
The original instrument was prepared by Carla S. Roberts. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cathy R. Wells.

DIGEST

Cortez (SB 261)

Present law provides that the director of the office of workers' compensation shall have the authority to contract with a medical director.

Proposed law retains present law but clarifies that the medical director may be contracted or employed.

Proposed law retains present law but provides that the director of the office of workers' compensation shall have the authority to contract with or employ an associate medical director.

Proposed law defines "medical director" to mean a physician who meets all of the following criteria:

- (1) Is licensed to practice medicine in the state of La.
- (2) Is chosen by the director of the office of workers' compensation as is provided in present law.
- (3) Is a full-time public employee of the office of workers' compensation and does not engage in the practice of medicine outside the office of workers' compensation.
- (4) Assists the medical director.

Proposed law defines "associate medical director" to mean a physician who meets all of the following criteria:

- (1) Is licensed to practice medicine in the state of La.
- (2) Is chosen by the director of the office of workers' compensation.
- (3) Is a full-time public employee of the office of workers' compensation and does not engage in the practice of medicine outside the office of workers' compensation.
- (4) Assists the medical director.

Proposed law provides that the associate medical director shall have the authority to act in the place of the medical director regarding disputed cases in any of the following circumstances:

- (1) The medical director has a conflict of interest.
- (2) The volume of disputed cases is determined by the director to be voluminous.
- (3) The disputed case is outside the expertise of the medical director.
- (4) The medical director is unable to perform his duties.

Proposed law provides that the director shall promulgate rules and regulations to prohibit potential conflicts of interest by the medical director or the associate medical director.

Present law provides that medical treatment owed to the injured employee shall be done in accordance with the medical treatment schedule.

Proposed law retains present law but provides that the injured employee is entitled to medically necessary evaluation management visits with injured employee's treating physician so long as all of the following are met:

- (1) The medical treatment schedule requires documentation of functional improvement to continue prescribed treatment.
- (2) The number of evaluation management visits is not greater than 12 visits per year.

Proposed law retains present law but provides that, should the payor refuse to authorize the number of physical therapy treatments prescribed by the treating physician, the payor shall authorize an evaluation management visit following the last authorized physical therapy treatment in order to determine if the patient is improving as a result of the physical therapy treatments authorized and if more physical therapy treatments are medically necessary. Effective August 1, 2013.

(Amends R.S. 23:1203.1(A) and (F)(5); adds R.S. 23:1203.1(P) and (Q))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Provides an additional circumstance for associate medical director to act in the place of the medical director regarding disputed cases, specifically if the medical director is unable to perform his duties.
2. Provides that injured employee is entitled to evaluation management visits if such treatment is medically necessary.