



June 22, 2018

## State of the States



On Tuesday, the Maine Supreme Court **issued** a ruling that the state's workers' compensation system does

not cover the use of medical marijuana. The case, which has been making its way through the Maine judicial system for years, involved an employee who suffered a back injury on the job and received medical marijuana to treat the pain. The initial order of a workers' comp hearing officer, which required the employer to pay for the medical marijuana, was upheld by the Appellate Division back in 2016.



**H 4470**, a bill to address the opioid epidemic in Massachusetts, was voted out of the Joint

Committee on Mental Health and is now before the House Ways and Means Committee

for consideration. The bill incorporates ideas from several opioid related bills, including the Governor's **H 4033**. Among its provisions, H 4470 calls for the adoption of an opioid-only workers' comp drug formulary.



The Kentucky Workers' Compensation Regulatory Advisory Committee held their first meeting this week. The Committee focused much of the meeting on the adoption of a workers' comp drug formulary required by the passage of **HB 2** earlier this year. Presently, they are reviewing the Texas and Tennessee formularies, both based in ODG, as they decide how to establish Kentucky's formulary. They will also consider a transition period for legacy claims, similar to Texas's approach.



The New York state Senate and House have passed **SB 6666**. The bill allows injured workers to receive treatment by a certified acupuncturist under the state's workers' comp statute. Acupuncturists would have to be approved by the state Board of Workers' Compensation before they would be covered to treat an injured worker. The bill received majority support in both houses and now awaits the Governor's signature.



# State of the States

## National



The United States Senate is considering a bill that would make the Medicare Set-Aside process a little easier for injured workers. Under **SB 3079**, an injured worker would be able to use their settlement money to pay Medicare's portion of the costs upfront instead of having to remember to make payments for the rest of their lives. The bill also establishes a formal appeals process for situations where CMS rejects the amount set-aside for them in a potential settlement.

## Where in the U.S.A. is Danielle?

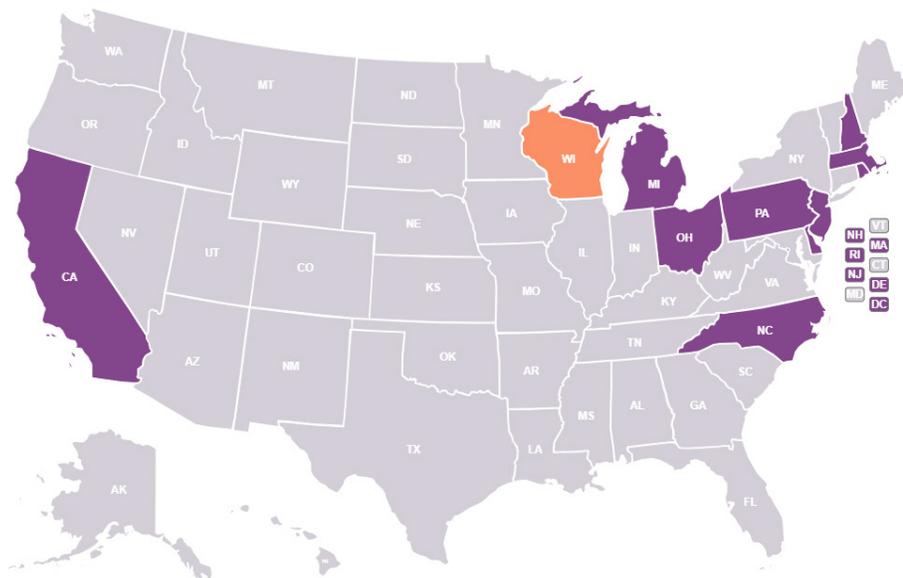
Danielle will be in the home office next week.



## States in Session

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■ In Session ■ Out of Session ■ In Special Session



## Questions, Concerns, Suggestions? Let Us

Danielle Jaffee, Esq.  
Manager of Government Affairs  
[djaffee@iwpharmacy.com](mailto:djaffee@iwpharmacy.com)  
[www.iwpharmacy.com/about-iwp/government-affairs](http://www.iwpharmacy.com/about-iwp/government-affairs)

**978.770.8047**

