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STATE OF CALIFORNIA  
DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF WORKERS' COMPENSATION

PUBLIC HEARING

Wednesday, July 18, 2018  
Elihu M. Harris State Office Building  
1515 Clay Street  
Oakland, CA 94612

**Yvonne Hauscarriague**  
Moderator  
Acting Chief Counsel

**Maureen Gray**  
Regulations Coordinator

**Dr. Raymond Meister**  
Executive Medical Director

**John Cortes**  
Industrial Relations Counsel

Reported by: Keyza Almanza

1 PUBLIC HEARING

2 OAKLAND, CALIFORNIA

3 WEDNESDAY, JULY 18, 2018, 10:06 A.M.

4 MS. HAUSCARRIAGUE: Good morning. Thank you for coming  
5 today. My name is Yvonne Hauscarriague. I'm the Acting Chief  
6 Counsel for the Division of Workers' Compensation.

7 This is the public hearing for the proposed evidence-based  
8 updates to the Medical Treatment Utilization Schedule,  
9 otherwise known as the MTUS. The Division is proposing to  
10 adopt the current American College of Occupational and  
11 Environmental Medicine's, or ACOEM, Traumatic Brain Injury  
12 Guideline, as well as update several guidelines addressing the  
13 foundations of occupational medicine practice in the General  
14 Approaches section of the MTUS. There are copies of the notice  
15 on the front desk. Please make sure to sign in on the sign-in  
16 sheet and indicate if you wish to testify today.

17 I'd like to take a moment to introduce the other DWC staff  
18 here with me today. I'm joined today by Maureen Gray, the  
19 Division's Regulations Coordinator; Dr. Raymond Meister, our  
20 Executive Medical Director; and John Cortes is counsel with the  
21 DWC Legal Unit. Our hearing reporter today is Keyza Almanza.

22 When you come up to testify, please give your business  
23 card to Ms. Gray. All testimony given today will be taken down  
24 by the hearing reporter and if you have any written testimony  
25 that you'd like to hand in, please also give that to Ms. Gray.

1           If you wish to be notified of the final adoption or  
2 subsequent changes to the proposed regulations, please provide  
3 your complete name and mailing address on the hearing  
4 registration attendance sheet located on the sign-in table.  
5 The final notice or notice of changes to the proposed  
6 regulations will be sent to everyone who requests such  
7 information.

8           I will call the names for those of you who've indicated  
9 that you wish to speak today. I apologize in advance if I  
10 mispronounce anyone's name. When I get to the end of the list,  
11 I'll also check to see if anyone new has decided to comment.

12           This hearing will continue as long as there are people  
13 present who wish to comment on the regulations, but it will  
14 close at 5:00 o'clock. If the hearing continues into the lunch  
15 hour, we'll take at least an hour's break for lunch. Written  
16 comments can be given to Maureen if you have them with you  
17 today, or they will be accepted by fax, e-mail, or delivery up  
18 until 5:00 p.m. at the Division's offices on the 18th floor of  
19 this building.

20           The purpose of this hearing is to receive comments on the  
21 proposed amendments to the regulations, and we welcome any  
22 comments you have about them. We will not question, respond  
23 to, or discuss anyone's comments, although we may ask for  
24 clarification or ask you to elaborate further on any points  
25 that you are presenting. All your comments, both given here

1 today and those submitted in writing, will be considered in  
2 determining what revisions we make to the regulations.

3 Please restrict the subject of your comments to the  
4 regulation and to any suggestions you have for changing  
5 proposed regulations. Also, please limit your comments to  
6 three minutes in length.

7 Reminder, please make sure that you've signed in; and if  
8 you wish to speak, that you've checked the box indicating that.

9 Again, when you come up to give your testimony, please  
10 give Maureen your business card if you have one so we can get  
11 the correct spelling of your name in the transcript. Please  
12 speak into the microphone, which is at the podium on the stage,  
13 to the right of the auditorium; and before starting your  
14 testimony, please identify yourself for the record.

15 MR. CORTES: Yvonne, if I may.

16 My name is John Cortes. I just want to make one quick  
17 correction. The written comments will be accepted until the  
18 end of today, so up until 11:59 tonight. If you fax it to us,  
19 we'll still accept it, not 5:00 o'clock in the afternoon. Just  
20 to clarify for the record that we're accepting written comments  
21 until the end of today. Thank you.

22 MS. HAUSCARRIAGUE: Thank you, John.

23 Well, it appears from the sign-in sheet -- has everyone  
24 had an opportunity to sign in and indicate if they wish to  
25 testify?

1 (No response.)

2 It appears from the sign-in sheet that we don't have  
3 anyone who would like to make a comment. Perhaps we can go off  
4 the record for a few minutes to allow any latecomers an  
5 opportunity to arrive and see if they would like to make some  
6 comments.

7 (Off the record.)

8 MS. HAUSCARRIAGUE: Okay. Why don't we go back on the  
9 record?

10 So it doesn't appear that anyone who has signed in has  
11 indicated that they wish to testify. Is there anyone who has  
12 not signed in that would like to testify this morning?

13 (No response.)

14 Okay. If nobody here wishes to testify, this hearing will  
15 be closed.

16 Again, the opportunity to file written comments will stay  
17 open until 11:59 p.m. this evening. You may deliver your  
18 written comments directly to the DWC office up on the 18th  
19 floor of this building by 5:00 p.m. today, or you may submit  
20 your written comments by 11:59 p.m. by fax or e-mail.

21 I'd like to thank you for your attendance today, and I'd  
22 like to thank the staff here for their work this morning. The  
23 hearing is now closed.

24 (Proceedings adjourned at 10:18 a.m.)

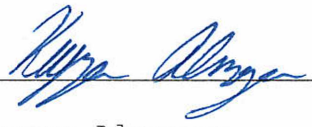
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R E P O R T E R ' S   C E R T I F I C A T E

I, Keyza Almanza, the undersigned Official Hearing Reporter for the State of California, Department of Industrial Relations, Division of Workers' Compensation, do hereby certify that the foregoing matter is a full, true, and correct transcript of the proceedings taken by me in shorthand, and with the aid of audio backup recording, on the date and in the matter described on the first page thereof.

Dated: July 19, 2018  
San Jose, California

  
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Keyza Almanza  
Official Hearing Reporter