

ALL ABOUT CLAIMS



COLORADO
Department of
Labor and Employment

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All About Claims is a newsletter published by the Colorado Division of Workers' Compensation designed to provide information to claims practitioners. Please send comments or suggestions for future topics to Adam Gardner by emailing adam.gardner@state.co.us.

The Division Welcomes Its Newest Prehearing Judge



In January, we were pleased to welcome John Steninger as the Division's newest Prehearing Administrative Law Judge. Having begun his workers' compensation career in 1979, he spent approximately 22 years representing injured workers and 14 years on the defense side, representing employers and insurers. Most recently, he worked with Steven Mullens in 2015. John is a past President of the Colorado Bar Association-Workers' Comp section and a past Vice-President of the Workers' Compensation Education Association. He's worked for some of the most high profile workers' compensation firms in Colorado and, in case you didn't know, John wasn't the only member of his family to choose a career in this field. His sister, Sue Phillips, is a well known comp attorney, who, along with her late husband Doug Phillips, are the authors of

Colorado Workers' Compensation Practice and Procedure, 2nd edition-West's Colorado Practice Series Vol. 17. The Division is very excited to welcome John to the Prehearing and Settlement Conference Unit.

News in Medical Fee Schedule!

Timed Codes in Physical Medicine and Rehabilitation

Questions have been asked about documentation requirements for timed codes in Physical Medicine & Rehabilitation. Current requirements are specified in Rule 18 and are required per CPT. Current Procedural Terminology (CPT) time guidelines say, "a unit of time is attained when the mid-point has passed..." Time must be documented for each type of Physical Medicine & Rehabilitation per Rule 18.

Time is documented per service or per visit. These timed based codes are defined as one or more areas and some are divided into 15 minute increments: "Constant Attendance codes" 97032-97039; "Therapeutic Procedures" 97110-97124, 97140, and 97530-97542; "Tests & Measurements" 97750-97755; and "Orthotic Management & Prosthetic Management" 97760-97762. Physical therapy evaluation codes are 97001-97006 and require time documentation. Modality codes require time documentation and range from 97010-97028. Unlisted therapeutic procedures (97139) and group therapeutic procedures (97150) also require time documentation.

The specific language for Rule 18 is as follows:

Rule 18-5(I)(1);

Physical Medicine and Rehabilitation (PM&R): Restorative services are an integral part of the healing process for a variety of injured workers.

Billing and documentation requirements: Physical therapy or any care provided under a physical therapist's plan of care shall be billed with a "GP" modifier appended to all billed codes.

Occupational therapy or any care provided under an occupational therapist's plan of care shall be billed with a "GO" modifier appended to all billed codes.

Each PM&R billed service must be clearly identifiable. The provider must clearly document the time spent performing each billed service and the beginning and ending time for each session.



Would you like to get paid for an Opioid report you may have already written?

Opioid management is separately reimbursable when it is properly reported under workers' compensation. The Z code used to report this is Z0765 and it is used for Opioid Management per 15-30 minutes with a flat fee of \$75.00. The opioid management requirements for billing this Z code are explained in Rule 18-(6)(G)(5). This code is reimbursable if applied correctly. The requirements for billing this Z code are explained in Rule 18-(6)(G)(5).

Capping Compounds (News in Medical Fee Schedule, cont.)

Compounded topical drugs have Z codes with flat rates available to be used for compounded drug categories per Rule 18-6(N)(4). This part of the rule explains how to define which type of compound and which Z code would be applicable for the compound. There is a tiered payment structure with the lowest Z code category I being paid at \$75.00 per 30 day supply and the highest category IV Z code paid at \$350.00 per 30 day supply.

Each Z code is defined as to what ingredients are appropriate.

This is a quality initiative and prior authorization is required per chronic pain treatment guidelines (Rule 17, Exhibit 9) for agents that have not been recommended. Continued use and refills require proof of effectiveness, such as functional improvement.

Refer to this part of Rule 18-6(N)(4); Compounded Drugs.

Please keep in mind that a medical review may not be needed because there is a cap on payment for compounded topical drugs and the medical review may cost more than the flat fee. If you conduct a medical review, then each ingredient must be reviewed for medical necessity.

The Division has received feedback that compounds are being billed with NDC's or J codes. Please be aware that these can be denied with a request sent to the provider to resubmit with the appropriate Z code.

Some verbiage examples of denials on EOB's may include, "incorrect code used...", or "Z code required..."

For more information, you may contact Sheila Jackson at 303-318-8667.

SAVE THE DATE



*The 2017 Colorado Workers' Compensation Educational Conference
The Broadmoor / Colorado Springs Monday April 17 - Wednesday 19, 2017
Plan Now To Be A Part Of This Dynamic Program In 2017
Agenda, Exhibits, & Registration Information Available Soon!*

Prehearing and Settlement Conference Unit on its Customer Service Survey Results

The prehearing and settlement conference unit recently completed its fourth customer service survey. We sought the input of attorneys and their staff on ways to better meet the needs of our customers, and we'd like to share some those results with you. We received responses from 129 attorneys and 76 staff members. Most of the attorneys who provided demographic data (70%) have more than 11 years' experience practicing workers' compensation.

Overall, the survey revealed high satisfaction with the service provided by the unit, with customers providing high marks for maintaining order and civility in proceedings and the speed with which phone calls are answered. The unit also continued to receive high marks for having a convenient setting process.

The survey did reveal some areas for improvement, notably with regard to availability. The unit has recently welcomed several new judges which should address this issue. In addition, internal procedures are being revised to make it easier to schedule emergency prehearings.

The prehearing and settlement conference unit values the input provided by our customers. This survey has shown clear areas where we can improve. As we have in the past, we will take steps to ensure we better meet the needs of our customers.

Announcements!

Workers' Compensation Judge named Legal Legend by the Colorado Bar Association

The Division's very own Tom DeMarino will be named a Legal Legend by the Colorado Bar Association. Judge DeMarino will be interviewed at a luncheon and live webcast on April 13, as part of the Bar Association's [Fireside Chat Series](#):

...[T]he Honorable Thomas J. DeMarino, a Colorado Legal Legend, will share with us his personal and practical advice and his professional words of wisdom instrumental in his becoming one of Colorado's most admired and leading legal minds. This is a unique opportunity for you to hear Judge DeMarino speak from the heart and leave you with thoughts and words to live by to enhance your professional and personal life.

He is one of only seven attorneys in Colorado to receive this distinction. Those who have preceded him are Brooke Wunnicke, Judge Jim Carrigan, Justice Mary Mullarky, Judge Roger Cisneros, Walter Gerash and Cathy Krendl. This is a tremendous honor.

The Division published an [All About Claims](#) newsletter article on Judge DeMarino in its August, 2008 issue.

Unemployment Benefits: The Topic of Discussion at April Case Law Update

The April Case Law Update will feature a discussion on the interaction between Unemployment Insurance (UI) and Workers' Compensation benefits, as well as the use of a release to obtain UI information. Please join us on April 21st from 12 pm - 1 pm, either in person or online at www.colorado.gov/pacific/cdle/workers-compensation-events-training.

Just Released: New Reference Guide for Adjusters

The Medical Policy unit has recently released the [Reference Guide for Claims Adjusters: Cervical Spine Injury](#). This follows the Guide for [Low Back Pain](#) that was released in February.