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STATE OF CALIFORNIA
Department of Industrial Relations
Division of Workers' Compensation

PUBLIC HEARING

Monday, June 26, 2023
11:00 o'clock
(Held via Zoom)

Nicole Richardson
Moderator
Staff Counsel

Ted Richards
Chief Counsel

Farai Alves
Assistant Chief Counsel

Maureen Gray
Regulations Coordinator

Reported by: Barbara R. Brown

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I N D E X

Speakers:

(None)

1 PUBLIC HEARING

2 VIA ZOOM

3 MONDAY, JUNE 26, 2023; 11 O'CLOCK A.M.

4 --o0o--

5 Hello, everyone. It's now 11 o'clock. I'm going to wait.
6 It looks like a couple of participants are still connecting to
7 the Zoom meeting, so I'll just wait a couple more minutes to
8 see if we have anyone else joining and to make sure everyone
9 can get their audio connected.

10 We're going to get started. Good morning, everyone. My
11 name is Nicole Richardson. I'm an attorney for the Division of
12 Workers' Compensation. Before we begin today's Zoom Public
13 Hearing, I want to inform everyone that this is being recorded.
14 This is our noticed conference call and Zoom Public Hearing for
15 the Evidence-Based Updates to the Medical Treatment Utilization
16 Schedule. The Division is proposing to make updates to the
17 Medical Treatment Utilization Schedule as contained in Title 8
18 California Code of Regulations, section 9792.22 and 9792.23.2.
19 as well as 9792.24.7.

20 I'd like to take a moment to introduce the other DWC staff
21 members on the line today. We have Ted Richards, the DWC Chief
22 Counsel; Farai Alves, the Assistant Chief Counsel of the DWC;
23 as well as Maureen Gray, the Division's Regulations
24 Coordinator; and our Hearing Reporter today is Barbara Brown.

25 The purpose of this hearing is to receive comments on the

1 proposed amendments to the regulations, and we welcome any
2 comments you have about them. Please note, we will not
3 question, respond to or discuss anyone's comments, although we
4 may ask for clarification or ask you to elaborate further on
5 any points that you are presenting. All of your comments, both
6 given verbally here today and those submitted in writing, will
7 be considered in determining what revisions, if any, we make to
8 the proposed regulations.

9 If you would like to speak during this hearing, please
10 send a chat to myself, Nicole Richardson, with your full name,
11 the organization you are affiliated with, if any, and contact
12 information. If you are calling in for this meeting or are
13 unable to send a chat, please e-mail to DWCRules@dir.ca.gov.
14 In the e-mail, please include your information and we will call
15 on you in the order we receive your request. Please also
16 include the words "Request to Speak" in the Subject Line of
17 your e-mail. If you are calling in, please include in the
18 e-mail the last four digits of your telephone number you are
19 using so that we'll be able to identify you.

20 Maureen Gray, DWC Regulations Coordinator, is taking
21 attendance. Please send an e-mail to DWCRules@dir.ca.gov or a
22 chat to Maureen Gray with your full name, the organization you
23 are affiliated with, if any, and contact information in case we
24 need to provide you with any updates. We prefer an e-mail
25 address but if you don't have an e-mail address, your phone

1 number or mailing address would be fine.

2 To help the court reporter and to aid in the taking of
3 attendance, we ask that you make sure your screen name properly
4 reflects your actual first and last name. A screen name will
5 help us identify you for transcript purposes.

6 In the Zoom application if you raise your hand, you will
7 not be called upon and your hand will be lowered.

8 Please restrict the subject of your comments to the
9 proposed regulations. We ask that you limit your comments to
10 five minutes. You will receive a message asking you to unmute
11 yourself prior to your name being called. You must click on
12 the unmute message in order to speak. Please wait to speak
13 until you are called upon. Your time will begin after you are
14 unmuted and you are called upon.

15 I will call the names of those who have indicated they
16 wish to speak today in the order received, and I apologize in
17 advance if I mispronounce anyone's name. All oral comments
18 given today will be taken down by the Hearing Reporter.

19 When everyone on the list has had a chance to make their
20 public comment, I will check to see if anyone new has joined
21 and wishes to speak or if anyone else has additional comments.
22 This hearing will continue for as long as there are people on
23 the line who wish to comment on the proposed regulations, but
24 it will close at 5 o'clock this afternoon. If the hearing
25 continues into the lunch hour, we will take at least a one-hour

1 break. If there is time at the end of the succession of
2 speakers, anyone who was cut off at the five-minute mark will
3 receive a chance to make additional comments. The additional
4 comment will also be limited to five minutes.

5 Finally, all written comments can be submitted by fax at
6 the following number, (510) 286-0657, or the following e-mail
7 address: DWCRules, r-u-l-e-s, @dir.ca.gov. Written comments
8 submitted by fax or by e-mail will be accepted until midnight
9 tonight.

10 For those who do not wish to speak today but want to be
11 notified of any subsequent changes or of the final adoption of
12 the Medical Treatment Utilization Schedule, please provide your
13 complete name and e-mail address to the same address mentioned
14 above, once again, DWCRules@dir.ca.gov. Any notices of change
15 in the Final Notice of Amendment to the Medical Treatment
16 Utilization Schedule will be sent to everyone who requests that
17 information.

18 So welcome, everybody, and we'll now go to any callers.
19 Again, you can send a chat to myself, Nicole Richardson, if you
20 wish to speak. I'll give you all some time. If you are not
21 able to use the chat function, once again, you can send an
22 e-mail to DWCRules, r-u-l-e-s, at dir.ca.gov and request to
23 speak in the subject line. Thank you.

24 (Brief recess taken at 11:09 a.m.)

25 We'll go on another minute. If anyone wishes to speak,

1 again, send a chat to myself or send an e-mail to DIRrules@DIR
2 -- I'm sorry -- please send an e-mail to DWCRules@dir.ca.gov.

3 (Brief recess taken at 11:10 a.m.)

4 Having received no request to speak today at today's
5 public hearing, we are going to go ahead and close this public
6 hearing. It is now 11:10 a.m. Thank you for your time.

7 (The proceedings adjourned at 11:10 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, Barbara Brown, State Hearing Reporter for the State of California, Department of Industrial Relations, Division of Workers' Compensation, do hereby certify that the foregoing is a full, true, and correct transcript of the proceedings taken by me in shorthand, and with the aid of audio backup recording on June 26, 2023 in the matter described on the first page hereof.

Barbara R. Brown

Barbara R. Brown
State Hearing Reporter
Workers' Compensation Appeals Board

Dated: June 30, 2023
Los Angeles, California