



California WC Regulation Change Alert & Frequently Asked Questions (FAQs)

CA Medical Provider Network, Posting Notices and Claim Form Changes – Customer & Broker Information

On October 8, 2010 amendments to the CA medical provider network (MPN) and employee information regulations will take effect. The Division of Workers' Compensation (DWC) amended both regulations that have now been approved by the Office of Administrative Law (OAL). These changes will require employers to revise their employee notices and workers' compensation posters to comply with the regulations.

Key Regulation Changes Effective October 8th:

- The 30 day waiting period has been eliminated for employers rolling out the MPN for the first time
- For employer's who change MPNs the 14-day notification period is now eliminated and also eliminates filing the Change of MPN notices with DWC
- Reduces distribution of both the Change of MPN notices and the Termination/Cessation of Use of MPN notices only to covered injured workers (not all employees)
- Allows employer's to streamline the initial MPN notification with a brief overview of the MPN regulation, but, at the time of injury, the full MPN notification, (this is what has been used, previously, for rollout and at the time of injury), must be provided
- Requires MPN notices to be in Spanish only where there are Spanish speaking employees
- Requires the full MPN notification to be posted at all employer locations
- Revised the Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility
- Revised the Employee Poster (Notice to Employees – Injuries Caused By Work) Form (DWC 7)
- Due to the various changes to the regulatory requirements, WC information that must be provided to new employees, similar to California Workers' Compensation Institute's (CWCI) "Facts About Workers' Compensation" pamphlet, must be revised

MPN, Posting Notices & Claim Form Changes FAQs:

- 1. For an employer that had not previously rolled out the MPN, what is now required?**
A) Notify all CA employees with a short 1 page MPN notification and advise your sales / service contact the date this was completed.
- 2. Must we get a signed acknowledgement from employees when we roll out the MPN?**
A) It is not required in the regulation but we do recommend and have provided a document that may be used for this purpose.
- 3. Our organization previously rolled out the MPN and now sees we must post a copy of the MPN notification document at each location. Do we post the new "short" implementation document or the longer version that is to be provided to an injured employee at the time a new claim is reported?**
A) The longer MPN notification must now be posted. Please be sure to post this in English and also in Spanish if you have Spanish speaking employees.
- 4. Where can I obtain a copy of the new "short" MPN rollout notification document?**
A) A copy has been enclosed for your convenience. If needed, you may ask your service representative for an electronic copy. Remember this is only used for the MPN rollout or when a new employee is hired in CA.
- 5. I rolled out the MPN several years ago and want to make sure I have all of the up-dated documents / information. Who can I receive these from?**
A) A copy of the new short notification, acknowledgement and full MPN notification documents are enclosed for your convenience.
- 6. I see the DWC 1 & Notice of Potential Eligibility form has been up-dated. Additionally I note the posting notice has been revised. Will Liberty be sending me some up-dated forms?**
A) Yes. We will be providing updated DWC 1 & Notice of Potential Eligibility as well as a posting notice before the regulation effective date.
<http://www.dir.ca.gov/dwc/forms/ClaimForm2010.pdf>
- 7. We rolled out the MPN and when an employee reports a new injury should we provide them with a DWC1 form and also the MPN full notification?**
A) Yes. And be sure to direct the employee to an MPN provider.
- 8. How can we access the MPN list of providers?**
A) www.LIBERTYMUTUAL.com If you do not have internet access, you may contact the Liberty Mutual Provider Referral Service hot line phone number:

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(800) 944-0443 for provider selection or contact your claims case manager for assistance in providing a provider directory for your review.

MPN, Posting Notices & Claim Form Changes FAQs, continued:

9. What is the phone number for the Liberty MPN administrator, for questions from providers or about the plan filed with the CA DWC?

A) This Liberty Mutual Group MPN toll free number is: (800) 331-1133 x65852

10. For Self Insured companies must we continue to file a separate MPN plan with the Division of Workers' Compensation?

A) Yes. Liberty coordinates this filing with the DWC.

11. I understand that I can make copies of some of the forms, while other forms and information are subject to copyright. Please clarify which ones I can duplicate and where I can order the other forms or information.

A) The state forms may be copied: DWC 1 and DWC 7. However, the DWC 1 form that is offered by California Workers' Compensation Institute (CWCI) is a multipage form; and some employers prefer to use these forms. The Facts about Workers' Compensation (information given to all new employees) that CWCI provides is subject to copyright by CWCI. The California Workers' Compensation Institute (CWCI) advised they will have their forms updated by mid-September. To pre-order forms from CWCI, you can visit their on-line store at: www.cwci.org

12. May I continue to use current pamphlets, DWC 1 forms until October 8th?

A) Yes

13. What is the consequence if I don't have the updated posting notice or updated pamphlets?

A) Failure to provide current information to employees can lead to loss of medical control, civil penalties of up to \$7,000 for each violation of the posting requirement and the tolling of the statute of limitations for filing claims.

14. Where can I find the final text of the regulation?

A) http://www.dir.ca.gov/dwc/DWCPropRegs/MPN_Regulations/MPN_Regulations.htm.

Every attempt was made to provide you with accurate information. However, this information is subject to different interpretations, and may change in light of amending legislation and case law decisions. All analyses and opinions provided within are given without regard to specific circumstances of fact situations. Specific fact

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situations may and do change on a claim by claim basis. Please note that the information presented is intended to be general in nature and should not be interpreted as legal advice.