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Workers' comp frustrates doctors

Paperwork problems add up

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SACRAMENTO - California physicians face frustrating roadblocks in getting treatment for injured workers, and many doctors are planning to limit or abandon workers' compensation practices as a result, according to a California Medical Association report.

"It's hard to single out one worst experience," said a Contra Costa County physician, who was quoted but not named in the report. "In general, workers' comp carriers lose paperwork, claim they never get it, take a long time to pay and require a bazillion more paperwork. I quit. No more worker's comp cases for me."

Nearly all of the 250 workers' compensation physicians who responded to the association's survey said they had difficulty reaching an insurance company reviewer who could authorize treatment for patients who suffer job-related injuries.

Two-thirds said they had to call back multiple times to reach a reviewer, and 40 percent said at least half their requests for treatment authorization were denied. Some doctors said they were told by reviewers that they had a denial quota to meet.

"Many of these denials have created disabled patients who not only cannot work, (but) cannot do average daily living activities, which creates terrible hardships on the injured worker and their families," said an office manager for a San Diego County physician, quoted in the report.

Forty-three percent said at least one in four treatment denials eventually were overturned on appeal.

Sixty-three percent of the doctors surveyed said they either planned to discontinue treating workers' compensation patients or limit their workers' compensation practices.

A series of reform bills passed by lawmakers in late 2003 and early 2004 has cut workers' compensation insurance rates for California employers by an average of about 26 percent. But the findings by the medical association are the latest sign that the changes haven't eliminated significant problems in the 92-year-old system.

"The workers' compensation program in California remains costly, and the execution of reforms reveals hostility to injured workers and the physicians who treat them," the report said. "Moreover, there is far too little attention to providing prompt and effective treatment that returns injured employees to their jobs."

Sam Sorich, president of the Association of California Insurance Companies, conceded there have been problems among insurers in implementing new treatment guidelines established by the legislation. But he suggested the survey wasn't an accurate reflection of problems in the system.

He also said doctors would have to adjust their treatment methods to reflect the use of the guidelines, which were issued by the American College of Occupational and Environmental Medicine.

"We just don't think this is the proper way to address a problem, by conducting an internal survey and holding a press conference and making charges against insurance companies," he said Tuesday.

Nicole Mahrt, a spokeswoman for the American Insurance Association, said state regulators should crack down on any "bad actors" in the insurance industry who were improperly denying treatment or holding up doctors' payments.

Spokeswoman Susan Gard said the state Division of Workers' Compensation plans to do its own survey of 1,200 doctors and 1,000 patients to determine if there is an "access to care" problem that is driving physicians out of workers' compensation.

"The division really wants good doctors to stay in the system," she said.

She said the division recently drafted regulations that could result in fines for insurers who improperly delay treatment authorizations.

The doctors also complained about insurers making unauthorized cuts in payments to physicians and being hit with demands for discounts in order to be included in new medical provider networks set up by insurers or employers to treat injured workers.

Medical provider networks "are nothing more than middlemen stealing money from the system," an Orange County physician said.

The medical association, which represents more than 30,000 doctors, said the state needs to aggressively audit workers' compensation insurers, fill gaps in treatment guidelines, re-examine medical provider networks, strictly enforce deadlines for treatment authorizations and eliminate the role of non-physicians and out-of-state doctors in authorization decisions.