

N E W S L I N E

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DWC Issues First 15-Day Notice for Modifications to Proposed Medical Treatment Utilization Schedule Regulations

The Division of Workers' Compensation (DWC) has posted a first 15-day notice of modification to the proposed Medical Treatment Utilization Schedule (MTUS) regulations to the DWC [website](#). Members of the public are invited to present written comments regarding the proposed modifications to dwcrules@dir.ca.gov until 5 p.m. on August 30.

The MTUS is established as the standard for the provision of medical care in the workers' compensation system in accordance with Labor Code section 4600. The proposed amendments to the MTUS clarify the scientific process by which evidence-based clinical decisions are to be made when the MTUS is silent on a particular issue and describe how the MTUS may be rebutted pursuant to Labor Code section 4604.5.

The proposed regulations detail the methods to evaluate medical evidence according to an explicit, systematic, strength-of-evidence methodology to determine recommendations that are supported with the best available evidence. The intent of these regulations is to enable workers to achieve appropriate care that is supported by the best available medical evidence.

The proposed modifications include:

- Revision of the definition of "ACOEM" by deleting the reference to the second edition 2004 version and adding a brief description of what the guidelines contain.
- Revision of the definition of "chronic pain" by adding a three month timeline from the initial onset of pain for clarity.
- Deletion of the definition of "MEDLINE" because this term is no longer used in the regulations.
- Modification of the definition of "Appraisal of Guidelines for Research & Evaluation II (AGREE II) Instrument" by adding the May 2009 AGREE II version was adopted and incorporated by reference into the MTUS by the Administrative

Director and a copy may be obtained from DWC's website or by written request to DWC's Medical Unit.

- Re-organization and re-wording to express that medical care shall be in accordance with the best available medical evidence when the MTUS's presumption of evidence is challenged pursuant to Labor Code section 4604.5 or when there is a topical gap and a medical treatment or diagnostic test is not addressed by the recommended guidelines set forth in the MTUS.
- Clarification that treating physicians may apply the medical literature search sequence, and specifies when Utilization Review physicians and Independent Medical Review physicians shall apply the medical literature search sequence to find the best available medical evidence.
- Specifies when and by whom the MTUS Hierarchy of Evidence for Different Clinical Questions shall be applied and how the levels of evidence shall be documented in a Utilization Review decision and in an Independent Medical Review decision.

The notice and text of the regulations can be found on the proposed regulations [page](#).

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