Workers' Comp

Oklahoma Adopts New Workers' Comp Fee Schedule

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Author profile image

Brian Allen

Vice President, Government Affairs

The Oklahoma workers' compensation system saw a couple of significant changes over the past week. On May 18, 2020, Governor Kevin Stitt signed Senate Bill 1375 into law, adding chiropractors to the list of providers who can be reimbursed under the fee schedule.

Governor Stitt also signed HJR1028 on May 20, 2020, approving the new fee schedule adopted by the Oklahoma Workers' Compensation Commission and approved by the legislature. There were a number of updates across all specialties. Pharmacy reimbursement remained basically unchanged. However, there we two changes in the pharmacy definitions section that would prohibit reimbursement for medical marijuana.

The first change was under the definition of "Nonprescription Drugs or Over-the-Counter (OTC) Medicines." Language was added stating, "Nonprescription Drugs or OTCs shall not include medical marijuana for purposes of reimbursement under this Medical Fee Schedule."

The other definition changed was "Prescription." In that term language was added that states, "Prescription shall not include any recommendation or permit for the use of medical marijuana for purposes of reimbursement under this Medical Fee Schedule." Taken in tandem the two changes to these definitions prohibit reimbursement for medical marijuana under the Oklahoma fee schedule rule.

The new fee schedule is effective on July 1, 2020.

The Oklahoma 2020 Medical Fee Schedule can be found here.

For questions about this alert or for other legislative or regulatory questions, please contact Brian Allen, Vice President of Government Affairs, at Brian.Allen@mitchell.com or at 801.903.5754.



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