Workers' Comp

California Utilization Review Public Comment May 2025

June 6, 2025
4 MIN READ

California posted a notice for a second 15-day public comment period for Utilization Review (UR) rules and regulations. The additional proposed changes include rescinding PR-1 reporting, Electronic Data Interchange (EDI) option to submit treatment requests, UR plan application submission and approval process modification, amending documentation triggers for retrospective UR and clarifying costs of withdrawn independent medical review applications. Genex provided 2nd round comments to the proposed utilization review regulations, during the 2nd – 15 day comment period.

Title 8, CA Code of Regulations, Sections 9792.24.2 and 9792.24.8 - Effective June 1, 2025

§ 9792.24.2. Chronic Pain Guidelines.

- (a) The Administrative Director adopts and incorporates by reference the Chronic Pain Guideline (ACOEM December 19, 2024) into the Medical Treatment Utilization Schedule (MTUS) from the ACOEM Practice Guidelines for the treatment and evaluation of patients who have chronic pain as defined in section 9792.20. This guideline addresses a general approach to patients with chronic pain and the psychological and behavioral aspects of chronic pain. This guideline also addresses a few specific chronic pain disorders (i.e., complex regional pain syndrome, fibromyalgia, neuropathic pain). Guidance for treatment and evaluation of chronic pain disorders not specifically addressed in this guideline are contained in the Clinical Topics guidelines and/or Opioid Guideline.

§ 9792.24.8. Cannabis Guideline.

- (a) The Administrative Director adopts and incorporates by reference the Cannabis Guideline (ACOEM January 28, 2025) into the MTUS from the ACOEM Practice Guidelines for the treatment of pain (e.g. spine pain, chronic radicular pain, osteoarthritis). Guidance for treatment of pain disorders not specifically addressed in this guideline are contained in the Clinical Topics guidelines and/or Opioid Guideline.

Colorado Regulation 18879, Utilization Standards, Effective July 1, 2025

Colorado Rule 16 sets forth the procedural standards related to medical services provided to Colorado injured workers and includes standard terminology, administrative procedures, and dispute resolution procedures

required to implement the Division's Medical Treatment Guidelines (Rule 17) and Medical Fee Schedule (Rule 18).

Delaware Physical Therapy

Delaware ***proposed*** Senate Bill 110 that extends the time period that a physical therapist may treat an individual without a referral from 30 days to 90 days; after 90 days, the physical therapist would be required to consult with a physician.

Montana SB 109 Signed into Law - Effective October 1, 2025

Effective October 1, 2025, Senate Bill 109, 2025 Montana Legislature, updates the definition of “treating physician” to include physical therapists.

Nevada Physical Therapy – Scope of Practice

Nevada ***proposed*** Senate Bill (SB) 294 that removes references to supervision of a physician assistant by a physician or osteopathic physician. This bill further permits a physician assistant to prescribe, order, dispense and administer any medical device or drug that is not a controlled substance or dangerous drug, and can prescribe, order, dispense and administer dangerous drugs or controlled substances described in schedules II, III, IV or V.

New York Workers' Comp Treating Providers Expanded

New York posted Subject Number 046-1756 regarding residents and fellows that are allowed to treat injured workers under the workers' compensation program. Governor Kathy Hochul signed the 2026 Budget for FY2026 which included a provision to allow residents and fellow physicians to treat injured workers under the supervision of faculty physicians. This provision took effect immediately upon signing of the budget on May 9, 2025. It remains that only board-authorized physicians that are supervising the resident or fellow may bill for these services on the CMS-1500. If a prior authorization request (PAR) is necessary to proceed with treatment, the PAR must be filed by the supervising physician or their designated delegate in the Board's online business information system, OnBoard. Residents and fellows will not be permitted to independently submit, track, or escalate PARs.

North Carolina Physical Therapy – Scope of Practice

North Carolina ***proposed*** Senate Bill (SB) 669 that updates the definition of "physical therapy" to provide that evaluation and treatment of patients may involve physical measures, methods, or procedures that are consistent with standards of acceptable and prevailing physical therapy practice.

?Pennsylvania adopted NLC effective May 25, 2025

Pennsylvania adopted temporary regulations implementing the Nurse Licensure Compact (NLC) effective May 25, 2025. This regulatory change allows nurses with multi-state licenses to practice in Pennsylvania without obtaining a separate PA license, and permits PA-licensed nurses to obtain multi-state licensure.

Tennessee Drug Formulary Update May 1, 2025

The Tennessee Bureau of Workers' Compensation announced an update to its Drug Formulary April 8, 2025. The updated Drug Formulary includes additions, removals, and updates of covered medications and is effective May 1, 2025.

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