

MINUTES OF MEETING  
OF THE INDUSTRIAL COMMISSION OF ARIZONA  
Held at 800 West Washington Street  
Phoenix, Arizona 85007  
Thursday, June 30, 2022 – 1:00 p.m.

Present: Dale L. Schultz	Chairman
Joseph M. Hennelly, Jr.	Vice Chair (Telephonic)
Scott P. LeMarr	Commissioner
D. Alan Everett	Commissioner (Telephonic)
James Ashley	Director
Gaetano Testini	Chief Legal Counsel
Trevor Laky	Legislative Affairs Chief/Public Information Officer
Charles Carpenter	MRO Manager
Renee Englen	MRO Assistant
Renee Pastor	Self-Insurance (Telephonic)
Ruby Tate	Claims Manager
Jessie Atencio	ADOSH Director
Don Kautz	ADOSH Compliance
Charlie Preciado	ADOSH Compliance
Rebecca Stratton	ADOSH Compliance
Anna Maria Stonerock	ADOSH Admin
Kara Dimas	Commission Secretary

Chairman Schultz convened the meeting at 1:05 p.m. In attendance, confirmed by roll call were Dorothy Schulte (Court Reporter); Dave Howard and Sean Scalley (DSI); Esperanza Alvarez (RJ Utility); Kiana Lawrence and Kaila Hopkins (Snell & Wilmer); Barry Aarons (IWP and AALIW); Larry Contreras (Premier Risk Mgmt); Robin Arreaga and Robin Arreaga Morales (Rob's Roofing) and Susan Strickler (Arizona Self Insurers Association). Also in attendance on the telephone, confirmed by roll call were Chris Frank (Banner Health); Ben Cutcliffe (Truly Nolen); Anthony Acosta (AZ Municipal Risk Retention Pool); Janny Snyder and Chris Miller (Purcell); Jessica Davis (Honor Health); Tim Ramthun, Bob Pastore, Laura Gore, Danielle Nuebauer (Walmart); Katie Callaway (Central Arizona Project); Brian Bradnel (Bon Rich, Inc.); Arnold Gabalfin (High Tech Refrigeration Services, LLC); and Dianne Shoemake (City of Glendale).

Public Hearing regarding the 2022-2023 Arizona Physicians' and Pharmaceutical Fee Schedule established under A.R.S. § 23-908(B).

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Chairman Schultz welcomed interested parties to the public hearing which gives stakeholders another opportunity to comment on staff proposals regarding the 2022/2023 Arizona Physicians' and Pharmaceutical Fee Schedule and the recommendations for changes to the Fee Schedule. He noted the Staff Proposal has been posted on the Commission's website for the last month.

Mr. Carpenter reviewed the six items in the staff proposal.

Chairman Schultz thanked Mr. Carpenter.

The following attendees addressed the Commission during the Public Hearing: Barry Aarons (IWP and AALIW); Dianne Shoemake (City of Glendale) did not have any comments; and Brian Allen (Mitchell Pharmacy Solutions).

At the conclusion of the testimony, Chairman Schultz noted that the record will remain open for written comments until the close of business on July 7, 2022. Comments received by the Commission will be placed on the Commission's website, including the transcript from today.

A written transcript of the Public Hearing is attached hereto.

Approval of Minutes of June 23, 2022 Regular Meeting Minutes.

Commissioner LeMarr moved to approve the Minutes of the June 23, 2022 regular session meeting and Vice Chair Hennelly seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Everett voted in favor of the motion. The motion passed.

Consent Agenda:

All items following under this agenda item are consent matters and will be considered by a single motion with no discussion unless a Commissioner asks to remove an item on the consent agenda to be discussed and voted on separately. The Commission may move into Executive Session under A.R.S. § 38-431.03(A)(2) to discuss records exempt by law from public inspection. Legal action involving a final vote or decision shall not be taken in Executive Session. If such action is required, then it will be taken in General Session.

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a. Approval of Requests for Renewal of Self-Insurance Authority.

