

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #4

Do Not Mark In this Box

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Workers' Compensation Fund TITLE NUMBER: 85

CITE AUTHORITY W. Va. Code, 23-1-13, 23-1-15, & 23-4-3.

AMENDMENT TO AN EXISTING RULE: YES ☐ NO ☒

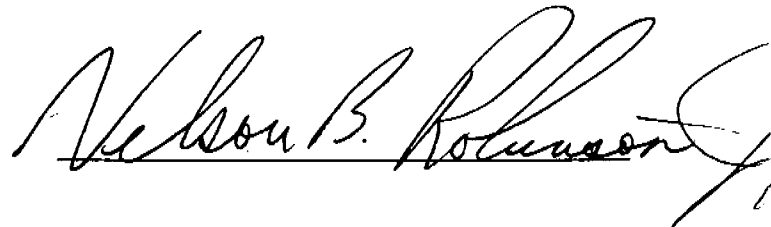
IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: VIII

TITLE OF RULE BEING PROPOSED: Medical Fee Schedule

THE ABOVE PROPOSED LEGISLATIVE RULE, FOLLOWING REVIEW BY THE LEGISLATIVE RULE
MAKING REVIEW COMMITTEE IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT
BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE
FILED WITH THE SECRETARY OF STATE.



WEST VIRGINIA PROPOSED LEGISLATIVE RULES
WORKERS' COMPENSATION COMMISSIONER
Chapter 23-4
Series VIII

Title: Medical Fee Schedule

Section 1. General

1.1 Scope - These Proposed Legislative Rules shall govern the schedule of maximum reasonable amounts to be paid to physicians, surgeons, hospitals, or other persons, firms or corporations for the rendering of treatment to injured employees.

1.2 Authority - W.Va. Code, 23-1-13, 23-1-15, and 23-4-3.

1.3 Filing Date -

1.4 Effective Date -

1.5 Repeal of Former Rule - These Legislative Rules repeal "Section 14, Reports of Examination, Treatment and Payment of Bills" of West Virginia Legislative Rules, Workers' Compensation Commissioner, Chapter 23-1, Series I, Administration of the Workers' Compensation Fund, effective July 1, 1986.

Section 2. Medical Cost Containment System Manual

The Workers' Compensation Fund Medical Cost Containment System Manual is hereby incorporated by reference into these rules. A copy of the manual is enclosed herewith and identified as Appendix A.

Section 3. Periodic Revision

The Workers' Compensation Commissioner may by order add or delete medical procedures, services, supplies, and medications, and may increase or decrease unit values, conversion factors, and maximum allowable fee amounts when and as deemed necessary.



WORKERS' COMPENSATION FUND

601 MORRIS STREET
CHARLESTON, WEST VIRGINIA 25301

ARCH A. MOORE, JR.
Governor

December 23, 1987

NELSON B. ROBINSON, JR.
Commissioner

Senator Larry A. Tucker and
Delegate Thomas A. Knight
Co-Chairmen
Legislative Rule-Making
Review Committee
Room M-348
State Capitol
Charleston, WV 25305

Re: Agency Approved Proposed Legislative Rules
Title: Medical Fee Schedule

Dear Senator Tucker and Delegate Knight:

Enclosed herewith for filing with your Committee are documents pertaining to modification of the above-captioned Proposed Legislative Rules, which were filed on August 14, 1987.

As was represented to the Committee at its meetings held in November and December, the undersigned and the West Virginia State Medical Association and the West Virginia Chiropractic Society engaged in negotiations for the purpose of agreeing upon revisions that would make the Medical Fee Schedule acceptable to all concerned. Agreement was reached upon the revisions that have been made, and which are described below.

The first change in the text is located on page I-ix of the revised pages (page I-v in the original manual), in the section titled Limitations. The number of modalities, physical medicine procedures, or combinations of modalities and procedures allowed on the same day without prior authorization was changed from two (2) to four (4). In the same section, the restriction on the application of heat administered prior to a recognized physician's services was removed.

The section on Podiatry found on page I-vii in the original manual was eliminated as it was found to be unnecessarily restrictive to the practice of podiatry.

Page numbers that were affected by the aforesaid changes have been revised in the Table of Contents.

Senator Larry A. Tucker and
Delegate Thomas A. Knight
Legislative Rule-Making
Review Committee
Page Two
December 23, 1987

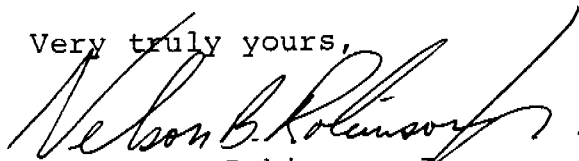
Re: Agency Approved Proposed Legislative Rules
Title: Medical Fee Schedule

The foregoing are the only changes in the narrative content of the manual. The listing attached hereto contains a description of eighty-one (81) revisions that were made in the Unit Values found in the Practitioner Billing Instructions (last section in manual).

If additional information is needed, it will be provided promptly upon request.

Thank you for your cooperation in connection with consideration of these rules.

Very truly yours,



Nelson B. Robinson, Jr.
Commissioner

NBRJr:WM:cm

Enclosure