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

PUBLIC HEARING

Monday, August 26, 2019
Elihu Harris State Office Building Auditorium
1515 Clay Street
Oakland, California

John Cortes, JD
Moderator
Industrial Relations Counsel

Maureen Gray
Regulations Coordinator

DIR Official Reporter: Wendy Pun

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SPEAKERS

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None.

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1 (Time noted: 11:04 a.m.)

2 MR. CORTES: Okay. Good morning, everyone. Why don't we
3 go ahead and get started.

4 Thank you for coming today. My name is John Cortes. I am
5 an Industrial Relations Counsel for the Division of Workers'
6 Compensation. This is our noticed public hearing for the
7 proposed evidence-based updates to the Medical Treatment
8 Utilization Schedule, also known as the MTUS.

9 The Division is proposing to make evidence-based updates
10 to the MTUS by adopting the latest published version of the
11 American College of Occupational and Environmental Medicine's,
12 or ACOEM's, Hip and Groin Disorders Guideline.

13 There is a sign-in sheet and copies of the Notice of the
14 Proposed Regulations on the desk near the door where most of
15 you entered this morning. That desk is to my right and from
16 your perspective to your left. Please make sure you sign the
17 sign-in sheet and indicate if you wish to testify today.

18 Now, I'd like to take a moment to introduce the other DWC
19 staff member with me today, and that is to my right is Maureen
20 Gray, the Division's Regulations Coordinator. Our hearing
21 reporter today is Wendy Pun.

22 If you wish to be notified of any subsequent changes or of
23 the final adaptation of the MTUS evidence-based updates, please
24 provide your complete name and mailing address on our hearing
25 registration attendance sheet located at the sign-in table.

1 Any notice of the changes and the final notice to the
2 evidence-based updates to the MTUS will be sent to everyone who
3 requests that information.

4 The purpose of this hearing today is to receive comments
5 on the proposed amendments to our regulations, and as always,
6 we welcome any comments you have about them. Please note, we
7 will not question, respond to, or discuss anyone's comments,
8 although we may ask for clarification or ask you to elaborate
9 further on any points that you are presenting. All of your
10 comments, both given verbally here today and those submitted in
11 writing, will be considered in determining what revisions, if
12 any, we make to the proposed regulations. Please restrict the
13 subjects of your comments to the proposed regulations.

14 Now, it's obviously not full here today. We've had
15 regulations -- proposed regulations where this entire
16 auditorium was full. But since it's not full today, we will
17 give you or allow you to speak without the normal three-minute
18 time limit.

19 I will call the name of those who have indicated they wish
20 to testify today, and I apologize in advance if I mispronounce
21 anyone's name. When you come up to testify, please first give
22 your business card to Ms. Gray. And if you have any written
23 testimony that you would like to submit to accompany your
24 verbal testimony, please give that to Ms. Gray as well.

25 So all testimony today will be taken down by the hearing

1 reporter. Once everyone on this list has had a chance to
2 testify, I will check to see if anyone new has come in who
3 wants to testify or if anybody else has additional comments.
4 This hearing will continue as long as there are people present
5 who wish to comment on the proposed regulations, but it will
6 close at 5:00 o'clock this afternoon. And I obviously don't
7 think it's going to last that long. If the hearing continues
8 into the lunch hour, we will take at least an hour break.

9 Finally, all written comments can be given to Ms. Gray if
10 you have them with you today, or the DWC will accept written
11 comments by hand delivery up to 5:00 o'clock this afternoon in
12 the Division's office located on the 18th floor of this
13 building. Please give them to our receptionist and also
14 indicate that it's public comment that you wish to submit.

15 The DWC will also accept all written comments by fax, and
16 the following number is -- or at the following number, and that
17 is at (510)286-0657. Or if you wish to e-mail it, the address
18 is dwcrules@dir.ca.gov. Now, all written comments submitted by
19 fax or by e-mail will be accepted until midnight tonight, so
20 you have plenty of time to submit that.

21 So with that, let me look at the sign-in sheet and call
22 the first name. I have already actually looked at it, and I
23 don't see anyone here who wishes to testify. Are you sure?
24 Anyone?

25 (No response.)

1 MR. CORTES: No? Okay. Well, if no one here wishes to
2 make a verbal comment today, again I will remind you we are
3 accepting written comments both by FAX and by e-mail until
4 midnight tonight. So the time is 11:10, and this public
5 hearing is now closed.

6 (The proceedings adjourned at 11:10 a.m.)

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R E P O R T E R C E R T I F I C A T E

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

Dated: August 27, 2019
Oakland, California

/s/ Wendy Pun
Wendy Pun
Official Hearing Reporter