

# Medical Advisory Committee

January 18, 2022

Tennessee Room and via TEAMS  
220 French Landing Drive  
Nashville, TN 37243

A physical location (Tennessee Room) in-addition to TEAMS virtual platform-was available and designated with three in-person attendees. The use of the virtual platform is a benefit to the public allowing participation of out-of-state stakeholders interested in the subjects of this meeting. Under the present restrictions on determining the vaccination status of all participants, the limitations of masking and distancing, it is necessary for establishment of a quorum that the members have the virtual option available. The committee rules provide for the members to be counted as present for the determination of a quorum (see rule 0800-02-23-.04 (2-3)).

## Members:

Rob Behnke, Cracker Barrell  
Misty D. Williams, Travelers  
Lisa Bellner, M.D., PM&R  
Ginny Howard, Zurich  
Cerisia Cummings, DO—*in person*  
Jeffery Hazlewood, MD, PM&R—*via telephone*  
Richard L. Cole, D.C., DACNB, DAAPM, FICCN,  
FICC(H)—*in person*  
James Gregory Kyser, MD, Psychiatry  
Dan Headrick, PT, CEAS III, ASTYM, BS  
John Brophy, MD, Neurosurgery—*via telephone*  
Abbie Hudgens, BWC Administrator  
Robert Snyder, MD, Medical Director  
James Talmage, MD, Assistant Medical Director

## Staff:

Suzy Douglas, RN, BWC  
Mark Finks, BWC  
Lacy Conner, BWC  
Suzanne Gaines, BWC

## Guests:

Jonathan May, Morgan & Morgan  
David Price, Preferred Medical  
Roy Johnson, MD, MTOEM  
Carla Townsend, NCCI  
Tiffany Grzbowski, Health Systems  
Vicki Wisdom, EnableComp  
Susan Schulte, NCCI  
Patrick Robinson, ODGbyMCG  
Jill Molitor  
Natalie Knox  
Zachary Schultz, EnableComp  
Brian Allen, Mitchell  
Yarnell Beatty, TMA  
Nancy Kelly, Averitt Express  
Judy Bobbitt, TOA—*in person*  
Faith Parrish, VUMC

## Via telephone:

Chris Scoma  
Adam Jaynes, MNA GR

## Call to Order

The meeting was called to order at 1:06 by Dr. Talmage.  
Introductions were made.

## Quorum

A quorum was confirmed as present (1/3 of the members needed, 12 of 16 members present).

## Approval of Minutes

The minutes of the 9/21/2021 meeting were approved as circulated.

The minutes of the special MAC meeting of 10/5/2021 were approved as circulated.

There were no Conflict-of-Interest forms **due from the members at this meeting.**

Dr. Snyder welcomed Dr. Richard Cole to the Committee.

## Old Business

### **ODG Updates:**

There were no ODG updates since September.

Some new drugs were added to the Drug Formulary at the end of December. They are on the website.

### **AMA Guides:**

Dr. Talmage presented the 2021 update to the AMA Guides. There has been an update to the Mental Disorder chapter that has incorporated DSM 5 terminology. The vote will be postponed until Spring to observe effects of the rule in other states.

The 2022 edition went live on 1/1/2022. The only change proposed is to Chapters 1 and 2, the introductory philosophy.

The spine chapter revision submitted for the 6<sup>th</sup> Edition 2022 was rejected.

The only changes for the 2022 edition are for chapters 1 and 2.

Suzy sent the information. The committee does not have to make recommendations until spring.

The committee deferred the discussion of the 2021 changes to the Mental Disorder Chapter, DSM 5, terms until the next meeting in May. The AMA will be requested to grant access to the text for the committee meeting.

### **Telehealth:**

Pain clinics are no longer able to use telehealth services for pain medications and opioids.

Medicare agreed to cover some services in telehealth but did not specify payment rates.

Dr. Bellner will be working with the TMA to help provide pain medications for the most vulnerable patients. TMA to file legislation to amend TCA 63-1-155 (c)(3) to allow licensed pain management clinics to treat patients via telemedicine if the prescriber does not issue a prescription for a controlled substance.

### **Medicare:**

Medicare has not updated their website for 2022, as of last week.

There is a 3% increase in physician payment for 2022.

The sequester was delayed to April with 1%. The 2% Medicare sequester begins in July 2022.

The medical fee schedule conversion factor change has not yet been published in Medicare's Physician Look-up Tool.

It was questioned if the change in the fee schedule conversion factor would negatively impact worker's comp?

There would be intervention to change the rules if the fee schedule changes were severe enough.

### **Legislative Update:**

There has been no specific legislation that affects the Medical Advisory Committee.

Revised Utilization Review Rules were sent to the Attorney General's office last week; then they go to the Government Operations Committee. This is a long process.

**UR Report:** For the calendar year of 2021, there were 1,226 UR appeals processed by the Bureau; 15% were administrative closes. Of the other 85%, 37% were denials that were upheld, and 48% were overturned or modified.

Each appeal took an average of 16 days to process. It took an average of 14 days to receive complete records. Once received, a determination was issued in an average of 2.2 days. One of the UR changes is to get the medical records more organized and more quickly to the Bureau.

### **Certified Physician Program:**

Jay Blaisdell has been working on the Certified Physician Program which has 15 modules of online material with audio.

### **R.E.W.A.R.D. Program:**

Suzy Douglas has assumed a director role in the program and works with employers to encourage the use of light duty and return to work in a manner that decreases employee disability.

The website has more information:

[REWARD Program \(tn.gov\)](https://www.tn.gov/reward)

### **Covid Update:**

By December 25<sup>th</sup>, there were 11,792 filed claims for Covid. Seven thousand appeals were denied. Thirteen percent have had initial payments made.

Fatality claims were filed for 45 individuals over the last 20 months.

## **New Business**

The committee was encouraged to look at the NCCI website for Tennessee specific events and information.

[www.NCCI.com](http://www.NCCI.com)

## **Next Meeting:**

May 10, 2022 at 1:00 CDT.

## **Adjournment:**

The meeting adjourned 1:37 PM by Dr. Talmage.