

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

CONFERENCE CALL PUBLIC HEARING

Friday, January 21, 2022  
Elihu Harris State Office Building Auditorium  
1515 Clay Street  
Oakland, California 94612

GEORGE PARISOTTO  
Administrative Director

JOHN CORTES  
Moderator  
Industrial Relations Counsel

MAUREEN GRAY  
Regulations Coordinator

Reported by: Dora Ocegueda  
Official Hearing Reporter

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(None)

1 (Time noted: 10:00 A.M.)

2  
3 MR. CORTES: Good morning, everyone. My name is  
4 John Cortes. I am an Industrial Relations Counsel for the  
5 Division of Workers' Compensation.

6 Before we begin today's conference call public  
7 hearing, I want to inform everyone that this call is being  
8 recorded. I also want to ask if anyone wishes to make a  
9 public comment today. If you do, can you please give us  
10 your full name, the organization you are affiliated with,  
11 if any, and contact information in case we need to provide  
12 you with any updates. We prefer an e-mail address, but if  
13 you don't have an e-mail address, your phone number or  
14 mailing address would be fine. Maureen Gray, DWC's  
15 Regulations Coordinator, who is also on this call, will  
16 write down your information.

17 Okay. Does anyone wish to make a public comment  
18 today? If you could please give your name to Maureen Gray,  
19 that would be great. Let me give you a second for anyone to  
20 speak up if they want to make a public comment today. Okay.  
21 Let me just say if you are undecided at this time but change  
22 your mind during the hearing and wish to speak, I will  
23 give you an opportunity to make a public comment after  
24 everyone on this list has spoken.

25 Before we begin, I want to ask everyone to please

1 press their respective mute buttons to minimize unintended  
2 background noises. Please press unmute when you wish to  
3 speak and make sure to state your name before you begin  
4 speaking for our hearing reporter.

5 Okay. So why don't we get started. Thank you for  
6 participating in today's conference call. Again, my name is  
7 John Cortes. I am an Industrial Relations Counsel for the  
8 Division of Workers' Compensation. This is our noticed  
9 conference call public hearing for the evidence-based update  
10 to the Medical Treatment Utilization Schedule, also known  
11 as the MTUS. The Division is proposing to make an  
12 evidence-based update to the MTUS by adopting the American  
13 College of Occupational and Environmental Medicine, or  
14 essentially known as ACOEM's Initial Approaches to Treatment  
15 Guideline.

16 Now, I'd like to take a moment to introduce the  
17 other DWC staff members on this conference call today.  
18 As I've mentioned, I'm joined by Maureen Gray, the  
19 Division's Regulations Coordinator. Also on the call is  
20 George Parisotto, the DWC's Administrative Director, and our  
21 hearing reporter today is Dora Ocegueda. Now, unfortunately  
22 Dr. Raymond Meister, the DWC's Executive Medical Director,  
23 is unable to join us this morning. He is usually with us  
24 during the MTUS public hearings.

25 So let me just go ahead and say the purpose of this

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

10 Please restrict the subject of your comments to  
11 the proposed regulations. Now, we usually ask that you  
12 limit your comments to three minutes in length. However,  
13 we don't have anyone as of yet who has signed up, so if  
14 someone does wish to make a comment today, I will allow you  
15 to speak beyond the normal three minutes and give you a  
16 reasonable amount of time to make your comment.

17 I will call the names of those who have indicated  
18 they wish to comment today, and I apologize in advance if  
19 I mispronounce anyone's name. All testimony today will be  
20 transcribed by the hearing reporter. She has the green  
21 light to interrupt the commenter, to request the spelling  
22 of a word, seek clarification, if any, or ask a speaker to  
23 slow down if need be.

24 When everyone on this list has had a chance to  
25 make their public comment, I will check to see if anybody

1 new has joined our call or wants to speak or if anybody  
2 else has additional comments. This hearing will continue  
3 for as long as there are people on this call who wish to  
4 comment on the proposed regulations, but it will close at  
5 5:00 o'clock this afternoon. If the hearing continues  
6 into the lunch hour, we will take at least an hour break.

7 Finally, all written comments can be submitted  
8 by fax at the following number: (510) 286-0657 or to the  
9 following e-mail address: dwcrules@dir.ca.gov. Written  
10 comments submitted by fax or by e-mail will be accepted  
11 until midnight tonight.

12 For those who do not wish to speak today but want  
13 to be notified of any subsequent changes or of the final  
14 adaptation of the MTUS evidence-based update, please  
15 provide your complete name and e-mail address to the same  
16 address mentioned above. Again, I will repeat it. It's  
17 dwcrules@dir.ca.gov. Any notice of changes and the final  
18 notice to the evidence-based update to the MTUS will be  
19 sent to everyone who requests that information.

20 With that, I am going to ask one more time.  
21 Does anyone wish to make a comment today on the MTUS  
22 evidence-based update that we are making? If you do, please  
23 give us your name. I am going to give this a second or so  
24 for anyone to chime in and give us their name if they wish  
25 to make a comment. So let me pause here for just one

1 second. Anyone? Okay.

2 So if we do not have anyone who wishes to make a  
3 verbal comment today, the time is 10:08, and this public  
4 hearing is now closed.

5 Thank you very much.

6 (Whereupon the proceedings concluded at 10:08 A.M.)

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REPORTER'S CERTIFICATE

I, Dora Ocegueda, Official Hearing Reporter for the State of California, do hereby certify:

That the foregoing is a complete transcript of the proceedings taken by me in stenotype, via telephone, on January 21, 2022;

I further certify that said hearing was thereafter reduced by me to print through computer-aided transcription.

1.27.22  
Dated

  
Dora Ocegueda  
Official Hearing Reporter