

## DELOS INSURANCE COMPANY / TOTAL MANAGED CARE MEDICAL PROVIDER NETWORK (MPN)

### Transfer of Care Policy

AARLA/TMC will comply with the provisions set forth in California Code of Regulations, Title 8, §9767.9 regarding Transfer of Ongoing Care into the MPN.

If a provider delivering ongoing care for a covered injured employee is already participating in the newly implemented MPN, AARLA will notify the injured employee and his or her treating physician if his or her treatment is being provided by his or her physician or provider under the MPN provisions. If a provider delivering ongoing care for a covered injured employee prior to the inception of the MPN is **not** a provider under the Delos Insurance Company/TMC MPN, AARLA as the claims administrator will provide:

- Completion of care for up to 90 days of treatment for an “acute condition” as defined in 8 CCR §9767.9(e)(1) as “a medical condition that involves a sudden onset of symptoms due to an illness, injury or other medical problem that requires prompt medical attention and that has a duration of less than 90 days”. Completion of treatment shall be provided for the duration of the acute condition.
- Completion of care for the period of time necessary to complete a course of treatment for a “serious chronic condition” up to one year from the date of determination that the injured employee has a “serious chronic condition” as defined in 8 CCR §9767.9(e)(2) as “a medical condition due to a disease, illness, catastrophic injury, or other medical problem or medical disorder that is serious in nature and that persists without full cure or worsens over 90 days and requires ongoing treatment to maintain remission or prevent deterioration”. Completion of care shall be provided for a period of time necessary, up to one year: (A) to complete a course of treatment approved by AARLA; and (B) to arrange for transfer to another provider within the MPN, as determined by AARLA. The one year period of completion of treatment starts from the date of the injured employee’s receipt of the notification of the determination that the employee has a serious chronic condition.
- Completion of care for the duration of a “terminal illness” as defined in 8 CCR 9767.9(e)(3) as “an incurable or irreversible condition that has a high probability of causing death within one year or less”.
- Performance of surgery or other procedure that has been authorized as part of a documented course of treatment and will occur within 180 days from the MPN coverage effective date as discussed in 8 CCR 9767.9(e)(4).

Until the injured covered employee is transferred into the MPN, the employee’s physician may make referrals to providers within or outside the MPN.

AARLA will conduct an assessment of the injured employee’s medical condition prior to any determination that the ongoing care does not meet any of the above criteria and therefore could be eligible for a transfer into the MPN. This assessment may involve the guidance of a TMC nurse case manager.

AARLA will send notification of the determination of the transfer of care to the injured employee's residence and to the injured employee's primary treating physician. The notification will be provided in English and Spanish and will use layperson's terms to the maximum extent possible.

If the injured employee disputes the medical determination that transfer of care into the MPN is appropriate, he or she must request a report from the primary treating physician addressing whether the ongoing care falls within any of the conditions identified above. The treating physician must provide the report to the employee within 20 calendar days of the request. If the treating physician fails to issue the report, then AARLA's determination regarding completion of treatment shall apply.

If the primary treating physician agrees with AARLA's determination that the injured employee's medical condition does not meet the conditions identified above (as set forth in 8 CCR 9767.9(e)(1) through (4), the transfer of care shall proceed during the dispute resolution process.

If the primary treating physician disagrees with AARLA's determination that the injured employee's medical condition does not meet the conditions identified above (as set forth in 8 CCR 9767.9(e)(1) through (4), the transfer of care shall not proceed until the dispute is resolved.

Any dispute concerning the medical determination made by the primary treating physician concerning transfer of care will be resolved by the QME process pursuant to LC §4062.

Referrals made to providers subsequent to the implementation of the MPN are to be made to a provider within the MPN.

Nothing stated above prohibits AARLA from agreeing to provide care outside the MPN should AARLA determine that it is within the best interest of the injured employee to continue treatment with the non-MPN provider.