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Medical Services Review Board
Oct. 13, 2011
Minutes

Members present
Beth Baker, M.D.
Jeffrey Bonsell, D.C.
Glenda Cartney, R.N.
Hazmer Cassim, D.O.
Lisa Hanselman, OTR/L
Kathi Henrickson, R.N. *via phone*
Greg Hynan, D.C.
Reed Pollack

Members absent
Barbara Baum, MS/PT
Michael Goertz, M.D.
Rose Hatmaker
Brian Konowalchuk, MD, MPH
Robin Peterson, PT
Jody Ruppert, OTR/L
Andrew Schmidt, M.D.
Jon Talsness, M.D

Staff members present
Kate Berger
Assistant Commissioner Gary Hall
William Lohman, M.D.
Lisa Wichterman

Visitors present
Marge Bigelow, MAPS
Ray Bohn
Dawn Carlson, Almeida, P.A.
Jennifer Hinnenthal, Medtronic
Todd Johnson, MAPS
Heather Keenan, MAPS
Katie Moomaw
Anne Thompson, Medtronic

Call to order and introductions
The meeting was called to order by Chairperson Dr. Beth Baker. Introductions were made and a quorum was declared.

Approval of the minutes/agenda
The minutes from the April 21, 2011, meeting were reviewed. Dr. Jeff Bonsell made a motion to approve the minutes as presented. Lisa Hanselman seconded the motion. All members voted in favor and the April 21, 2011, minutes were approved.

Assistant commissioner announcements and update
Assistant Commissioner Gary Hall gave an update about the realignment of the four Workers' Compensation Division units and their assigned directors:

- Special Compensation Fund (SCF) – Carol Pankow
- Compliance, Records and Training (CRT) – Jim Vogel
- Alternative Dispute Resolution (ADR) – Chris Leifeld
- Vocational Rehabilitation unit (VRU) – Dee Torgerson

2012 meeting schedule
The board discussed the meeting schedule for 2012. The meeting dates can be a little flexible this far in advance. The board approved the 2012 meeting schedule as presented.

Elect chairperson and vice-chairperson
There was an election for chairperson and vice-chairperson. Reed Pollack nominated Dr. Beth Baker to fill the chairperson's position, which was seconded by Glenda Cartney. Dr. Baker accepted the nomination. The Medical Services Review Board voted unanimously in favor of Dr. Beth Baker as chairperson. Dr. Jeff Bonsell was nominated by Dr. Baker as vice-chairperson and Dr. Bonsell accepted the nomination. The Medical Service Review Board unanimously voted in favor of Dr. Jeff Bonsell as vice-chairperson.

Membership term expirations
The board reviewed the membership list for terms that are due to expire Jan. 2, 2012. Members can re-apply and can recruit new members for open vacancies. Contact Pamela McLaughlin for application information.

Reports
Lumbar epidural steroid injections (LESI)
Dr. William Lohman provided an overview of the systematic review studies and outcome results of the LESI methods. The draft report can be found on DLI's website at www.dli.mn.gov/lesi. Dr. Hazmer Cassim discussed which methods are currently being used when treating back pain patients. Concerns with patients' pain level perceptions after one injection. Dr. Cassim was concerned with specific numbers of pain relief, the 50 percent relief. The study is for therapeutic purposes only, not for diagnostic purposes. Dr. Greg Hynan commented about the timeframes that the initial injection is given in relation to the date of injury. Dr. Bonsell recommended that imaging be done prior to LESI, added to the parameter. The board discussed the need for imaging prior to a LESI. The board, at this time, is in favor of prior imaging. Dr. Lohman explained how the rule processing works, what data will be used for the rules and that the recommendation from the board will be incorporated into the proposed rules. Dr. Bonsell made a motion to accept Dr. Lohman's report, which was seconded by Kathi Henrikson. The motion was unanimously approved.

Spinal stimulator and implantable devices rule update
Dr. Lohman reviewed the current draft of rules the board reviewed during the previous meetings. Time period for trial is three days for stimulator and three days for a pain pump, prior to permanent implantation. A psychological evaluation is required prior to implantation. The board asked to review the draft rules and have comments ready for the next meeting, Jan. 19, 2012. Dr. Lohman explained the process and rulemaking steps. The board stressed the importance of patient screening for the success of implantable devices. The board would like to review prior public comments at the Jan. 19, 2012 meeting.

Updates to the 2011 medical conversion factors and IME fee adjustments
Effective Oct. 1, 2011, reimbursement costs have increased by 2.4%.

Medical and surgical:	$68.84
Pathology and laboratory:	$40.55
Physical medicine rehabilitation:	$53.61
Chiropractic:	$54.76

ICD-9 to ICD-10 conversion will take place Oct. 1, 2013. The ICD-9 contains 18,000 diagnostic codes and the ICD-10 contains approximately 140,000 codes, with more detailed description and the character spaces have been increased. Minnesota Rules and Minnesota Statutes that list specific ICD-9 codes will need to be updated to ICD-10. DLI forms that require diagnosis codes will be reviewed and updated as needed.

Medical fee schedule
Minnesota Statutes § 176.135, Subd. 1a (h)(2) requires the relative value tables (incorporated by Medicare) be updated once every three years. The current fee schedule, effective Oct. 1, 2010, refers to Medicare's 2009C tables to calculate relative value units (RVUs) used for reimbursement. DLI is reviewing Medicare's current tables, manuals and proposed rules to prepare for the next fee schedule update, on or before Oct. 1, 2013.

Amendments to MSRB/RRP joint rules of procedure
The Rehabilitation Review Panel (RRP) has requested to amend the rules to change their meeting schedule from monthly to quarterly, with the option of additional meetings, if necessary. Kate Berger provided a summary of the rulemaking process. Draft rules are located on the department's rulemaking docket page. Berger explained the steps necessary in the making of/amending rules. Reed Pollack volunteered to work with DLI staff members to update the rules. Dr. Bonsell made a motion that the MSRB be resolved to authorize Reed Pollack to approve and sign the request for comments and to work with DLI staff members to move forward with the process to amend the MSRB/RRP joint rules of procedure. Dr. Baker seconded the motion and the board voted to approve.

Case law update
Kate Berger provided an update of two recent case law decisions: 1) Schatz v. Interfaith Care Center and 2) Troyer v. Vertlu Management and Kok & Lundberg Funeral Homes.

Spinal fusion and implants – discussion
The department is soliciting information and ideas regarding spinal fusion and implants. It was requested the board bring to the membership any concerns with spinal fusion surgeries for discussion at the Jan. 19, 2012 meeting. Items to consider: Are there problems? Identify those problems, be it procedure, price, indications or instrumentation, etc. Dr. Bonsell would like to see an expert make a presentation to the board sometime in the future.

Dr. Bonsell made a motion to adjourn, seconded by Dr. Baker, and the motion was approved to adjourn the MSRB meeting at 6 p.m.

Respectfully submitted,
Lisa Wickterman
Medical Policy Specialist

LW/pm

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