

## Medical Services Review Board

July 18, 2013

Minutes

### Members present

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

### Member alternates present

Aysel Atli, M.D., M.P.H.  
Rose Hatmaker  
Kimberly Olson, R.N.  
James Samuelson

### Visitors present

Lynn Balforn, ILBNC  
Dawn Carlson, Almeida Public Affairs  
Eric Dick, MMA (via telephone)  
Susan Giguere, MAPS  
Natalie Haefner, WCRA  
Karyn Leniek, HP  
Tara Mulloy, HP

### 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. Members introduced themselves. A quorum was met.

### Approval of the minutes

The meeting minutes of April 18, 2013, were presented for approval. Dan Wolfe stated he is listed as absent but was present for the meeting. Reed Pollack stated his last name was spelled wrong on page 2 under "Announcements and update." Dr. Beth Baker moved to approve the April 18, 2013, meeting minutes with the two corrections. Buck McAlpin seconded the motion. The board voted in favor to approve the April 18, 2013 minutes.

### Meeting agenda

Dr. Bill Lohman proposed to continue discussion of the chronic pain rules. McAlpin moved to approve the agenda; Baker seconded the motion. The board unanimously approved.

### Announcements and update

Deputy Commissioner Kris Eiden gave an update about legislation that was ultimately passed by the Legislature. Spaeth was not repealed and a cost study report must be completed by the end of the year about

### Members absent

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

### Staff members present

Sandra Barnes  
Kate Berger  
Deb Caswell  
Kris Eiden  
Bill Lohman, M.D.  
Kelli Peters  
Suzanne Todnem  
Lisa Wichterman

workers' compensation medical costs, reforms, barriers and administrative costs. She also noted the 2013 Workers' Compensation Summit will be Sept. 12 at the Crowne Plaza Hotel in St. Paul, Minn.

## **Business**

### ***Rulemaking update: Kate Berger and Bill Lohman***

The MSRB rules, Chapter 5217, are complete. A copy of the new rules was provided. Berger reminded the board that officers will be elected/re-elected at the October meeting. She introduced Suzanne Todnem to the board; Todnem was recently hired as an attorney assigned to rulemaking.

### ***Draft rules for chronic pain management – Bill Lohman***

Discussion and review continued on page 3 of the draft rules dated Feb. 7, 2008. Lohman continued to review the proposal section by section, with discussion and approval by roll call vote on each section.

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- Lines 36 and 37 were discussed and approved.
- Lines 39 through 42 were discussed and approved.
- Lines 44 and 45 were discussed; after discussion, the board approved these lines as written.
- Lines 46 and 47 were discussed; the board agreed assessments should include a pain scale and a functional scale. The board recommended treatment would be deemed successful at the first follow-up if there was an improvement in both pain and function and at subsequent follow-ups if the improvement was maintained at a constant dose.

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- Line 1 was discussed and the board agreed it should be eliminated.
- Lines 2 and 3 were discussed; the Board recommended the assessment should also include possible misuse of medication or aberrant behaviors indicative of addiction.
- Line 4 was discussed and approved.
- Line 5 was discussed; the board agreed that at least a semi-annual check of pharmacy profiles would be appropriate. It was also agreed that opioids prescribed to the injured worker by their nontreating physician for acute medical issues, i.e. dental visit or acute trauma, must be reported to their treating physician. A pattern of unreported usage is a basis for discontinuation of treatment.
- Urine drug testing was discussed; the board agreed a urine drug-screen will be required upon initial screening and subsequent urine drug-testing should be required at the discretion of the treating physician. A test will be considered failed if the test is positive for illegal substances and the patient will be discontinued from treatment. If the urine test results are inconsistent with their opioid dosage, the patient will be discontinued from treatment.
- Lines 6 through 11 were discussed; the board discussed whether there is a threshold where referral to a pain specialist is required. The board agreed the threshold should be 120 MED. Subitems a and c were approved. It was agreed subitem b was redundant.

### **Agenda items for next meeting – Bill Lohman and board members**

- Definitions of chronic pain medicine specialist, modality and intractable pain
- New draft of the rules that represents the decisions that were made at this meeting
- Election of officers

### **Adjournment – Jeffrey Bonsell and board members**

An announcement was made that Rose Hatmaker is moving out of state. Members thanked her for her years of service. Baker moved to adjourn the meeting; Wolfe seconded the motion. The meeting was adjourned at 6:09 p.m.

The next meeting date is Oct. 10, 2013.