1. Arizona Municipal Risk Retention Pool
2. Banner Health
3. BH Automotive, LLC
4. Central Arizona Water Conservation District dba Central Arizona Project
5. Freeport-McMoran Inc.
6. HonorHealth
7. Kiewit Corporation
8. Knight Transportation, Inc.
9. Marriott International, Inc.
10. Mayo Clinic
11. Nordstrom, Inc.
12. Pilot Travel Centers LLC
13. Prudential Overall Supply, Inc.
14. Purcell Rubber & Tire Company
15. Swift Transportation Co., LLC
16. The Kroger Co.
17. Truly Nolen of America, Inc.
18. Wal-Mart Associates, Inc.
19. Weyerhaeuser Company

Chairman Schultz explained as part of the review the Commission looks at the financial condition of the self-insured entity and their safety record. He noted there are a number of the self-insured employers who are also participants in the Voluntary Protection Program (VPP) under our

Arizona state plan. These entities that are both self-insured and are VPP are among the safest of all of the self-insured entities when comparing the experience modification factor. The VPP sites that are self-insured run from a .67 to .79, dramatically safer, dramatically different, the Chairman encourages the rest of the self-insured employers to become a VPP site, by contacting the ADOSH office

Commissioner LeMarr moved to approve the items on the Consent Agenda and Commissioner Everett seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Everett voted in favor of the motion. The motion passed.

Discussion & Action regarding Appointment of Special Assistant to the Industrial Commission of Arizona.

Tina Brown

Ms. Tate requested to appoint Tina Brown as Special Assistant for the Commission's Claims Division.

Commissioner LeMarr moved to appoint Tina Brown as Special Assistant and Commissioner Everett seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Everett voted in favor of the motion. The motion passed.

Discussion and Action of Arizona Division of Occupational Safety and Health Proposed Citations and Penalties.

Chairman Schultz discussed the purpose of and process for the Commission's consideration of ADOSH citations and proposed penalties.

Desert Structures, Inc  
3426 North 29th Avenue  
Phoenix, AZ 85017

Site Location: 440 E Germann Rd  
Gilbert, AZ 85297

Inspection No: FC-2022-V4364-0013  
Inspection Date: January 6, 2022

Fatality/Catastrophe

Years in Business: 13

Empl. Covered by Inspection: 10

SERIOUS – Citation 1 - Item 1 –

- a) 440 E Germann Rd, Gilbert, AZ 85297: Two employees worked on the roof of a commercial building while using a personal fall arrest system that was faulty and was not removed from service. 29 CFR 1926.502(d)(21)

Div. Proposal - \$1,500.00

Formula Amt. - \$1,500.00

SERIOUS – Citation 1 - Item 2 –

- a) 440 E Germann Rd, Gilbert, AZ 85297: Two employees worked on a commercial roof of a height of approximately 40 feet above the ground level without hole protection. 29 CFR 1926.501(b)(4)(i)

Div. Proposal - \$1,500.00

Formula Amt. - \$1,500.00



Chairman Schultz was also bothered by the way the anchor was placed. His question going forward would be, what changes have they made, is someone now responsible for inspecting how those anchors are attached to the roofing to make sure they are secure. He appreciated Mr. Howard's comments and understands that it is more than losing an employee and the devastation to the family and the work family.

Chairman Schultz asked if there were any other comments.

Mr. Atencio noted that there is a foreman on site that would check and go through things, there was information in the file that things are being checked and always a responsibility to go back to look at these things on a daily basis. There was just a closing review last week of what was found, there was a long period of time where they thought everything was ok or were working on things independently.

Commissioner LeMarr moved to approve the citation and proposed penalties as presented and Commissioner Everett seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Everett voted in favor of the motion. The motion passed.

