

N E W S L I N E

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DWC Issues Revised Drug Formulary Regulations for 15-day Comment Period

The Department of Industrial Relations' Division of Workers' Compensation (DWC) has issued [modified proposed regulations to adopt the Medical Treatment Utilization Schedule \(MTUS\) drug formulary](#). The proposed rulemaking implements Assembly Bill 1124 (Statutes 2015, Chapter 525), which mandates adoption of an evidence-based drug formulary.

DWC has reviewed comments received during the initial comment period and has modified the proposed regulations to provide additional detail and clarity. The 15-Day public comment period will end August 2 and members of the public may submit written comments on the proposed regulations until 5 p.m. that day.

Some of the changes proposed in the revised regulations include:

- Moving the effective date to January 1, 2018
- Changing the "Preferred/Non-Preferred" drug designations to "Exempt/Non-Exempt" to better align with how the designations affect the prospective utilization review status of the drug
- Revised provisions relating to phased implementation of the formulary
- Deletion of provisions regarding issues that will be addressed in the utilization review regulations, rather than in the formulary regulations
- Clarification of applicable dispute resolution procedures
- Updated drug listings on the MTUS Drug List and formatting changes.

The proposed formulary regulations are to be adopted at section 9792.27.1, et seq. of title 8 of the California Code of Regulations. DWC will consider all public comments, and may modify the proposed regulations for consideration during an additional 15-day public comment period.

The notice of modification of text of proposed regulation, and related rulemaking documents can be found on the DWC [rulemaking](#) web page.

More information about the rulemaking process is posted on the [Office of Administrative Law's website](#).

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