

May 5, 2017

## Weekly Legislative Wrap-Up

### State of the States



With just hours to go before adjournment, Florida legislators are scrambling to negotiate a

workers' comp reform bill that can pass both the House and Senate. Over the last week, legislators have been offering numerous amendments to address some of the more contentious areas, including attorneys' fees and hospital fee reimbursements. A vote on the Senate version of a bill was postponed several times over the week to give legislators time to compromise. Florida is scheduled to adjourn tonight but may extend the session for a few days to deal with lingering issues, including workers' comp.



On Monday, the Department of Workers' Compensation held a public hearing on

the proposed drug formulary. Under the law, the formulary is expected to go into effect on July 1, 2017, but with just two months to go before the date, and no final formulary or regulations in place, many of the speakers at the hearing urged the DWC to consider a six month delayed implementation. Other comments from the hearing focused on the overly restrictive formulary, the absence of a transition plan for legacy claims, and the risk of increased Utilization Review and Independent Medical Review requests.



SF 1293, a largely technical workers' comp bill, was amended on Monday to add a post-

traumatic stress disorder presumption for first responders in Minnesota. The amendment creates a presumption that a first responder's PTSD diagnosis is linked to their work. An employer can challenge the presumption by arguing the mental impairment is linked to a good faith employment action, such as review, transfer, demotion, or layoff. The amended bill passed the Senate 66-0 and is now before the House for consideration.





# State of the States



The Workers' Compensation Commission is proposing the adoption of a drug formulary for all workers' comp claims in the state. [Rule 099.41](#) would adopt the formulary currently used for public employees for the entire state and would require pre-authorization for all long-acting opioids and cap initial prescriptions for opioids at 90 milligram morphine equivalent doses per day.

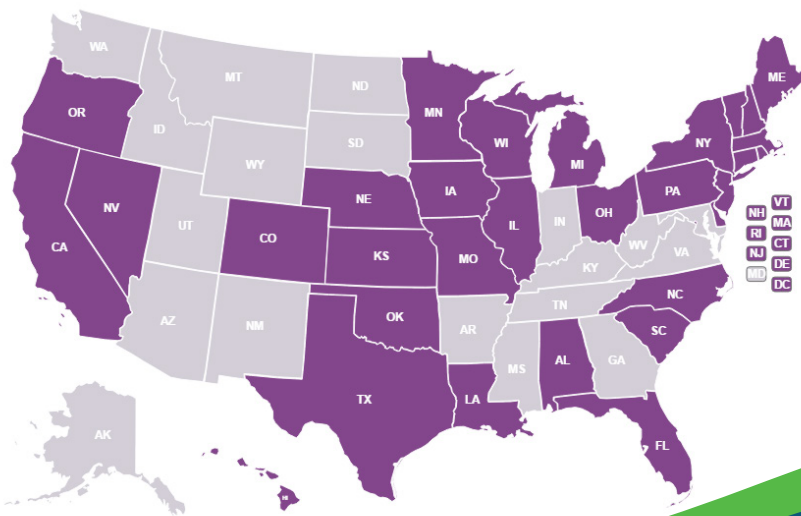


A bill that would limit opioid prescriptions unanimously passed the Louisiana House on Tuesday. [HB 192](#) limits initial opioid prescriptions for acute pain patients and minors to a 7-day fill but allows a doctor to exceed that limit where in their medical judgment more is needed to treat the patient. The bill is now before the Senate.

## Article of Interest

The growing opioid epidemic is [shifting](#) the way hospitals address pain treatment for trauma and surgery. With recent studies finding that many opioid addicted patients get their start in the hospital, doctors and hospitals are implementing new programs to help relieve pain while limiting the use of opioids.

## States in Session



## Where in the U.S.A. are Jayne & Danielle?

Jayne will be in the home office and Danielle will be in Austin, TX for legislative meetings.



## Questions, Concerns, Suggestions? Let Us Know.

Jayne Kresac, Esq.  
VP, Legal and Government Affairs  
[jkresac@iwpharmacy.com](mailto:jkresac@iwpharmacy.com)  
[www.iwpharmacy.com/about-iwp/government-affairs](http://www.iwpharmacy.com/about-iwp/government-affairs)  
978.809.2148

Danielle Jaffee, Esq.  
Manager of Government Affairs  
[djaffee@iwpharmacy.com](mailto:djaffee@iwpharmacy.com)  
[www.iwpharmacy.com/about-iwp/government-affairs](http://www.iwpharmacy.com/about-iwp/government-affairs)  
978.770.8047

