



WORKERS' COMPENSATION

LEGISLATIVE

NEWSLETTER

 **FOCUS: CO, NV, NM, OK, OR, WA**

EKHealth
Experience Better Managed CareSM

**MAY
2025**

COLORADO

Division Independent Medical Examination

The Colorado Division of Workers' Compensation (DOWC) has adopted an updated Rule 11: Division Independent Medical Examination (DIME) effective April 1, 2025. Changes were made to improve efficiency and to help retain DIME physicians.

A DIME is requested if a dispute arises between the injured worker and the insurance carrier regarding the maximum medical improvement date and/or the impairment rating. The DIME seeks to resolve disputes without going to court and can be requested by the injured worker or insurance carrier.

The updated rule streamlines the process with medical records by generating a packet of files: "cleaned up, original, and unused." The improved process is expected to ensure accuracy, consistency, and reduce process delays.

The party requesting the DIME shall pay a flat fee of \$1000.00 to cover administrative costs unless indigent or exempt from the fee. Billable time begins when the DOWC confirms the physician and end when the physician submits the report. Time spent correcting an incomplete or inaccurate report is not billable. Follow-up DIMEs are reimbursed the same as original DIMEs, except the insurer or self-insured employer will be responsible to pay the follow-up fees.

Additional details can be found [HERE](#).

NEVADA

No significant updates were posted for the State.

NEW MEXICO

Workers' Compensation Administration Launches New Website

The New Mexico Workers' Compensation Administration launched a new website in April. The WCA streamlined access to vital information for workers, employers, and medical professionals.

The WCA website is [HERE](#).

CONTINUED



OKLAHOMA

No significant updates were posted for the State.

OREGON

Oregon Workers' Compensation Division Updates Hospital Reimbursement Ratios

The Oregon Workers' Compensation Division updated its hospital fee schedule.

Cost-to-charge ratios, updated effective April 1, 2025, are used to calculate reimbursement for Oregon and out-of-state hospitals. Total billed charges are multiplied by the ratio assigned to the hospital which provided treatment.

Critical access hospitals (CAHs) and hospitals outside of Oregon have a ratio of 1. Rural in-state hospitals are excluded from the ratio and are reimbursed the billed amount.

For other hospitals, ratios range from 0.242 to 0.597.

Bulletin No. 290 with updated hospital cost-to-charge ratios can be found [HERE](#).

WCD Adopts Fee Schedule Update

Oregon's Workers' Compensation Division adopted permanent changes to OAR 436-009, Oregon Medical Fee and Payment. Rules that took effect April 1, 2025, cover several issues.

Changes to the rule include:

- Platelet rich plasma (PRP) injections are compensable for certain body areas for non-operative conditions.
- Modifier 95 shall not be used when billing for telemedicine services billed with CPT® codes 98000 - 98007.
- Payment for services in the Physical Medicine and Rehabilitation section increased an average of 10 percent.
- Except for the technical component of CPT® codes 72141, 72148, 73221, and 73721, payment amounts increased for services in the Radiology section an average of five percent.

CONTINUED



- Chiropractic manipulation treatment codes (CPT® codes 98940 - 98943) increased by five percent.
- For all other sections in the physician fee schedule, some payment amounts are higher or lower, but overall reimbursement is not projected to change.
- Payment amounts in the durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS) fee schedule, Appendix E, increased overall by 3.4 percent.

Changes were also made to OAR 436-010, Medical Services:

- An insurer or its representative must respond to a medical provider's inquiry regarding claim status or accepted condition within two days, excluding Saturdays, Sundays, and legal holidays. The rules do not allow the insurer or its representative to refer the medical provider to another entity to obtain an answer.
- The updated rule allows an insurer or its representative and a medical provider to agree to communicate about claim status or accepted condition by email or other electronic means.

Additional information is [HERE](#).

WASHINGTON

Psychologists May Treat Injured Workers as Attending Physicians

Psychologists can now be attending providers for workers' compensation cases with solely mental health conditions. Beginning July 1, 2025, Washington psychologists must be part of the L&I Medical Provider Network (MPN) to treat injured workers beyond the initial visit. If such psychologists do not join the MPN, payments and their ability to treat workers may be affected.

Information on joining the Medical Provider Network is [HERE](#).

EK Health Services Inc. is a leading national workers' compensation managed care organization. EK Health restores quality of life for injured workers through innovative, cost-effective solutions, while providing client services with high-touch experiences, customizable solutions, lower costs, and proven results. Our holistic approach integrates the best people, processes, and technology to facilitate the best medical treatment available for return-to-work possibilities.

Learn more about EK Health's solutions at ekhealth.com.



EKHEALTH.COM
