

Meeting minutes: Medical Services Review Board

Date: Jan. 21, 2021

Minutes prepared by: Anita Hess

Location: Webex

Attendance

Members present

Beth Baker, chair
Russell Gelfman, vice chair
Jeffrey Bonsell
Joseph J. Schulte
Erica Kuhlmann
Natalie Haefner
Matthew Monsein
Dan Wolfe
Kim Olson
Lisa Hanselman
Bradley Kuzel

Members absent

Elizabeth Alm
Todd Ginkel

Alternates present

Tammy Bredahl
Mark Schultz
Dave Nelson

Alternates absent

Laura Breeher
Courtney Mitchell
Keith Johnson
Kathleen Gomez
Emily Bannister
Kevin Scott Wall

Staff members present

Roslyn Robertson
Lisa Wichterman
Anita Hess
Ethan Landy
Kate Berger
Brian Zaidman
Chris Leifeld

Call to order

A Webex meeting of the Medical Services Review Board (MSRB) was called to order at 4:05 p.m. by Dr. Beth Baker. Roll call taken by Anita Hess.

DLI announcements and updates: Acting Commissioner Roslyn Robertson

- Commissioner Roslyn Robertson thanked previous MSRB board members for renewing their positions. She welcomed new members Mark Schulz and Lyna Nyamwaya.
- There has been much legislative activity since our most recent meeting. A major accomplishment was the 2020 Workers' Compensation Advisory Council bill being passed in December.
- The Department of Labor and Industry (DLI) had announced that Dr. Ralph Bovard was its new medical consultant. However, Bovard has since let DLI know he is unable to fulfill that role. DLI is now looking for someone else to fill that position.

Approval of agenda and minutes

A motion was made to approve the minutes from two quarterly meetings, July 2020 and October 2020, and to approve today's agenda by roll call vote. Kim Olson made a motion to approve, seconded by Jeff Bonsell. The board voted all in favor and the motion carried.

Business

HOFS and ASCPS study reports – David Barry, Research and Statistics

- The hospital outpatient fee schedule (HOFS) and ambulatory surgical center payment system (ASCPS) took effect Oct. 1, 2018. The statutes required DLI to conduct a study analyzing the percentage of claims that were paid accurately and timely, and report the results to the Legislature by Jan. 15, 2021. The Workers' Compensation Advisory Council was required to consider whether the results met the 80% compliance in timeliness and accuracy of payment, and the potential statutory amendments including a maximum 10% reduction in payments and an increase in indemnity benefits to injured workers.
- Insurers, self-insurers, non-critical access hospitals and ambulatory surgical centers each responded to DLI's data requests.
- The reported data showed discrepancies in the time intervals to pay a bill. The hospitals and ambulatory surgical centers reported longer time periods for bills to be paid. Eighty percent of the payments were sent within the allowed 30 days.
- The data also showed a payment accuracy rate less than the 80% compliance rate set in the statute.
- DLI will reach out to the payers to address payment errors.

COVID-19 report – Brian Zaidman, Research and Statistics

- COVID-19 resources are available on DLI's website.
- The presentation focused on employees who are covered by the COVID-19 presumption. This group consists of health care workers, first responders and correctional workers.
- The number of COVID-19 claims are increasing, with a surge in November.
- The largest group of COVID-19 claims are from health care workers – 71% in 2020, which is 80% of the presumption group.
- There are about 20 compensable death claims through workers' compensation.

Work Comp Campus update – Brad Morse, Workers' Compensation Modernization Program

Work Comp Campus went live Nov. 2, 2020. As with any new computer system, there have been challenges. These are being addressed and enhancements to the system are being made. DLI is continuing to engage and educate Campus users to ensure a smooth transition to the new system.

Medical requests and motions to intervene – Aaron Frederickson, Alternative Dispute Resolution

- Aaron Frederickson's presentation has been postponed.

Treatment Parameter Work Group update – Lisa Wichterman, Compliance, Records and Training

There were three work group meetings. The work group consists of six members of MSRB. The work group members did an excellent job of identifying updates to the treatment parameters for DLI to take under consideration.

At the previous meeting, MSRB identified the treatment parameter sections that are a priority to review:

- Minnesota Rules 5221.6050, General treatment parameters, excessive treatment; prior notification;
- Minn. R. 5221.6200, Low back pain;
- Minn. R. 5221.6205, Neck pain; and
- Minn. R. 5221.6210, Thoracic back pain.

The work group reviewed Minn. R. 5221.6050 and part of Minn. R. 5221.6200. They indicated they would like to continue to meet to finish the treatment parameter review. The work group's next meeting will be scheduled after DLI's new medical consultant is hired.

The MSRB members voted to continue with the work group meetings after the medical consultant is hired.

Adjournment: Baker and board

Baker thanked everyone for coming. Bonsell moved to adjourn the meeting and it was seconded by Dan Wolfe. All voted in favor and the motion carried. The meeting was adjourned at 5:36 p.m.

Next meeting dates

- April 15, 2021
- July 15, 2021
- Oct. 14, 2021