

September 16, 2016

## Weekly Legislative Wrap-Up

### State of the States



A recent state **audit** in New Jersey found that the state's Prescription Drug Monitoring Program is

grossly understaffed, with only two employees conducting all of the analytics of the system's data. The audit uncovered that a delinquency report regarding pharmacists failure to submit data had not been conducted in over a year, and that at one point, the archived database was not updated for almost nine months.



Ohio's Bureau of Workers' Compensation's opioid prescribing **rules** will go into effect on September 16.

The rules require doctors to use best practices when prescribing opioids or face punishments, and blocks reimbursement for certain opioid prescriptions related to chronic pain without documentation that non-opioid alternatives were tried but failed.



The American College of Occupational and Environmental Medicine (ACOEM) issued a **position paper** in support of the use of drug formularies in state workers' compensation programs. The paper argues that a properly designed formulary can help drive improvements in medical quality, decrease opioids, and lower total drug costs.



# State of the States



In a long awaited decision, the Oklahoma Supreme Court **issued** a 7-2 opinion finding the states opt-out program unconstitutional. In the opinion, the justices found that the opt-out program allows employers to create their own conditions for coverage resulting in a certain class of employees being treated differently than others. The court also noted opt-out programs left workers without the protection of workers' compensation coverage, process, and procedure. The Oklahoma Department of Insurance will provide a 90-day

transition period for opt-out employers to either purchase coverage or become self-insured.



The Virginia Workers' Compensation Commission **adopted** a project timeline for the development of their new medical fee schedule. The Commission will spend the remainder of 2016 developing a proposed fee schedule which will be presented by January 4, 2017, with public hearings being conducted during 2017 before final implementation in January 2018.

## Where in the U.S.A. are Jayne & Danielle?

Jayne and Danielle will be in Jacksonville, FL next week for legislative meetings in anticipation of the 2017 session.



## Questions, Concerns, Suggestions? Let Us Know.

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## Articles of Interest

A first responder to the Pulse night club tragedy is **pushing** back against Florida law that prevents him from receiving workers' compensation for post-traumatic stress disorder.

FAIR Health issued a new **white paper**, "The Impact of the Opioid Crisis on the Healthcare System: A Study of Privately Billed Services." The study found that the nationally, charges related to opioid related diagnoses rose over 1,000% between 2011 and 2015.

# IWP

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