

WORKER'S COMPENSATION UPDATE: IMPORTANT CHANGES TO PREDESIGNATION REGULATIONS

Effective July 1, 2014, regulatory changes approved by the Office of Administrative Law (OAL) will take effect. These regulations will change certain criteria an employee must meet in order to predesignate their personal physician or personal chiropractor. The regulations also clarify the number of chiropractic visits an injured employee may receive.

The rules for predesignating have not changed. In order to predesignate a personal physician or chiropractor, the employee must have health care coverage for non industrial injuries and illnesses. The employee must notify their employer of their predesignation choice, in writing, prior to an injury or illness taking place. A medical group may also be predesignated as long as the physicians are doctors of medicine (MDs) or doctors of osteopathy (DOs) and the medical group offers both primary and specialty care primarily for non work related conditions. The physician or medical group must agree to the predesignation in writing and in advance of any injury.

PERSONAL PHYSICIAN PREDESIGNATION

Existing regulations state that employees can see a personal physician for a work related injury if the employee predesignates the physician in writing, prior to injury. Currently, the law requires the employee to provide the physician's name and business address in order to predesignate a personal physician. Effective July 1, 2014, employees must also provide either the name of their group health plan, policy, or fund of their health care coverage.

PERSONAL CHIROPRACTOR PREDESIGNATION

The existing law to predesignate a personal chiropractor has not changed. Prior to an injury or illness taking place, an employee must provide their employer with the chiropractor's name and business address in order to predesignate a personal chiropractor. Effective, July 1, 2014, the optional form employees can use to predesignate their personal chiropractor must advise the employee that for dates of injury on or after July 1, 2014, a chiropractor cannot be a treating physician after the employee has received 24 chiropractic visits. Once the employee has received 24 chiropractic visits, the employee must select a new physician, who cannot be a chiropractor, unless the employer has authorized additional visits in writing prior to the injury.

WHERE YOU CAN OBTAIN THESE FORMS

To assist our clients in complying with these regulatory changes, the following forms have been updated and can be located on the home page of P&C Bridge (see Workers' Compensation claim forms).

- Predesignation Form of Personal Physician
- Notice of Chiropractor or Personal Acupuncturist Predesignation Form

- New Hire Pamphlet
- Workers' Compensation Benefit Summary
- Employer Compliance Kit Order Form

Please note, employees who have already made predesignations do not have to take any further action. The new forms will only apply to predesignations going forward.

If you have any questions regarding the regulatory changes, please contact your Keenan Claims Analyst or Keenan Account Manager.

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