

Meeting minutes: Medical Services Review Board

Date: April 15, 2021

Minutes prepared by: Executive secretary

Location: Webex

Attendance

Members present

Beth Baker, chair
Russell Gelfman, vice chair
Jeffrey Bonsell
Natalie Haefner
Matthew Monsein
Bradley Kuzel
Kim Olson
Dan Wolfe
Todd Ginkel

Alternates present

Emily Bannister
Lyna Nyamwaya
Mark Schulz

Members absent

Erica Kuhlmann
Elizabeth Alm
Lisa Hanselman
Joseph J. Schulte

Alternates absent

Laura Breeher
Keith Johnson
Kathleen Gomez
Dave Nelson
Courtney Mitchell
Kevin Scott Wall

Staff members present

Roslyn Robertson
Lisa Wichterman
Anita Hess
Ethan Landy
Brian Mak
Ann Tart

Interested parties present

Sara Curtis
Norbert Cuellar
Pam Carlson
Tara Erickson
Ceil Jung
Angela Garin
Antonio Tejada
Sandra Stoddard
Kathleen Picard
Ames Gascoigne
Aaron Schenck
Adriene Henderson

Call to order

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

Approval of agenda and minutes

A motion was made to approve today's agenda; Todd Ginkel made the motion and Dan Wolfe seconded. The board also voted to approve the January minutes with no changes. Ginkel made a motion to approve the minutes and Emily Bannister seconded. Roll call was taken and the board voted all in favor. The motion carried. Both were approved.

DLI announcements and updates: Acting Commissioner Roslyn Robertson

- The Department of Labor and Industry (DLI) is still looking for a medical consultant. A request for proposals for the position will be published in the *State Register* soon.
- Safety announcements were made.
- DLI is currently renovating the first-floor public area at its St. Paul office. This will provide more security measures in and around the reception area, adding a turnstile with electronic access only and modifying the mediation and testing rooms.
- In legislative activity, DLI had four policy initiatives this year:
 - a proposal to upgrade apprenticeship regulations to comply with federal regulations;
 - a proposal to Improve Minnesota OSHA citation data;
 - a proposal to add two members to the Construction Codes Advisory Council, an energy expert and an accessibility expert; and
 - a proposal to make child labor data non-public.
- DLI has several initiatives included in Gov. Tim Walz's budget:
 - to require employers to provide up to 80 hours of paid time off to health care providers in cases related to COVID-19; and
 - to strengthen workplace protections for expectant and new parents, providing paid break time for lactating mothers and pregnancy accommodations.
- DLI asked for general operating budget increases for DLI's Labor Standards and Minnesota OSHA units.

Business

Filing medical requests and motions to intervene – Brian Mak, Alternative Dispute Resolution

- Health care providers can securely file medical disputes and motions to intervene through web-based forms in Work Comp Campus.
- The Campus user dashboard provides online access to claims, coming events and new documents.
- Campus provides a streamlined and secure system for data to be sent from DLI to the Office of Administrative Hearings and the Workers' Compensation Court of Appeals.
- Training resources and the Workers' Compensation Division Help Desk are available to assist stakeholders.

Legislative updates – Ethan Landy, Office of General Counsel

Ethan Landy gave an overview of the Workers' Compensation Advisory Council (WCAC) bill. The bill has passed the House and is waiting to be taken up in the Senate.

Fee schedule updates – Ethan Landy, Office of General Counsel, and Lisa Wichterman, of Compliance, Records and Training

Lisa Wichterman discussed specific fee schedule updates in the WCAC bill, which are technical updates for fee schedules for inpatient hospital bills and ambulatory surgical center (ASC) bills.

Inpatient hospital bills currently require the use of Medicare's downloadable inpatient PC Pricer tool to calculate fees. That will be discontinued and replaced by a web-based pricer. The effective date for use of the web-based pricer is for patients with a discharge date on or after Oct. 1, 2021. DLI will provide a link on its website to the web-based pricer.

The ASC statute is updated to describe the multiple procedure payment reduction rule and clarify when a payment to an ASC is based on actual ASC charges instead of the fee schedule amount. The language also deletes an inapplicable cross-reference and a phrase related to payment for services not in the fee schedule.

Agenda items for the July MSRB meeting – Baker

Russell Gelfman suggested discussing outdated permanent partial disability (PPD) ratings at the next meeting.

Treatment parameter updates and traumatic brain injury (TBI) treatment parameters are on hold until a new DLI medical consultant is hired.

Adjournment: Baker and board

Baker thanked everyone for coming. Wolfe moved to adjourn the meeting and it was seconded by Bannister. Hess took a roll call vote: All were in favor and the motion carried. The meeting was adjourned at 5:02 p.m.

Next meeting dates

- July 15, 2021
- Oct. 14, 2021
- Jan. 20, 2022