

# Workers' Comp Regulatory Activity

November 15, 2020 – January 1, 2021

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## ALASKA

Reg ID: AK59595

**Issues:** Workers' Compensation Provider Fee Schedule

**Summaries:** The Division adopted the Workers Compensation 2021 Medical Fee Schedule. The fee schedule provides guidelines and methodology for analyzing and calculating rates. The fee schedule impacts insurance carriers, self-insured employers, bill reviews, and other stakeholders.

The Division provides guidance regarding: Maximum Allowable Reimbursement, Scope of Practice Limits, Provider Schedules, Services Completed (In State and Out of State), Drugs and Pharmaceuticals, Reimbursement for Prescription Drugs, Durable Medical Equipment, Ambulance Services, Outpatient and Inpatient Facilities, and other General Information and Guidelines.

The Division also provides Billing and Payment Guidelines for certain services. CPT Codes are also depicted in a table organized by Medical Services, CPT Code, and Conversion Factors. All medical bills for treatment will be due and payable within 30 days of receipt (unless disputed).

The fee schedule also provides a subsection addressing telehealth services. The 2021 guidance indicates that services should be performed using audio/visual methods when available. The fee schedule also indicates modifiers for 2021 including modifiers for: Reimbursement, CPT, State Specific, Anesthesia, Radiology, and other components. Fee charges for medical services are pursuant to: A.S. 23.30.097.

**WJH+WHN:** The Department published notice of the final fee schedule in the Alaska Register, effective 1/1/2021.

### Links:

- [Medical Fee Schedule - Final](#)
- [Medical Fee Schedule - Notice](#)
- [8/11/2020 Division meeting agenda](#)
- [Fee schedule website](#)

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## COLORADO

Reg ID: CO59883

**Issues:** Workers' Compensation Utilization Review

**Summaries:** The Division has adopted amendments to the rule regarding utilization standards. Specifically, the amendments update general policies including; provider requirements, procedures for out-of-state providers, required use of the medical treatment guidelines, prior authorization, and payment requirements for medical bills.

**WJH+WHN:** The Department published notice of the final rule, effective 1/1/2021.

**Links:**

- [Final Rule Text](#)
- [Proposed Rule Text](#)

## OHIO

Reg ID: OH62241

**Issues:** Workers' Compensation Coverage

**Summaries:** The Bureau adopted rule amendments which update the one claim program.

4123-17-71(A): The adopted amendments update the definition for "Significant claim." The amendments change the effective date to 7/1/2020 for private employers, who expect losses to fall below the minimum expected loss pursuant to appendix A of rule 4123-17-05.1, a TLL of three hundred dollars shall be used. For public employers, a TLL of five hundred and fifty dollars shall be used.

**WJH+WHN:** The Bureau published notice of the final rule in the Register of Ohio. The rule is effective 12/12/2020. The final rule was not proposed in the Register of Ohio and did not have a public comment period or hearing.

**Links:** [Notice of Final Rule](#)

## TEXAS

Reg ID: TX57652

**Issues:** Workers' Compensation Coverage

**Summaries:** The Division re-adopted rule amendments addressing workers' compensation. Specifically, the Division re-adopted sections in 28 Texas Administrative Code (TAC) as follows:

- a) Chapter 126 (General Provisions Applicable to All Benefits);
- b) Chapter 127 (Designated Doctor Procedures and Requirements);
- c) Chapter 128 (Benefits--Calculation of Average Weekly Wage).

As a result of the rule review, DWC finds that the reasons for initially adopting the rules in 28 TAC Chapters 126, 127, and 128 continue to exist and readopts these rules in accordance with the requirements of Texas Government Code Section 2001.039.

**WJH+WHN:** The Division published notice of the final rule on their website on 11/5/2020. The final rule review was subsequently published in the Texas Register on 11/13/2020. The rule re-adoption is effective 12/4/2020.

**Links:**

- [Final Rule Review](#)
- [Department Notice Re-adoption](#)
- [Departmental Discussion \(Pg. 3337\)](#)