



2014-15 Board of Directors

July 16, 2015

**President**

Bill Rush  
City of Thornton  
(303) 538-7306  
[Bill.Rush@cityofthornton.net](mailto:Bill.Rush@cityofthornton.net)

**Legislative Chair**

Thellene Crawford  
Douglas County Schools  
(720) 433-1087  
[Tj.crawford@dcsdk12.org](mailto:Tj.crawford@dcsdk12.org)

**Vice President, Meetings/  
Secretary**

Andrea Bell  
Boulder County  
(303) 441-4547  
[abell@bouldercounty.org](mailto:abell@bouldercounty.org)

**Membership**

Jeff Green  
Larimer County  
(970) 498-5962  
[jlgreen@larimer.org](mailto:jlgreen@larimer.org)

**Treasurer**

Victoria McColm  
City of Colorado Springs  
(719) 385-5669  
[vmccolm@springsgov.com](mailto:vmccolm@springsgov.com)

**Professional Member**

Paul Feld  
Ritsema & Lyon  
(303) 293-3100  
[paul.feld@ritsema-lyon.com](mailto:paul.feld@ritsema-lyon.com)

**Mailing Address:**

Andrea Bell  
Boulder County  
P O Box 471  
Boulder, CO 80306

Director Paul Tauriello  
Director's Office  
Colorado Division of Workers' Compensation  
633 17<sup>th</sup> St., Suite 400  
Denver, CO 80202-3626

RE: Proposed Rule Changes - Rules 16 & 18  
Effective Date 01/01/2016

Dear Director Tauriello,

The Colorado Self Insurers Association (CSIA) was proud to be asked to participate in the stakeholder meetings in 2014 and 2015 leading up to the proposed changes to Rules 16 and 18 implementing change to RBRVs in the Colorado Workers' Compensation Medical Fee Schedule.

The Division staff should be commended for the inclusive process implemented to make this significant change. The Division's commitment to revenue neutrality with this significant change is also greatly appreciated. Stakeholder input was sought by Division staff, reviewed thoroughly, and action taken accordingly and appropriately. The process was very straightforward and open throughout the last two years. You should be proud of the professionalism, patience and inclusiveness of the Division staff that managed this process.

CSIA broadly supports the proposed changes to Rules 16 and 18 with only a few reservations.

Specifically CSIA greatly appreciates the proposed change requiring an authorized treating physician to examine an injured employee no later than the third visit when initial two examinations were conducted by a nurse practitioner (NP) or physician assistant (PA). This change is a positive step recognizing the importance physicians play in providing the highest quality of medical care for our injured employees.

Director Paul Tauriello Letter  
July 16, 2015

Additionally, setting the reimbursement rate at 85 percent for NPs and PAs recognizes the differing levels of medical expertise of a physician compared to a NP or PA. This change also recognizes the reimbursement levels provided by other states and Medicare.

While we applaud the multitude of changes proposed throughout Rules 16 and 18, CSIA does have concerns in the following areas.

First, the inclusion of DRAM within the rules is of concern because this new procedure was brought to the stakeholder meetings with the promise and premise that a prospective study was ongoing or proposed with Pinnacle Assurance. This study was offered as a means to scientifically validate the use of this new procedure.

While the DRAM procedure appears to show promise and may ultimately prove beneficial, CSIA is concerned that the proffered study has not taken place nor even scheduled. The payers within the state are being asked to accept this new procedure without the benefit of scientific scrutiny or validation as promised by its proponent.

Two further areas of concern were not changed in Rule 16 or 18. Both are areas in which excessive cost increases are being documented nationally. Excessive costs and concerns surrounding the practice of physician dispensing of prescriptions have been reported nationally. Similar concerns are being documented nationally regarding compound prescriptions.

CSIA recognizes that both of these issues are complicated and were not subject to the overall RVRBs change that was the focus of these proposed rules. However, CSIA asks that the Division undertake reforms in both of these areas in future rule changes as a cost control measure.

Again, thank you for allowing CSIA to participate in these momentous rule changes. CSIA supports the changes to Rules 16 and 18, other than the few notations above.

Best regards,



Bill Rush, CPCU, ARM, ARe, AIC, AIS  
President CSIA



Hank Hahne, ARM-P  
CSIA Legislative Committee Member