

**MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION
MEDICAL FEE ADVISORY BOARD MEETING
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH STREET – ROOM 9-039
HELD ON SEPTEMBER 19, 2012 at 1:00 PM**

Present at the meeting were:

Chairman Mitch Weisz
Mr. John Smolk, United Airlines
Mr. Bill McAndrew, Illinois Hospital Association
Ms. Barb Molloy, Molloy Consulting
Dr. Michael Vender, Hand Surgery Associates

Participating via telephone were:

Ms. Kimberly Moreland, Rising Medical Solutions
Ms. Dianne McGuire, College of DuPage Board of Trustees
Mr. Jason Keller, Illinois AFL-CIO

Members not in attendance

Dr. Avi Bernstein, The Spine Center

IWCC staff present were:

Mr. Ron Rascia, General Counsel
Ms. Susan Piha, Manager of Research and Education
Ms. Kim Janas, Secretary of the Commission
Mr. Glen Boyle, Project Manager
Ms. Dennie Zankel, Deputy General Counsel

Also present at the meeting were:

Mr. Dave Marsh, Illinois State Dental Society (via phone)
Ms. Claribel Rodriguez, Premier Billing Solutions
Ms. Shahnaz Ali, Premier Billing Solutions
Ms. Nataliya Kurchiy, AAPC Member
Ms. Aneta Lukasiewicz, Premier Billing Solutions
Mr. Michael Blixen, HFN
Mr. David Menchetti, Cullen Haskins
Mr. Randall Borek, Murphy & Hourihane, LLC
Ms. Valerie McGregor, Stratacare
Dr. Andrew Engel, MPSS
Mr. Michael Cherny, CMS
Ms. Erin Cox, Rockford Orthopaedic Associates
Ms. Donna Kersting, Hand Surgery Associates.

Chairman Mitch Weisz called the meeting order and noted that a quorum was present. Upon motion by Mr. McAndrew, seconded by Dr. Vender, and unanimously carried, the minutes of the Medical Fee Advisory Board meetings held on June 20th and July 24th were approved.

Chairman Weisz started the meeting by providing a Commission update to the board members. He noted that the two rulemakings pending before the Joint Committee on Administrative Rules (JCAR) had received a certificate of no objection. The rulemakings approved by JCAR were the updates to the Commission's Medical

Fee Schedule rule and also the new rules governing the sample collection and testing for drugs and alcohol which were mandated by HB 1698. The Commission may now file these rules with the Secretary of State and they become effective upon acceptance by the Secretary of State Index Department.

Chairman Weisz also informed the board members that Commission staff had learned that the Department of Health and Human Services has issued another delay in the implementation of the new ICD 10 codes. ICD 10 codes must not be in use by October 14, 2014. The Commission will continue to monitor any updates from the Department of Health and Human Services on this important issue.

The next item considered was the Commission's Dental Fee Schedule. A second draft was distributed to Board members on September 9th for their review. This draft included additional codes obtained by Dave Marsh of the Illinois State Dental Society. The reimbursement amounts for the codes had to be recalculated to approximate 90% of the 80th percentile. Chairman Weisz then asked the board members if they had any comments or questions. Mr. McAndrew inquired as to whether the Dave Marsh on behalf of the Illinois State Dental Society (ISDS) had any comments. Mr. Marsh, participating via telephone, gave the board members a summary of the activity and input of the ISDS since the first draft was developed by the Commission. He continued by stating that the ISDS had reviewed the most recent draft, was satisfied with the results, and would continue to monitor any problems or issues with the Dental Fee Schedule. There was a motion by Mr. McAndrew, seconded by Dr. Vender, and unanimously carried to accept the fee schedule presented at the June 20th meeting.

Chairman Weisz then asked Glen Boyle to provide the board members with a summary of issues regarding the applicability of certain billing rules to the Commission's Medical Fee Schedule. Mr. Boyle began his presentation with a history of the Fee Schedule's development and the inclusion of specific edits and bundling rules. Since the development of the Fee Schedule, there have been frequent questions about what specific codes apply to the Commission's Fee Schedule. These questions are resolved on a case-by-case basis by the Commission. By comparison, Mr. Boyle noted that some states like Wisconsin have an official dispute resolution process for issues involving medical care. The board members then engaged in a discussion of the applicability of certain rules and edits and which rules needed to be updated on January 1st of each year pursuant to the language of HB 1698. The discussion concluded with Mr. Boyle stating that he would lead the initiative to work with Commission staff to examine the current Medical Fee Schedule rule and the Instructions and Guidelines to see if there are any recommendations for changes or revisions. Chairman Weisz agreed with this course of action and recommended that the results of this study be forwarded to the board members in advance of a meeting in order to facilitate discussion. Chairman Weisz also asked for input from interested parties on this issue and any advice or concerns from the board members.

The next issue discussed by the board was the reimbursement of Category III or "T" codes, which are codes for procedures that refer to the reimbursement of emerging medical technologies. The Commission's Medical Fee Schedule does not include Category III codes. The board members then engaged in a discussion on how these codes are reimbursed and how the American Medical Association has issued guidance on the use of these codes. Chairman Weisz concluded the discussion by noting that the Commission would continue to monitor this situation and make efforts to update the Medical Fee Schedule with additional reimbursements pursuant to the mandates of HB 1698.

With a motion to adjourn made by Dr. Vender, seconded by Mr. McAndrew, and unanimously carried, the Medical Fee Advisory Board adjourned.