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The Patient Advocate Pharmacy®

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State of the States



Alabama

Last year, the Alabama Supreme Court ruled the entire **workers' comp statute** unconstitutional.

Although the ruling was eventually stayed, lawyers across Alabama are working on draft legislation to correct many provisions of the statute, including those that caused the Supreme Court ruling. The Alabama Bar Association has set up a subcommittee to develop draft legislation that would raise the weekly maximum for permanent partial disability to a number consistent with many other states in the region. The Committee would still need full approval from the Bar before it can be presented to the legislature for consideration in the 2019 session.



Florida

The Workers' Comp Division is once again attempting to update the medical **fee schedule** through the legislature in 2019. The legislature has not touched workers' comp in several years as they await the financial impact of 2016 Supreme Court cases. The 2019 legislative session will be the first year the legislature will have a full picture of the impact of the cases, which could spark their interest in workers' comp reform. Currently, many parts of the fee schedule remain at 2015 rates.



Massachusetts

A new **report** issued by the Massachusetts Department of Public Health examines opioid-related deaths by occupation. The report found that individuals in the construction industry had the

highest occurrences of opioid related deaths, accounting for nearly 27% of opioid-related deaths between 2011 and 2015. In comparison, the utility and military industry had the lowest percentages, both around 0.6%.



Kentucky

This week, the Kentucky Workers' Comp Formulary Medical Advisory Committee heard from the ODG about their formulary and treatment guidelines. The Committee has been hearing from various formulary sources, including ACOEM, to help decide which formulary to adopt this year. The Commissioner has until the end of this year to adopt a formulary and by the end of 2019 to adopt treatment guidelines.



State of the States

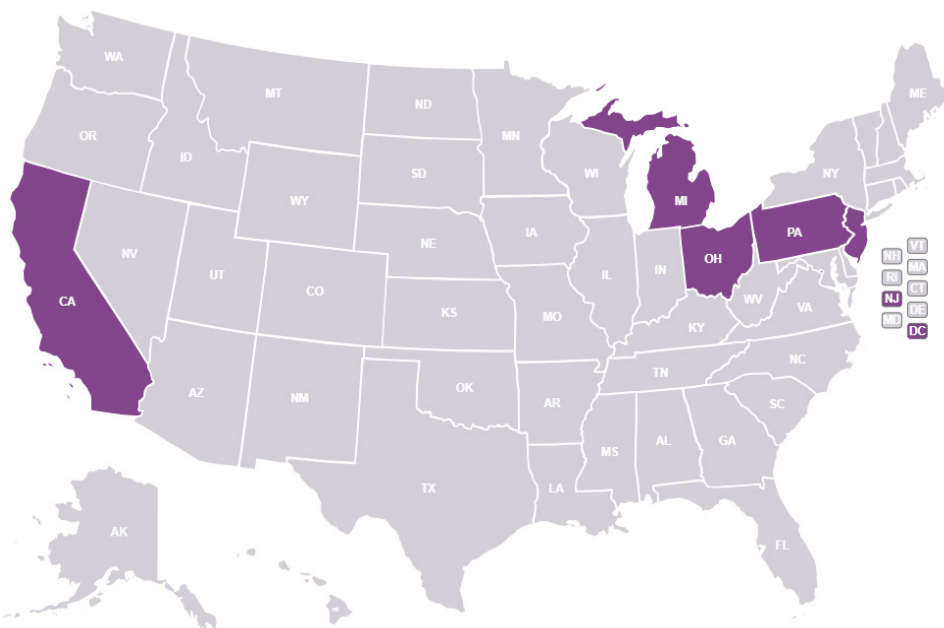


The Kansas Court of Appeals ruled that the state's use of the Sixth Edition of the American Medical Association (AMA) Guides is **unconstitutional**. The updated edition of the AMA guidelines was adopted as part of the state's 2015 workers' comp reforms, but the court found that the sixth edition significantly reduced the amount of benefits an injured worker was entitled to for permanent impairment. The court went on to argue the state's workers' comp system no longer provides adequate remedies for injured workers to give up their right to a civil suit.

States in Session

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■ In Session ■ Out of Session ■ In Special Session



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

Danielle will be in the home office next week.



Questions, Concerns, Suggestions? Let Us

Danielle Jaffee, Esq.
Manager of Government Affairs
djaffee@iwpharmacy.com
www.iwpharmacy.com/about-iwp/government-affairs

978.770.8047

