



Medical Services Review Board

April 18, 2013

Minutes

Members Present:

Beth Baker, M.D.
Jeffrey Bonsell, Chair
Russell Gelfman, M.D.
Ernest Lampe, M.D.
Brennan McAlpin
Matthew Monsein, M.D.
Reed Pollack
Dan Wolfe, P.T., G.D.M.T.

Member Alternates Present:

Rose Hatmaker
Kimberly Olson, R.N. (via telephone)
James Samuelson
Margaret Spartz, M.D.
Cally Theisen, MN.D., M.P.H. (via telephone)

Visitors Present:

Sandi Thomas, Medtronic
Natalie Haefner, WCRA
Tara Mulloy, HP
Susan Giguere, MAPS

Call to Order and Introductions

The meeting of the Medical Services Review Board (MSRB) was called to order at 4:10 p.m. by Chairman, Dr. Jeffrey Bonsell. Two participants attended via telephone: members Kim Olson and Dr. Cally Theisen. Members introduced themselves. A quorum was met.

Approval of the Minutes

Dr. Beth Baker moved to approve the January 17, 2013 meeting minutes. Buck McAlpin seconded the motion. The Board voted in favor to approve the Jan. 17, 2013, as presented.

Meeting Agenda

Bill Lohman proposed to table the discussion on Possible Changes to Spinal Fusion Treatment Parameters to allow time for the opioid rules discussion. Dr. Bonsell moved to approve the agenda with this amendment; Reed Pollack second the motion. The Board unanimously approved.

Members Absent:

Glenda Cartney
Michael Goertz, M.D.
Kathi Henrickson, R.N.
Gregory J. Hynan, D.C.
Brian Konowalchuk, M.D.
Jody Ruppert, OTR/L
Andrew Schmidt, M.D.

Staff Members Present:

Lisa Wichterman, DLI
Sandy Barnes, DLI
Jessica Stimac, DLI
Donna Olson, DLI
Chris Leifeld, DLI
Carrie Rohling, DLI

Announcements and Update - Deputy Commissioner Kris Eiden, and Commissioner Ken Peterson
Commissioner Peterson stated that the Workers' Compensation Advisory Council had approved a bill to be submitted to the legislature. The Commissioner noted that the MN workers' compensation system belongs to labor and management. DLI's job is to enforce the law. Kris Eiden reviewed the proposed legislation HF 1359 dated 4/16/13 section by section.

- Reed Pollack supports the process between labor and management, but expresses concerns with the mental/mental PTSD section as an employer.
- Buck McAlpin expressed concern with the Spaeth repeal as a representative of the hospitals and questioned where the savings was for the injured worker.
- Health care providers need to monitor their practice management systems to ensure the correct payer is billed. 65% of the claim cost is medical costs; WCAC is looking for a way to reduce medical costs.
- Dr. Bonsell expressed concerned about insurance companies denying claims if Spaeth is repealed. Commissioner Peterson stated that DLI would closely monitor the conduct of insurers.

Business:

Rulemaking Update: Staff members and Dr. Bill Lohman

SCS/IDDS - In the process of drafting the SONAR. Dr. Lohman reviewed an e-mail dated March 8, 2012 regarding these rules. DLI is looking to the board to provide information on the costs to implement the rules for the SONAR.

Joint rules of the RRP/MSRB – An order adopting rules is signed and is at the Governor's Office. It then goes to the ALJ, and the AG's Office. After that, the rules are published.

Draft Rules for Chronic Pain Management - Dr. Bill Lohman

Draft rules dated 2/7/08 were presented for review. Dr. Lohman reviewed the proposal section by section, with discussion and approval by roll call vote on each section.

- Should a contract start at 3 or 6 months after opioid are prescribed? A majority of members want the contract to begin at 3 months. Lines 3-8 approved.
- Lines 10-15 discussed and approved.
- Item A, patient selection criteria discussed and approved.
- Item B, potential contraindications, subitems (1) through (5) discussed and approved.
- Item B, potential contraindications, subitems (6) and (7).
- Change recommended and approved: Board recommends that the phrase "a bipolar disorder" be changed to "an Axis I or Axis II disorder" in lines 1 – 6 on page 2 and that subitem 7 be deleted. Subitems discussed and approved as amended.
- Item B, potential contraindications. Dr. Lohman distributed Opioid Risk Tool dated 4-30-10 and SOAPP tool dated 4-30-10 for the board to review. The question is should the use of one of these tools or a similar tool be added to the rules? Natalie Haefner discussed a tool to use for risk assessments. Board discussed several ways to implement a tool for risk assessment. Board recommends that an assessment tool be added with examples of tools to use and the treating physician can choose the appropriate tool to use.
- Item B, potential contraindications. Lines 9-10, page 2, discussed and approved.
- Item B, potential contraindications. Lines 12-14, page 2, Board is split to remove or leave in. Board will return to this issue at a future meeting.
- Item C, program of treatment, subitems (1) though (3) discussed and approved.

- Item C, program of treatment, subitem (4), Board recommends the word “breakthrough” be removed on line 27 page 2.
- Item C, program of treatment, subitems (5) though (10), discussed and approved.
- Item D, written treatment agreement, subitems (1) though (4). Board recommends that the word “all” be deleted on page 3, line 10. Subitems discussed and approved as amended.
- Item D, written treatment agreement, subitems (5) though (7) discussed and approved.
- Item D, written treatment agreement, subitem (8) discussed and approved.
- Item D, written treatment agreement, subitem (9). Board recommends that the words “breakthrough or” be deleted on page 3, line 30. Subitem discussed and approved as amended.
- Item D, written treatment agreement, subitem (10). Board recommends that the word “commitment” be changed to “statement” and the word “to” changed to “may” on page 3, line 31. Subitem discussed and approved as amended.
- Board ended the review at line 34 on page 3 of draft rule.
- To prepare for the next meeting, Board members are asked to review the rules.
- Dr. Lohman will e-mail additional questions for members with respect to the draft rules.
- A sample of a written opioid agreement given to the board to review.

Agenda Items for Next Meeting - Dr. Bonsell and Board
Complete review of opioid draft rules.

Adjournment - Dr. Bonsell and Board
Motion to adjourn. Dr. Gelfman made a motion to adjourn the meeting. Dr. Spartz second the motion.
The meeting was adjourned at 6:00 pm.

Next meeting date: July 18, 2013