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August 17, 2017

Emailed: Kara.Dimas@azica.gov

Chairman Dale Schultz
Industrial Commission of Arizona
P.O. Box 19070
Phoenix, AZ 85005-9070

Re: Streamlining the authorization process for medical treatment

Dear Chairman Schultz:

The Official Disability Guidelines (ODG) were adopted by the ICA and presented as a tool that would make it more efficient for claimants to receive appropriate health care. In practice, however, the ODG is being used to authorize or deny medical treatment. The problem is that a doctor will recommend treatment that falls under the ODG but receive no response from the carrier. In some cases, the treatment will be authorized but not until a month later, leaving the injured worker suffering, often with a worsening condition. Other times, the injured worker is ignored, then eventually denied the treatment based on the ODG after a month or more of waiting for a response. At that point, the injured worker has no option but to file a request for hearing, which delays treatment for 6 months or more in even the most straightforward claim.

Senate Bill 1332, Chapter Law 287 last session required in Section 5 that the "Industrial Commission of Arizona shall review and determine a process for streamlining the authorization process for treatment that is within the evidence-based treatment guidelines." This was a provision that was reached through negotiation and compromise by the stakeholders involved.

One suggestion for ameliorating this situation is to add a provision to the rules that provides for automatic authorization if the treatment request meets the ODG requirements and the carrier does not respond within 5 business days. If the carrier feels that it should be denied, even though the treatment recommendation is within the ODG, it can do so with an explanation of why it is being denied. If no explanation is provided by the carrier with 5 business days, then the requested treatment will be deemed automatically authorized.

We need additional time to come together and make a comprehensive proposal to the Commission in this regard. The stakeholders agreed on the Section 5 language. It has been our

experience in the past couple of years that when the stakeholders come together, they are generally able to reach a solution that everyone can live with. Accordingly, it should be addressed by collaboration of the stakeholders in a manner designed to bring about a proposal for the Commission that works for everyone. We would hope that such meetings would be attended by a representative of the Commission so that we could receive the Commission's input as well.

Accordingly, we request that the review process not end with the meeting of August 17, 2017, but be permitted to continue with the understanding that the directive was to have the process reviewed and determined by December 31, 2017. Thank you for your consideration.

Sincerely,



Briana Chua
President, AALIW

cc: James Ashley
Joseph Hennelly, Jr.
Scott LeMarr
Robin Orchard
Steven Krenzel