

**MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION
MEDICAL FEE ADVISORY BOARD MEETING
THOMPSON CENTER – 100 WEST RANDOLPH STREET, ROOM 9-039
CHICAGO, IL 60601
HELD ON DECEMBER 11, 2014**

Present at the meeting:

Acting Chairman Ronald Rascia
Diana Alvarez
Bill McAndrew
David Menchetti
Barb Molloy
Dr. Michael Vender

Not present at the meeting:

Dr. Avi Bernstein
Jason Keller
Dianne McGuire
Kim Moreland

IWCC staff present:

Mike Arnold, Deputy General Counsel
Brendan O'Rourke, Executive Assistant
Susan Piha, Manager of Research and Education

Acting Chairman Ronald Rascia called the meeting to order at 2:00 p.m. and introduced himself. Dr. Vender moved to approve the minutes of the November 12, 2014 meeting, Mr. McAndrew seconded the motion, and the motion carried unanimously. Acting Chairman Rascia thanked prior Chairman Michael Latz for his service and noted that the Commission is eager to continue the good work that Chairman Latz had undertaken during his tenure.

Regarding old business, Mr. McAndrew noted that he has not yet but still intends to work with Jay Shattuck from the Insurance constituency regarding the issue of billing for individual implants.

Acting Chairman Rascia raised another matter of old business – the issue of out of state medical providers who claim that they are not subject to Illinois's medical fee schedule. He stated that the Commission's legal department would review this matter and report to him.

Acting Chairman Rascia then informed members that Sue Piha would be retiring at the end of the month after 25 years at the Commission. He noted that she has been a tremendous asset to the Commission during her career and that she will be missed.

Dr. Vender whether the Board was an appropriate venue to discuss a trend he is seeing of patients being prescribed a lot of different medications directly from doctors' office, some of which he feels is not medically necessary and perhaps given out for revenue-generating

purposes. Ms. Alvarez echoed this sentiment from the employer perspective, that claimants are receiving these drugs without preapproval and there is little employers can do about it since the drugs are dispensed well before employers find out. Thus, a utilization review is only of limited help. Mr. Menchetti noted that the medical fee schedule restricts the prices charged by doctors for prescriptions they fill in their offices, as opposed to the completely unregulated stand-alone pharmacies.

Ms. Alvarez then expressed the view that the Board should take a closer look at utilization reviews because in Illinois providers are not required to get pre-approval before initiating treatment, especially with respect to therapy and surgery. Ms. Molloy sought clarification regarding the difference between utilization reviews and independent medical examinations. Mr. Menchetti explained that an independent medical examination addresses accident and causation, and once these have been established a utilization review addresses the reasonableness and necessity of medical treatment. But an independent medical examination can also be a part of a utilization review, so long as the review complies with the Act. The key is that a claimant can appeal a utilization review report but not an independent medical examination report.

Chairman Rascia announced the 2015 meeting dates for the Board – March 10, June 9, September 8, and December 8.

Dr. Vender moved to adjourn the meeting, Mr. McAndrew seconded the motion, and the motion carried unanimously.