Bon-Rich, Inc. DBA Mohave Roofing Company	Referral	
1330 London Bridge Rd	Years in Business:	30
<u>Lake Havasu City, AZ 86404</u>	Empl. Covered by Inspection:	6
Site Location:	3353 Park Ridge Ave	
	Bullhead City, AZ 86429	
Inspection No:	CP-2022-V4364-0014	
Inspection Date:	January 24, 2022	

SERIOUS – Citation 1 - Item 1 –

- a) 3353 Dark Ridge Ave, Bullhead City, AZ 86429: Two employees were installing shingles on a single-story home that was 9' above the ground level, without fall protection.
  - b) 3353 Dark Ridge Ave, Bullhead City, AZ 86429: Two employees were installing shingles on a single-story home that was 9' above the ground level, without fall protection. 29 CFR 1926.501(b)(13)
- |                            |                           |
|----------------------------|---------------------------|
| Div. Proposal - \$2,000.00 | Formula Amt. - \$2,000.00 |
|----------------------------|---------------------------|

SERIOUS – Citation 1 - Item 2 –

- a) 3353 Dark Ridge Ave, Bullhead City, AZ 86429: Two employees were installing shingles on a single-story home that was 9' above the ground level, without the supervision of a qualified person. 29 CFR 1926.502(d)(15)(ii)
- |                            |                                 |
|----------------------------|---------------------------------|
| Div. Proposal - \$1,000.00 | Formula Amt. - \$1,000.00       |
| TOTAL PENALTY - \$3,000.00 | TOTAL FORMULA AMT. - \$3,000.00 |

Mr. Atencio discussed ADOSH's inspection, summarized the citation and proposed penalties, and reviewed the photographs.

Chairman Schultz checked if Mr. Bradnel would like to comment.

Mr. Bradnel understood the citations and wanted to ask for some leniency, sometimes the employees really need to take into consideration the rules, they have extensive documentation on



Div. Proposal - \$1,000.00

Formula Amt. - \$1,000.00

SERIOUS – Citation 1 - Item 4a –

- a) 5641 E 22nd St, Tucson AZ: Employees were mixing and using degreasing and cleaning chemicals and no hazard communication program was implemented to inform them of the hazards associated with such chemicals. 29 CFR 1910.1200(e)(1)

Div. Proposal - \$975.00

Formula Amt. - \$800.00

SERIOUS – Citation 1 - Item 4b –

- a) 5641 E 22nd St, Tucson AZ: Employees were mixing and using degreasing and cleaning chemicals without access to safety data sheets to inform the employees of the hazards associated with the chemicals that they were using. 29 CFR 1910.1200(g)(8)

Div. Proposal - \$0.00

Formula Amt. - \$0.00

SERIOUS – Citation 1 - Item 5 –

- a) 5641 E 22nd St, Tucson AZ: Employees were mixing and using degreasing and cleaning chemicals without any training on the hazards associated with such chemicals. 29 CFR 1910.1200(h)(1)

Div. Proposal - \$975.00

Formula Amt. - \$800.00

TOTAL PENALTY - \$6,950.00

TOTAL FORMULA AMT. - \$6,600.00

Mr. Atencio noted the Compliance Officer, Mr. Kautz was available for questions. Mr. Atencio discussed ADOSH's inspection, summarized the citation and proposed penalties, and reviewed the photographs.

Commissioner LeMarr asked whether during the interviews the employees indicated if they used goggles and gloves or other PPE when handling the chemicals.

Mr. Kautz noted the employee did not know about the skylights and did not know they were painted over. He noted the one chemical they were using was not a household chemical which cleaned the coils. Mr. Atencio noted one of the citations was for not doing a hazard assessment for PPE, because the employer did not provide ADOSH anything. If they were using PPE, that would have been in conjunction to ensure that they were.

Commissioner LeMarr noted the assumption was that they were not using PPE. Mr. Atencio agreed and Mr. Kautz noted he was not there when they were cleaning the coils and the employee did not really know it was an industrial chemical and the employer told them it was a household chemical. Mr. Atencio noted he discussed with the Assistant Director in Tucson whether or not to issue a citation for not having a PPE assessment that is required, and the reason he provided that information is because the employees were not using it, not just the fall protection.

Commissioner LeMarr noted it is clear to use goggles and gloves, and if they were they read the label too.

