



# OKLAHOMA WORKERS' COMPENSATION COMMISSION

1915 N STILES AVE STE 231 · OKC, OK · 73105 · (405) 522-3222 · WCC.OK.GOV

Tulsa office · 212 Kerr State Office Building · 440 South Houston · Tulsa, Oklahoma 74127 · (918) 295-3732

Chairman Mark Liotta · Commissioner Jordan Russell · Commissioner Megan Tilly

Executive Director Hopper Smith

## Update on the Progress of the Fee Schedule Review

In June 2019, pursuant to statutory direction at 85A O.S. § 50(H)(14)(b), the Workers' Compensation Commission ("WCC") sought an impartial, external consultant to analyze Oklahoma's Fee Schedule, and to propose an amendment for WCC approval. After following the statutory RFP process, the Commission selected Fair Health to assist in this endeavor on August 8, 2019. Soon after initial planning discussions, representatives from Fair Health immediately began analyzing existing fee schedule maximum allowable rates in comparison to data from workers' compensation fee schedules and medical fee schedules of public and private payors across the country, analyzing the market for workers' compensation medical services based upon the frequency of current charges and the availability of care, and receiving comment on the various challenges of the current fee schedule and proposed solutions from stakeholders within the workers' compensation system.

As demonstrated in the detailed timeline below, the WCC facilitated and announced numerous opportunities, in public meetings, online, via mail, and email for all potential stakeholders, including the members of our two advisory boards, to share comments and provide input regarding potential revisions to the Fee Schedule. Fair Health has since received input from such stakeholders through these meetings and the online information portal. Additionally, Fair Health made multiple visits to Oklahoma to hear first-hand from Oklahoma stakeholders.

Date	Timeline For Fee Schedule Review
6/11/2019	The Commission issued its first public notice announcing the intent to seek an independent, external consultant for the review and update of the Current Procedural Terminology ("CPT") in the Fee Schedule.
9/6/2019	At the Physician Advisory Committee (PAC) Special Meeting, PAC members provided the WCC an opportunity during the meeting to update PAC members about the Fee Schedule review process. At this meeting, the Commission announced the selection of the external consultant, Fair Health, and answered questions from PAC members about the Fee Schedule review process. The Commission announced future public hearings where Fair Health would receive comments from members of the PAC, the Advisory Council, and the public. At this time, the Commission requested members of the PAC to begin compiling proposed revisions to the Fee Schedule, along with any other helpful data, to submit in writing to Fair Health.
10/1/2019	The WCC posted a public bulletin announcing that Fair Health would be presenting its review process at the WCC's Annual Conference. At the conference on October 3, Fair Health first announced the availability of an email portal to take public written comment on the existing Fee Schedule. Additionally, the WCC posted Fair Health's presentation slides detailing its Fee Schedule review process, and provided access to the public comment email portal, on the front page of the Commission's website. The presentation and public comment inbox portal have remained posted through the entire public comment period.
10/9/2019	The WCC issued an Alert and posted on its website, <a href="http://www.wcc.ok.gov">www.wcc.ok.gov</a> , an announcement that the public comment period would be open through November 7. This alert detailed the date and time of a Special Business Meeting to be held on November 7, 2019, at 10:00 a.m. at which Fair Health would be present to take public comment. The public input session was properly noticed as a business item on the agenda for the Special



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Business Meeting of the Commission, the agenda of the Advisory Council, and the agenda of the PAC, all posted at the Commission and filed with the Secretary of State.

11/7/2019 Fair Health representatives attended in person, presented on their process, and took questions and comments from the public at a 10:00 a.m. Special Business Meeting of the WCC.

11/7/2019 Fair Health representatives attended a Regular Meeting of the Advisory Council on Workers' Compensation. Fair Health presented on its fee schedule review process and took questions and comments from the Advisory Council members.

11/8/2019 Fair Health representatives attended a Regular Meeting of the PAC. Fair Health presented on its fee schedule review process and took questions and comments from the Physicians Advisory Committee.

At present, the WCC and the contractor, Fair Health, are in the process of the reviewing the fee schedule. The process is not over yet. Fair Health will submit its proposal, and the WCC will review and may modify the proposal before sending it to the Legislature to be voted on in the 2020 legislative session. As a part of the review process, the WCC is planning an additional period of public comment on the proposed fee schedule. Below is a list of approximate dates for the fee schedule review process. You can stay up to date on the process by checking our website at <https://www.ok.gov/wcc/>, where you may also see Alerts and sign up for updates. Additionally, if you have any questions about the process, you may contact the WCC by phone at (405) 522-3222 or toll free at 1 (855) 291-3612.

Date	Projected Fee Schedule Review Dates.
12/20/2019	Report and Proposed Fee Schedule Due from Fair Health
1/27/2020	Special Meeting of the Workers' Compensation Commission - Approve proposed fee schedule for public comment
1/28/2020	Begin 30-day public comment period. Report and proposed fee schedule to be published on WCC website for public review and comment.
2/27/2020	Special Meeting of the Workers' Compensation Commission - Receive public comment
2/27/2020	End 30-day public comment period
3/17/2020	Special Meeting of the Workers' Compensation Commission - Final adoption of Fee Schedule
3/20/2020	WCC to submit adopted Fee Schedule to Legislature for approval/disapproval by Joint Resolution



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