

# MSA Insider



**Getting You to Settlement**

1st Quarter 2011

Your Premiere Compliance Solution

## ***MedAllocators Introduces Revised Prescription and Treatment Addendum to MSA Reports***

Following the initiation of CMS's independent pricing of prescription medications in June of 2009, MedAllocators introduced what we call the Prescription and Treatment Addendum to MSA reports when indicated. This was done because even though the information utilized by MedAllocators in the pricing of future treatments and medications in the MSA is generally accepted and utilized in the medical community, CMS may reject that basis and either add or increase treatment or medications or refuse to review the MSA unless additional medical documentation is provided. The Prescription and Treatment Addendum identifies and details these issues.

*For example, medical records may indicate a year prior a spinal cord stimulator was suggested by the claimant's doctor. Or perhaps a medication is listed in the records which had not been discontinued. Were we to include these in the MSA report our client may advise that the claimant has turned down the spinal cord stimulator and is no longer on the medication. Unfortunately, our merely passing this information along to CMS is insufficient. It must be documented in the medical records and prescription history that, for example, the claimant's physician no longer considers a spinal cord stimulator a reasonably probable future medical treatment and/or the prior medication has been discontinued.*

The above example shows what we call resolution issues as they are issues which we recommend be resolved prior to the MSA being submitted to CMS for approval. These issues were previously included in the spreadsheet attached to the Prescription and Treatment Addendum, however, we have now Revised the Addendum so that our Planner who prepares the MSA and Addendum can bullet point the issues which are recommended to be resolved prior to submission to CMS. The Addendum continues to provide a dollar amount of a potential counter-higher by CMS along with a spreadsheet which details how the addition of certain treatments and/or medications can increase if CMS counter-highers. Also provided are potential solutions which can be pursued by you or which can be handled by MedAllocators' new MSA Resolution Unit as explained below.

### MedAllocators' Events:

#### **RIMS 2011 Annual Conference**

**LOCATION:**

**Vancouver**

**May 1 – 5, 2011**

Vancouver Convention Centre  
1055 Canada Place  
Vancouver, Canada  
(604) 689-8232

**RIMS 2011 Annual Conference & Exhibition** will gather risk professionals from around the world for a common purpose: to share experiences and gain expertise. Be a part of this community and connect with colleagues, build new relationships and learn from industry experts.

**Come visit us at  
BOOTH #536**

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## ***MedAllocators Launches MSA Resolution Unit***

As described above, we have revised our Prescription and Treatment Addendum so as to make it clear the issues to resolve prior to MSA submission to CMS. This includes potential solutions so that you can address these issues on your own. However, if you so choose, the MedAllocators MSA Resolution Unit will work to resolve the issues presented by the Prescription and Treatment Addendum. This unit, headed by MedAllocators' Compliance Director and attorney, targets the person CMS gives the most weight to in determining future treatment, the treating physician. By working with our client, the defense attorney, the claimant attorney, claimant, and ultimately the treating physician, the MSA Resolution Unit seeks to obtain a more reasonable MSA amount to get the parties to settlement.

*For example, in one case our nurse planner identified medications in the medical records which were not listed as discontinued, which were still being prescribed but over-the-counters available, and brand name medications with no indication that generic was acceptable. If CMS required their inclusion in the MSA, it would have added more than \$450,000 to the MSA. This medication issue was identified in the Prescription and Treatment Addendum to the MSA report. The MSA Resolution Unit received permission from the adjuster and advised the claimant attorney of the issues to be resolved. It was agreed the claimant would return to the treating physician to address the prescription medications issues. The result was a report from the treating physician which left the claimant on only one prescription medication and even with that medication the physician stated only two further refills would be required. As a result, the medication component of the MSA was reduced to less than \$500.*

Referral to the MSA Resolution Unit is available for an additional fee. Given our efforts are dependent upon other parties responding to our inquiries, there are no assurances the service will yield results that positively affect the MSA and/or Addendum. We will continue our efforts until such time as the issue has been resolved, or it is apparent we will not receive cooperation. Should we receive information which could impact the MSA or Addendum; the report can be updated at your direction, with standard charges for updates applied.

### **CMS Selects MedAllocators for Trial Online MSA Submissions**

We are pleased to announce MedAllocators has been chosen by CMS for a trial of online MSA submissions. Currently, workers' compensation MSAs must be submitted to CMS by mail. Further, any requests for additional information from CMS, known as development letters, and the approval letter from CMS are sent to us by mail. Online MSA submissions will cut down the time it takes to process MSA reviews by CMS which will in turn allow us to provide our customers a quicker turnaround time on MSA submissions.



*"Congratulations on the savings you achieved, that is great and it is good to know your company is always looking out for the customer. We appreciate your hard work and attention to detail for our cases."*

*~ Director at Large Employer Group*