Chairman Schultz checked if Mr. Gabalfin would like to comment.





Mr. Atencio removed this file for further review with staff noting there are no deadline issues.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Mr. Ashley updated the Commissioners on the Heat Stress awareness campaign that will have a significant public service announcement impact this year to promote “Water, Shade and Rest.” He noted all of the geographic areas throughout the state for the radio announcements in English and Spanish for 30 second and 15 second spots and will have the recordings for a later meeting. Mr. Laky is working with a media buyer to be able to cover more areas.

Mr. Ashley reminded everyone of the special page on the Commission website for Heat Stress awareness, training and resources, and Mr. Laky will be making some updates, and the website will be mentioned in the radio spots.

Ms. Dimas confirmed Commission meeting dates through September 2022.

Public Comment.

There was no other public comment.

Commissioner Everett moved to adjourn and Vice Chair Hennelly seconded the motion. Chairman Schultz, Vice Chair Hennelly and Commissioner Everett voted in favor of the motion and the meeting was adjourned at 3:02 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By

  
James Ashley, Director

ATTEST:

  
Kara Dimas, Commission Secretary

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INDUSTRIAL COMMISSION OF ARIZONA

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PUBLIC HEARING REGARDING THE 2022-2023  
ARIZONA PHYSICIANS' AND PHARMACEUTICAL FEE SCHEDULE

\* \* \* \* \*

*June 30, 2022*

*1:00 p.m.*

*Prepared by:  
Dorothy A. Schulte, RPR  
Certified Court Reporter  
Certificate No. 50459*

*PERFECTA REPORTING  
602-421-3602*

*(ORIGINAL)*

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THE PUBLIC HEARING REGARDING THE 2022-2023  
ARIZONA PHYSICIANS' AND PHARMACEUTICAL FEE SCHEDULE  
was reported by Dorothy A. Schulte, CCR, RPR,  
Arizona Certified Court Reporter No. 50459, in and  
for the State of Arizona.

\* \* \* \* \*

TELEPHONIC APPEARANCES

COMMISSIONERS: Vice Chair Joe Hennelly  
Commissioner Alan Everett

STAFF: Renee Pastor, Self-Insurance.

Fee Schedule Hearing:  
Brian Allen/Mitchell Pharmacy Solutions  
Dianne Shoemake/City of Glendale

IN-PERSON APPEARANCES

COMMISSIONERS: Chairman Dale Schultz  
Commissioner Scott LeMarr

STAFF: James Ashley, Director  
Gaetano Testini, Chief Legal Counsel  
Trevor Laky, PIO and Legislative Affairs  
Charles Carpenter, MRO Manager  
Renee Englen, MRO Assistant  
Ruby Tate, Claims Manager  
Jessie Atencio, ADOSH Director  
Don Kautz, ADOSH Compliance  
Charlie Preciado, ADOSH Compliance  
Anna Maria Stonerock, ADOSH Admin  
Kara Dimas, Commission Secretary

PUBLIC COMMENTS

SPEAKERS:	PAGE:
BARRY AARONS (THE AARONS COMPANY).....	10
BRIAN ALLEN (MITCHELL PHARMACY SOLUTIONS).....	13

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1 *Phoenix, Arizona*  
2 *June 30, 2022*  
3 *1:00 p.m.*

4 P R O C E E D I N G S

5  
6  
7 CHAIRMAN SCHULTZ: All right. I think  
8 we are good to go.

9 Okay, so our first order of business today is  
10 a public hearing regarding the 2021 Arizona Physicians'  
11 and Pharmaceutical Fee Schedule established under  
12 A.R.S 23-908(B).

13 This public hearing is being held to give  
14 members of the public and Commission stakeholders an  
15 opportunity to comment on staff proposals regarding the  
16 2022-2023 Arizona Physicians' and Pharmaceutical Fee  
17 Schedule and to make additional recommendations for  
18 changes to the Fee Schedule.

