

Michigan Department of Labor and Economic Opportunity
Workers' Disability Compensation Agency

**HEALTH CARE SERVICES ADVISORY COMMITTEE
MINUTES**

Meeting Date: July 20, 2022
Time: 1:30 p.m.
Via Zoom teleconference

Workers' Disability Compensation Agency
2501 Woodlake Circle
Okemos, Michigan

Members Present: Gordon S. White, Chairperson; Wendy Kolbusz; Paul Kauffman; Katie Mason; Holly Secord; Jayson Chizick; Joseph Firestone; Barry Leshman, DO; George E. Metropoulos, MD, MPH; Ellyse Sites; Frankie Serra.

Members Absent: Steven Pollok, Jason Jorkasky, Gina Otterbein, Kurt Titze, Ken Dombrow..

WCA Representatives: Jack A. Nolish, Director
David Campbell, Division Manager
Kris Kloc, RN BSN, Medical Claims Analyst
Deb Outwater, Executive Secretary

1. CALL TO ORDER

Chairperson White called the meeting to order at 1:35 p.m.

1A. APPROVAL OF MINUTES

Chairperson White asked the committee members for additions or corrections to the minutes of the April 20, 2022 meeting. Ms. Outwater indicated there was a clerical error resulting in a date change on the minutes. Motion to approve the minutes by Holly Secord; second by Jayson Chizick – motion carried unanimously. Minutes approved as amended.

2A. DIRECTOR'S COMMENTS

Director Nolish indicated things at the Agency are running smoothly. COVID numbers are remaining about the same and overall litigation numbers are down. He participated in a WCRI meeting earlier in the day. One of the topics of interest was a study conducted regarding physician dispensing of prescription drugs. Something to keep an eye on as it relates to potential changes to the HCS Rules.

2B. PROPOSED CHANGES TO DME RULES

Ms. Kloc advised the Committee that the subgroup (Adam Heugh, Katie Mason, Samantha Brochu, and Amy Chamberlain) has met several times and prepared proposed changes to the DME Rules. There are three rules affected: 418.10108 defined language re: acquisition cost; 418.10913 – added language re: acquisition cost; 418.101003b(3) clarified language for purchased DME; 418.101003b(4) related to DME rental not listed in the fee schedule to calculate fees

There was some discussion regarding whether detail must be provided regarding any rebates received as it relates to acquisition cost(s).

Members of the Committee thanked the subcommittee members for their work on the proposed changes. Ms. Kloc asked for questions and comments – there were none from those present.

2C. 2022 HCS RULES

Ms. Kloc gave members an overview of the proposed updates for 2022. The majority of the updates consist of updating source document information. Specific changes included:

- 10106 – procedure codes to update years
- 10107 – source document year updates and costs
- 10904 – source document updates and modifiers for PT assistants (defining them)
- 10912 – billing for prescription medications – dispensing fee – delete the carve-out in #3 and state specific billing code in item #7.
- 101002 – updates website and year
- 101003a – state specific dispensing fee codes deleted
- 101004 -year change to source documents and website update; new items #15 & 16 are the updates for therapy assistant modifiers.
- 101009 –topical medications: delete state specific dispensing code in #2: changed language to “acquisition” cost in #3.

Ms. Kloc asked those present for questions or comments to the proposed changes, and there were none.

2d. PREFERRED MEETING FORMAT

Director Nolish reminded the Committee that we are not subject to the rules of the Open Meetings Act and as such, we are in a position to continue meeting via Zoom. The participation numbers are higher using this meeting format – we have participants from all over the state and some from as far away as Florida. Discussion ensued regarding the desires of some to keep the Zoom platform even if we were to return to in-person

meetings. Director Nolish indicated that the Committee will continue to meet virtually throughout the remainder of 2022 and we will revisit the matter in 2023.

3. GENERAL PUBLIC COMMENT

Director Nolish opened the meeting for public comment. Sandy Shtab spoke about concerns regarding the physician dispensing issue. Pharmacies are incentivized to be cheaper and they pay closer attention to the patients. She believes the fee schedule adjustments need to be looked at more closely.

4. ADJOURNMENT

There being no further business, the meeting was adjourned at 2:18 p.m. The next meeting will be October 19, 2022 at 1:30 p.m. via Zoom teleconference.

APPROVED:

Jack Nolish