

1 **HB 1691 - H AMD 0120 WITHDRAWN 3-18-03**
2 By Representative Chandler

3 Beginning on page 1, line 11, strike all of subsection (1) of
4 section 1 and insert the following:

5 "The ability of the department to manage industrial insurance
6 health services becomes more difficult as the number or providers
7 and scopes of practice are expanded. The integrity of the
8 industrial insurance program of this state depends in large part
9 upon the provision of quality health and vocational services and
10 care to workers covered under this title. Medically unnecessary or
11 inappropriate health and vocational services delay the recovery
12 process, have grave potential for further injury to workers, and
13 escalate the cost of the industrial insurance program at great
14 unfairness to both workers and employers of this state. Therefore,
15 the director or the director's designee shall accomplish the
16 following objectives.

17 (1) The director shall supervise the providing of prompt and
18 efficient care and treatment, including ((eare)) services provided
19 by physician assistants governed by the provisions of chapters
20 18.57A and 18.71A RCW, acting under a supervising physician,
21 ((and)) including chiropractic care, and including care provided by
22 licensed advanced registered nurse practitioners, to workers
23 injured during the course of their employment at the least cost
24 consistent with promptness and efficiency, without discrimination
25 or favoritism, and with as great uniformity as the various and
26 diverse surrounding circumstances and locations of industries will
27 permit and to that end shall, from time to time, establish and
28 adopt and supervise the administration of printed forms, rules,
29 regulations, and practices for the furnishing of such care and
30 treatment: PROVIDED, That the department may adopt rules that
31 prescribe limits on the number or type of treatments, tests, or
32 procedures provided to injured workers, based upon the most current
33 medical and scientific evidence or the likelihood that such
34 treatments, tests, or procedures are curative or rehabilitative,

1 that is, that they are substantially likely to improve the worker's
2 functional abilities, particularly related to return to work:
3 PROVIDED FURTHER, That the medical coverage decisions of the
4 department do not constitute a "rule" as used in RCW 34.05.010(16),
5 nor are such decisions subject to the rule-making provisions of
6 chapter 34.05 RCW except that criteria for establishing medical
7 coverage decisions shall be adopted by rule after consultation with
8 the workers' compensation advisory committee established in RCW
9 51.04.110: PROVIDED FURTHER, That the department may recommend to
10 an injured worker particular health care services and providers
11 where specialized treatment is indicated or where cost effective
12 payment levels or rates are obtained by the department: AND
13 PROVIDED FURTHER, That the department may enter into contracts for
14 goods and services including, but not limited to, durable medical
15 equipment so long as statewide access to quality service is
16 maintained for injured workers."

17 On page 18, after line 24, insert the following:

18 "A provider may appeal any action, decision, or order by the
19 director or the director's authorized representative under this
20 section. Proceedings during the appeal shall be as prescribed in
21 this title. Any order terminating or suspending a provider's
22 eligibility to render services to industrially injured workers
23 pursuant to this section shall become effective thirty days after
24 the date the department order is communicated to the provider. An
25 appeal by a provider shall not act as a stay of the action unless
26 the board or court, for good cause shown, orders otherwise."

EFFECT: Gives the Department of Labor and Industries greater authority to oversee the utilization of health care services and to discipline participating health care providers.