19 The staff proposal has been posted on the  
20 Commission's website for the last month.

21 Charles Carpenter, the manager of the Medical  
22 Resource Office, will provide a brief overview of the  
23 staff proposal.

24 MR. CARPENTER: All right. Good  
25 afternoon, Chairman, Commissioners, Director Ashley,

1 colleagues, and guests. And thank you for the  
2 opportunity to present the staff proposal for the  
3 2022-2023 Physicians' and Pharmaceutical Fee Schedule.

4 First, staff proposes to include the updated  
5 service codes, relative value units or (RVUs), and  
6 reimbursement values as presented in the tables  
7 accompanying the published proposal.

8 The methodology used in computing  
9 reimbursement values has not changed from previous  
10 years and is outlined in detail in the proposal. The  
11 proposed 2022-2023 Fee Schedule will continue to use  
12 the Centers for Medicare and Medicaid services, or CMS,  
13 continue to use their surgical global periods, assign  
14 RVUs to consultation services, and delineate codes that  
15 are unique to Arizona.

16 Staff proposes to maintain the RBRVS  
17 conversion factors used in the 2021-2022 Fee Schedule.

18 Second, staff proposes to continue to  
19 designate -- the designation of Medi-Span as the source  
20 to determine Average Wholesale Price or (AWP).

21 Third, staff proposes to adopt the deletions  
22 and additions to the 2022 edition of the American  
23 Medical Association's Current Procedural Terminology  
24 publication, also known as the CPT.

25 Fourth, staff proposes to amend the

1 introduction Section of the Fee Schedule in Sections A  
2 and J by adding clarifying language to subsections A(2)  
3 and J(4). Staff also proposes the addition of a new  
4 section, and that will become Section (I). This new  
5 section provides updated guidance on reimbursing  
6 healthcare providers who testify at hearing.

7           Regardless of the party who files for a  
8 hearing, if a healthcare provider is requested by an  
9 insurance provider, a self-insured employer, or the  
10 Special Fund of the Commission, to provide testimony at  
11 hearing, they, that is the insurance provider and the  
12 self-insured employer, or the Special Fund, will be  
13 responsible to provide payment to that witness. The  
14 amount that those entities will be responsible to pay  
15 is a minimum of 150 dollars for the first hour of  
16 testimony or any portion of that hour. Payment for  
17 time spent giving testimony after the initial hour is  
18 equal to 50 dollars for each 20-minute increment  
19 thereafter.

20           Witnesses requested by the injured worker  
21 will be reimbursed by the Commission at a rate of 150  
22 dollars for the initial hour, or any portion thereof,  
23 and 50 dollars for each 20-minute increment thereafter.

24           Prior to proposing an update to the witness  
25 fees, the Medical Resource Office staff -- we gathered

1 and we analyzed data from other jurisdictions on how  
2 they paid for witness fees or for witnesses who are  
3 requested to testify at hearing.

4 The majority of states require the requesting  
5 party be responsible for paying their witness fees and  
6 not all of the states regulate the amount paid for  
7 witness fees.

8 The proposed witness fee update this year  
9 will increase the amount witnesses are paid while  
10 maintaining the ability of an injured worker to request  
11 the testimony of a healthcare provider at a hearing  
12 without financially burdening the injured worker.

13 Fifth, staff proposes to amend the Surgery  
14 Section of the 2022-2023 Fee Schedule by adding  
15 modifiers "82" and "AS" to Section D along with  
16 language that clarifies the appropriate level of the  
17 healthcare provider who should use modifier "AS".  
18 Staff also proposes updating the reimbursement value  
19 for modifier "81" to 16 percent of the listed value of  
20 that surgical procedure. This aligns with the current  
21 Medicare reimbursement value.

22 Sixth, staff proposes to amend portions of  
23 the Physical Medicine and Rehabilitation Guidelines to  
24 clarify that time spent performing time-based  
25 modalities is included when determining the total

1 treatment time and the total number of units that may  
2 be billed during a single visit. However, the time  
3 spent performing time-based modalities does not count  
4 toward the time requirement for therapeutic procedures  
5 that necessitates prior approval from the payer.

