeking sensible care have gotten the runaround. As an example, a patient who had shoulder surgery could not get authorization for physical therapy and ended up with a frozen shoulder. Dr. Searcy estimates that 5 percent of treatment requests may be getting tied up in red tape, which equates to approximately 30,000 cases per year.

The main problem facing the new reforms is that

physicians view the treatment guidelines as just that, guidelines, while the insurance companies view them as presumptively correct, with little or no wiggle room. If a medical request for a treatment is outside the guidelines, it will be sent to utilization review. As an example, a physician's request for a patient with a seriously injured back to see a specialist went unanswered, until the patient threatened to go public with his story. The patient stated, "Since there's no one to make them treat me and punish them if they don't treat me, they really don't have to."

The basic reforms for workers' comp are sound, but there does need to be some checks and balances with consequences for unnecessary delays in treatment. Carrie Nevans, acting administrative director of the Division of Workers' Compensation, and Dr. Searcy both agree that there needs to be some penalties associated with the review process. Nevans has come out with a new proposal involving two major elements: a regular spot-check or audit of all utilization review decisions, coupled with a tougher complaint-driven investigation process that could lead to fines of \$25,000 if anyone but a physician delays or denies a medical treatment. There will be a 15 day comment period and another set of penalty proposals around the end of December. By early 2007 a decision on how to enforce utilization review should be made.

As an employer, if you have an injured worker who is being denied treatment, by the review process, you should contact your insurance company. Discuss the case and see what can be done to get your injured worker the proper treatment so that he or she can return to their job.

(Source: San Francisco Chronicle, 11/22,24 2006)



Orange Dream Cheesecake

- 1 whole graham cracker, crushed (3 Tbsp.)
- 2/3 c. boiling water
- 1 small package sugar free orange Jell-O
- 1 c. low-fat cottage cheese
- 8 oz. fat free cream cheese, cubed
- 2 c. thawed non-fat whipped topping

Spray bottom of 8-9 inch spring form pan with graham cracker crumbs. Stir boiling water into gelatin in a large bowl for at least 2 minutes until gelatin is completely dissolved. Cool 5 minutes. Pour into blender container. Add cheeses, cover. Blend on medium speed until well blended, occasionally scraping down sides of the blender, pour into large bowl. Fold in whipped topping. Pour into prepared pan, smooth with spatula. Refrigerate 4 hours. (100 calories, 2 grams fat, 11 grams carbs.)

Holiday Cooking: Keeping it Safe!

As we approach the holiday season we like to celebrate by entertaining friends and family, throwing parties, and preparing feasts. From office parties to the buffet table, food moves to center stage. Be sure to keep food safe by following the basic food safety steps.

- Clean:** Wash hands with warm water and soap for 20 seconds before handling foods. Wash food-contact surfaces and utensils with hot water and soap. Bacteria can spread throughout the kitchen and get onto cutting boards, knives, sponges and counter tops.
- Separate:** Don't cross-contaminate by letting bacteria spread from one food product to another. This is especially true for raw meat, poultry and seafood. Keep these foods and their juices away from ready-to-eat foods.

Holiday Hours

HealthFirst Medical Group will have limited service during the holiday season. Both the North and South Clinics will be open on **December 22 and December 29 from 7:00 a.m. to 2:00 p.m. for all services. After 2:00 p.m. both clinics will be open for Emergency Care and Random Drug screening only. Both the North and South Clinics will open for Emergency Care on December 23, 24 and 25, and December 30, 31 and New Years Day.** Our regular schedule will resume on January 2nd. If you have any questions call our office at **(562) 949-9328 or (562) 926-3440.**

Changes in Company Information?

Contact: _____
Insurance Carrier: _____
Other: _____

- Cook:** Cook to proper temperatures. Foods are properly cooked when they are heated for a long enough time and at a high enough temperature to kill the harmful bacteria that cause food-borne illnesses.
- Chill:** Refrigerate promptly. Refrigerate food quickly keeps most harmful bacteria from growing and multiplying. Refrigerators should be set at 40 F and the freezer at 0 F, and the accuracy of the settings should be checked occasionally with a thermometer.
- Throw away:** Fruits and vegetables that have not been refrigerated within two hours of cutting, peeling or cooking should be discarded. If you are in doubt about any foods' safety, it is better to throw it away. (Source: Center for Disease Control)