

# AULTCOMP MCO

A WORKERS' COMPENSATION MANAGED CARE ORGANIZATION

## AultComp MCO's Lifeline

August, 2017

*Don't Learn Safety by Accident!*

### August 2017 Welcome

It's hard to believe we are on our last leg of summer. I wanted to provide you with some reminders of injury reporting procedures. Workers' compensation claims are an inevitable part of doing business. Even the safest company in the world eventually will have an employee injury on the job. Many employers have their own personalized employee accident report, but many employers fail to review with department managers and

employees, which is key to preventing future injury.

As always, please feel free to contact me with questions or concerns that you may have. Enjoy the rest of your summer!!

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### AultComp MCO is on Facebook!



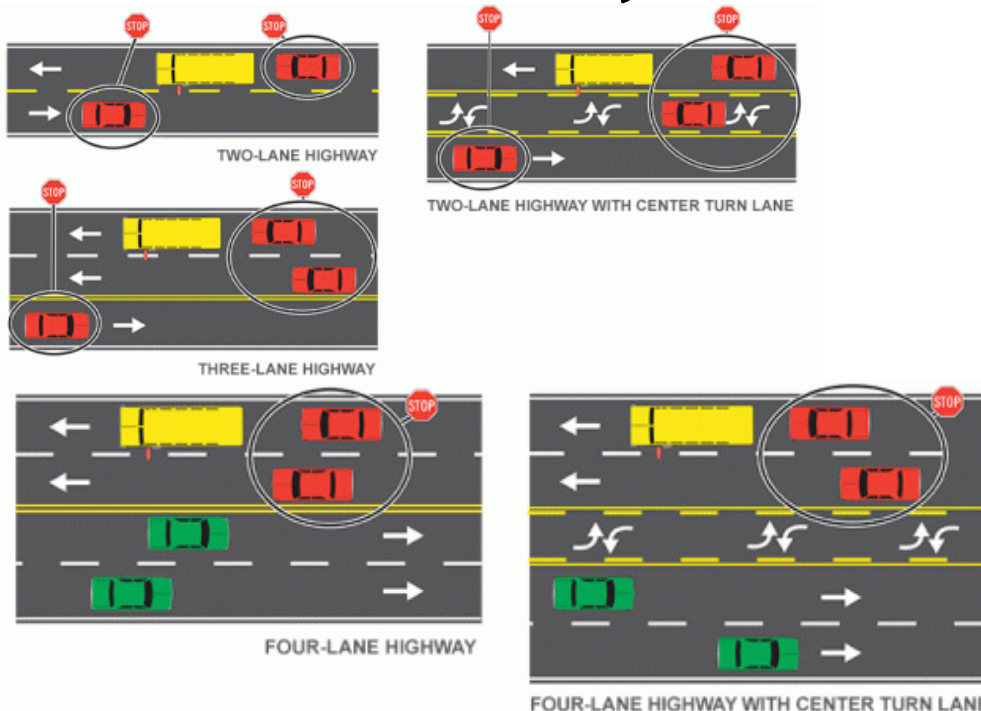
Management Tip\*:

### Stay in touch with an employee who is not working

Don't ignore your absent employee. Neglect causes problems. Assign someone in your company to stay in contact. The employee's supervisor is usually best. Let the employee know that you miss him or her, and you look forward to his or her return. Don't ask about the medical condition. Instead, ask the employee if he or she has questions. Then really listen to the employee's concerns, and get him or her the answers. The employee should feel good about your call.

\* For additional information, log on to [www.bwc.ohio.gov](http://www.bwc.ohio.gov)

### Back-to-School Safety Reminder:



# Safety Tip

## Accident Response

Once an incident or injury occurs, the events over the next 24 hours will have a huge impact on the ultimate cost and outcome of the claim. It is critical to be prepared and to respond quickly and efficiently to any injury.

Everyone in a position of responsibility within the company should be trained in post-accident response. This should be done even if the company rarely has injuries because an infrequent claim history makes it more likely that employees and supervisors will not know what to do in the event of an injury, and may inadvertently make a decision that could adversely impact the length or cost of the claim.

### Injury Reporting Procedures

Establish a reporting protocol, so all employees understand what their responsibility is when there is a workplace injury. Every employee should know to immediately report any work-related injury, no matter how small and regardless of whether they think they need medical treatment. Every employee should know to whom they should report their injury, and there needs to be a system in place to ensure that the report gets to the proper person so the next step can be determined. If all employees are responsible for reporting injuries to their supervisor, every supervisor needs to know their responsibilities.