6 Finally, staff proposes to update the service  
7 description of code AZ099 based on the proposed changes  
8 to the witness fees. The new language reflects the  
9 amount for the initial hour and that the fees are  
10 prorated after the first hour based on 20-minute  
11 increments.

12 So the Medical Resource Office appreciates  
13 your time considering this proposal, and I'm happy to  
14 take any questions from the Commission.

15 CHAIRMAN SCHULTZ: Any questions for  
16 Charles?

17 Joe or Alan, any questions for Charles?

18 MS. DIMAS: Commissioner Everett, you  
19 may need to unmute yourself.

20 CHAIRMAN SCHULTZ: Okay. We're good  
21 then. Let's move on, and now we welcome those present  
22 and on the phone who wish to present any oral comments  
23 and recommendations regarding the 2022-2023 Fee  
24 Schedule.

25 We'll start with the list of people that have

1 already requested to speak per the instructions you  
2 received a month ago with a copy of the proposed  
3 updates.

4 Others wishing to speak will then also be  
5 given an opportunity. You will have five minutes to  
6 speak. At the beginning of your comments, for the  
7 record and the court reporter, please state your name  
8 again and spell it and state who you represent.

9 At the conclusion of your comments, the  
10 Commissioners and staff may ask you questions. In the  
11 interest of time, please do not repeat what other  
12 speakers have stated. If you agree with what has been  
13 said, simply state as such.

14 Although the public hearing will end when  
15 oral comments have concluded, written comments will be  
16 accepted through close of business on Thursday, July 7,  
17 2022. That's Thursday, July 7, 2022.

18 Once the record is closed, the Medical  
19 Resource Office and the Commission will carefully  
20 consider all comments and available information and  
21 data prior to taking formal action related to the  
22 2022-2023 Arizona Physicians' and Pharmaceutical Fee  
23 Schedule.

24 Now, let's start with public comments. And  
25 let's see. Where do we have our list of folks. Those

1 are both about ADOSH.

2 Okay, so let's see. I actually first see, on  
3 our list here of the folks who have signed in, Barry  
4 Aarons.

5 Barry, would you like to join us?

6 MR. AARONS: Good afternoon,  
7 Mr. Chairman, Members of the Commission. For the  
8 record, my name is Barry Aarons. Last name is spelled  
9 A-a-r-o-n-s. I'm here on behalf of the Arizona  
10 Association of Lawyers for Injured Workers and Injured  
11 Workers Pharmacy.

12 We have a couple of comments related to not  
13 just the proposal but the process as it was developed.  
14 I want to thank the Commission and, in particular, I  
15 want to thank Mr. Laky for his cooperation and  
16 assistance during legislative session. During which  
17 time, the legislature passed House Bill 2202, which  
18 amended 23-908, to provide some additional process in  
19 determining the Pharmacy Fee Schedule, to that, and I  
20 also want to thank Mr. Laky and Mr. Carpenter for  
21 conducting your required stakeholder meeting, which I  
22 thought was robust and was informative and led us not  
23 just to discussions about what's before us today but  
24 some really interesting ideas for moving into the  
25 future. And we appreciate that.

1 I would add one process suggestion to you,  
2 Mr. Chairman, Members of the Commission, and that is  
3 that although the law only requires a stakeholder  
4 meeting between the time that the proposal was issued  
5 and this hearing, we would suggest that if the  
6 Commission staff makes significant changes in the  
7 proposal based on the comments from this hearing or  
8 other evidence that they collect in terms of written  
9 comments, that since you're required to post the --  
10 that seven business days prior to when you have the  
11 hearing to adopt it, if you consider -- if changes have  
12 been made that you consider conducting another one of  
13 the stakeholder meetings that Mr. Carpenter or Mr. Laky  
14 convened earlier this month so we would have an  
15 opportunity to review it, discuss it, chat about it and  
16 see if there's anything that we can do to modify it if  
17 there are significant changes.

