

SJR 30 Studies – Update

As of 11/13/09

Presented to the Montana LMAC

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Research Questions By Issue: WC Medical Costs and Quality

- How much of the cost of medical in MT is due to prices and how much is due to utilization? **(Data not yet available)**
- If utilization is a cost driver, is it across all providers? Is it for all services? Is there a particular problem that the treatment guidelines need to address? **(Data not yet available)**
- How do price and utilization patterns differ from other states? Does MT have longer than average treatment duration? **(Data not yet available)**
- What is the impact of the most recent fee schedule changes? **How does this now compare to rates paid by Group health and Medicare for the same services? (Data not yet available)**
- What is the % of benefit dollars for medical care in comparator states and how are those states ranked by the OR ranking? How does this change when we look at more mature or developed claims? **(Completed and presented on 10/28/09)**

Research Questions By Issue: WC Medical Costs and Quality

- What is the litigation rate for medical disputes (including U & T guideline disputes) in the comparative states? **(Awaiting completed surveys)**
- Does medical treatment for similar injuries last longer in MT? If so, how does the treatment differ? **(Data not yet available)**
- What is the public policy in other states about how long treatment for work related injuries lasts and under what conditions can they be reopened? What are the options that trigger closure and reopening? **(Completed by ERD and presented)**
- Is the process easy, timely and fair? How much litigation and delay in treatment results? **(Not yet begun)**
- Does MT have enough physicians to provide needed services to workers? **(Analysis in progress)**
- Can MT injured workers get the treatment they need when they need it? **(Analysis in progress)**

Research Questions By Issue: WC Benefit Structure

- Is there a “best practice” for determining and paying future wage loss benefits? What are the options for paying PPD? How does MT differ from comparator states? **(In progress)**
- Why does Montana have higher than average duration of lost time benefits? Are our PPD claims more frequent and costly? What can we learn from comparing the frequency, severity and demographics of our injuries to comparator states? **(In progress)**
- How does the transition from TTD to PPD and/or PPD differ from comparator states? **(Awaiting completed surveys)**
- How does TTD termination differ from other states? Is it possible to look at indemnity costs by benefit paid rather than by claim type and what can we learn about the drivers of indemnity? **(In progress)**
- What is the impact of moving from the use of the 5th to the 6th AMA guide, can it be quantified and what are potential options? **(In progress)**

Research Questions By Issue:
Payment of Attorney Fees in Medical Disputes

- How do other states pay attorneys in cases where only medical treatment is in dispute? **(Awaiting completed surveys)**
 - What would the cost implication be if Montana adopted one or more of the options used by other states? **(Not yet begun)**
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Research Questions By Issue:
Course and Scope

- Does Montana let fewer or more claims into the WC system than do comparator states? **(Awaiting completed case studies)**
 - How does the law differ on what is covered and what is not? **(Awaiting case studies)**
 - What are the options and what may be the impact of Montana adopting any of these options on workers and system costs? **(Not yet begun)**
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Research Questions By Issue: Frequency of Work Related Injuries

- How do the frequency and lost day cases differ from comparator states? **(Summary in progress)**
- Which industries and injury types are driving the greater than average frequency rates? **(Summary in progress)**
- What are the most common causes of injuries within the high rate industries? **(Summary in progress)**
- Are there any additional strategies used by comparator states that WorkSafeMT may be able to adopt? **(Awaiting completed surveys)**

Research Questions By Issue: Occupational Disease Presumptions Associated with Specific Occupations

- What are the current presumptions for firefighters?
- What additional presumptions do they want?
- What evidence is there that these conditions are more than likely due to on the job exposures?
- What do other states currently do with these desired presumptions?
- What is the litigation rate regarding these presumptions in MT and comparator states?
- What would the impact to workers, employers and the public be if the legislature were to authorize these additional presumptions?

(Presentation later today)

Research Questions By Issue:
Workers' Compensation Insurance
Structural Issues

- Overview of WC Insurance pricing and regulations (Completed 10/28/09)
- Overview of the history and reasons states have created state funds for workers' compensation (Completed 10/28/09)
- What are the public policy issues involved in the regulation of workers' compensation insurance? (Completed 10/28/09)

Research Questions By Issue:
Fraud

- What is the legal definition of fraud and does Montana have more than comparator states?
- What is the process used to deter and prosecute fraud in comparator states?
- How many cases have actually been litigated and what were the results in MT and comparator states?

(Results Presentation Later Today)

Research Questions By Issue:

(Added after 9/9/09 EAIC meeting)

- What is the appropriate rate above Medicare or Group Health that the WC fee schedule should pay in recognition of the “hassle factor”? **(In progress)**
- Is the MT limitation against third party recoveries (subrogation) unique? If so, how much might that add to workers' compensation costs in MT each year? **(Awaiting state survey results)**

Data Collection Status – 11/13/09

	Case Studies	Comparator State Survey	Other State Survey	Subro. Survey	Med. Data
AK	delay	x		Not available	
ID	x	x		Not available	
MT	x	delay		delay	delay
ND	delay	x		delay	
NM	x	x		Not available	
OR	delay	delay		Not available	
SD	x	x		x	
WA	x	partial		delay	
WY	x	x		x	
Claims	May only get for MT			x	
Other Sates			24/41		

Questions?

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