The following things need to be done immediately following an accident:

- Ensure that the injury is reported right away to the person in the company responsible for handling workers' compensation issues. There should be one person designated to this responsibility and a backup person if the primary person is unavailable.
- Complete an accident investigation report. Document what, when, where and why the incident occurred. Document the names and contact information of any witnesses or potentially liable third parties.
- Remove any dangerous items from the accident location. If these items could be evidence of third-party liability, secure them for later inspection by the insurance company, if at all possible. This may include defective, improperly maintained, or damaged tools or equipment.
- Determine if the employee needs medical treatment, and send him or her to the designated clinic immediately, along with a letter reminding the clinic of the company return-to-work capabilities and if you can accommodate modified duty restrictions. For emergencies, call 911 or take the employee to the nearest emergency room.
- Investigate the injury location. Review the accident report with the department manager, employee, and department staff to see if any modifications can be made to help eliminate future injuries. Notify your Case Facilitator so they can obtain medical records and file FROI-1.

**Return to Work and Light Duty Job offer.** To be legally valid and accepted by an Industrial Commission hearing officer, a light duty job offer must contain the following:

- Be in writing
- Be within reasonable proximity to the claimants' residence
- Identify all of the claimant's restrictions described on the MEDCO-14 form
- Explain, with specificity, how the light duty position complies with every one of the claimant's restrictions
- Position the employer is offering
- Date and time claimant is to report to work
- Be in good faith

Send out the written light duty job offer as soon as possible by regular and certified mail.



# Ohio BWC Information

## OhioBWC - Home: Current News

For immediate release: July 18, 2017

New BWC rule: rest and rehab before lumbar surgery

Agency seeks improved outcomes with spinal fusion rule

**COLUMBUS** - The Ohio Bureau of Workers' Compensation (BWC) board of directors approved a rule June 23 discouraging surgery and opioid use in favor of conservative therapy for workers with lower back injuries.

BWC Administrator/CEO Sarah Morrison said private and public employers covered by BWC in four Dayton-Springfield area counties - Montgomery, Greene, Clark, and Preble - will share \$63,309,655 in rebate checks going out this month.

Under BWC's new spinal fusion rule, the agency requires those workers to first undergo at least 60 days of comprehensive conservative care before considering a surgical option. Conservative care includes physical therapy, chiropractic care and rest, anti-inflammatories, ice and other non-surgical treatments.

"Our mission is to get injured workers back to work and back to life as soon as safely possible, and our research shows that rushing to surgery may not be the best path for workers with lower back injuries," said BWC Administrator/CEO Sarah Morrison.

The rule follows several studies of BWC data by BWC Chief Medical Officer Dr. Stephen T. Woods, researchers at Case Western University School of Medicine and others that found fusion patients suffered considerably worse outcomes than non-fusion patients. Those outcomes included chronic opioid dependence, increased disability and high rates of failed back syndrome, as well as additional surgery and new psychiatric co-morbidities. One study in the journal *Orthopedics* found nearly 77 percent of fusion patients did not return to work within two years.

"This is a look-before-you-leap rule," said Dr. Woods, who specializes in physical medicine and rehabilitation. "We're not saying injured workers can't have surgery. We're simply trying to educate patients and providers as much as possible about the risks involved and requiring other treatment options before choosing surgery. Our research, as well as research throughout the industry, suggests fusion surgery should be limited to patients only when it is clearly indicated."

The number of lumbar fusion procedures performed on Ohio workers' comp claimants dropped from 1,375 in 2002 to 563 in 2015, following trends nationwide. Even so, lower back injuries continue to be among the top injury types among Ohio workers each year.

### The fusion rule's goals are to:

- Ensure the incorporation of best current clinical practices in the utilization of lumbar fusion surgery in the treatment of injured workers;
- Ensure injured workers' awareness of treatment options for allowed lumbar conditions and increase their awareness of potential outcomes.
- Promote, at minimum, a two-month course of comprehensive conservative care for allowed lumbar conditions unless otherwise indicated, before consideration of lumbar fusion surgery;
- Provide criteria for consideration of lumbar fusion surgery when the injured worker's condition has remained unchanged or worsened despite utilization of conservative care.

Exceptions to the rule include conditions that require more immediate intervention, such as spinal fractures, tumors, and infections, as well as progressive functional neurological deficits. Click here for an executive summary of the rule. Click here for "What BWC Wants You to Know About Lumbar Fusion Surgery."

The rule does not expressly prohibit opioid use for pain management, but calls for "avoidance when possible." Under BWC's new opioid rule passed last year, physicians must follow best practice guidelines when prescribing the drugs or risk sanctions.

The spinal fusion rule now moves to the Joint Committee on Agency Rule Review, a bipartisan panel of state lawmakers. If approved there, it would become effective Jan. 1, 2018.

Info from: Ohio Bureau of Workers' Compensation

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