18 Lastly, I would tell you that we do not have  
19 objections to what is proposed here today. We  
20 particularly want to say that the witness fee addition  
21 is a good addition, adds some predictability to the  
22 process. And we appreciate that.

23 With that, Mr. Chairman, I'm happy to  
24 entertain questions.

25 CHAIRMAN SCHULTZ: Any questions for

1 Mr. Aarons?

2 Commissioners on the phone, any questions for  
3 Mr. Aarons?

4 MR. HENNELLY: Not for me.

5 CHAIRMAN SCHULTZ: Okay. Thank you.

6 Alan, any?

7 Okay.

8 MR. AARONS: And with that,  
9 Mr. Chairman, again, I want to thank you for your  
10 willingness to meet with me one on one several times.  
11 We had good, robust discussions, and I appreciate that.

12 CHAIRMAN SCHULTZ: Always my pleasure,  
13 Barry.

14 MR. AARONS: Thank you, Mr. Chairman.

15 CHAIRMAN SCHULTZ: Thank you for joining  
16 us today.

17 Okay, and let's see on the phone -- those are  
18 all about self-insured, ADOSH, and the only person I  
19 show on the phone joining us for the Fee Schedule  
20 hearing is Dianne Shoemake.

21 Dianne, did you wish to make any comments, or  
22 are you just listening in today?

23 Dianne, you need to hit star six to unmute  
24 yourself.

25 MS. SHOEMAKE: Sorry about that. I have

1 no comments at this time, but thank you very much for  
2 giving me this opportunity.

3 CHAIRMAN SCHULTZ: Great. Okay. Thank  
4 you.

5 Okay. I don't see any others who indicated  
6 they wish to have an opportunity to speak, and so I  
7 will open it to those of you who have joined us.

8 Is there anyone here who wishes to speak to  
9 the issue of the 2022-2023 Physicians' and  
10 Pharmaceutical Fee Schedule?

11 Hearing none, is there anyone on the phone  
12 who has not identified themselves as wishing to speak  
13 who does wish to speak to the Fee Schedule? Now is  
14 your opportunity. Please hit star six to unmute  
15 yourself and give us your name and who you represent.

16 Hearing none --

17 MR. ALLEN: This is Brian Allen. This  
18 is Brian Allen from Mitchell Pharmacy Solutions. I  
19 just wanted to comment, first of all, on the  
20 stakeholder meeting. I thought it was very well done  
21 and extremely helpful. I also just wanted to express  
22 our support for your continuation of using Medi-Span as  
23 the source for AWP. We appreciate that, and that's  
24 helpful. Thank you.

25 CHAIRMAN SCHULTZ: Okay. Thank you,

1 Mr. Allen.

2 Any questions for Mr. Allen?

3 Okay. Then if there's no one else who wishes  
4 to speak to the Fee Schedule, this will conclude the  
5 annual Fee Schedule Public Hearing.

6 As a reminder, although the oral proceeding  
7 has concluded, written comments will be accepted  
8 through the close of business on July 7, that's July 7,  
9 2022. Written comments may be submitted to Charles  
10 Carpenter, manager of the Medical Resource Office. His  
11 contact information is available on the Commission's  
12 Medical Resource Office web page at [azica.gov](http://azica.gov).

13 All written comments, along with a  
14 transcript of this hearing, will be posted on the  
15 Medical Review Office web page, so you can look to  
16 comments from others on the web page.

17 Okay. If there's no one else who wishes to  
18 comment, then let us move on to our other items of  
19 business on our agenda today.

20 (WHEREUPON, the hearing concluded at 1:32  
21 p.m.)

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C E R T I F I C A T E

I HEREBY CERTIFY that the proceedings had upon the foregoing hearing are contained in the shorthand record made by me thereof, and that the foregoing pages constitute a full, true, and correct transcript of said shorthand record; all done to the best of my skill and ability.

DATED at Phoenix, Arizona, this 19th day of July, 2022.

Dorothy A. Schulte

Dorothy A. Schulte, CCR, RPR  
Certified Court Reporter  
Certificate No. 50459