

CLARENDON / TMC MEDICAL PROVIDER NETWORK (MPN)

Continuity of Care Policy

Completion of Treatment by a Terminated Provider

AARLA/TMC will comply with the provisions set forth in California Labor Code Sections 4616.2(d) and (e) when the covered employee requests completion of treatment by a terminated provider. AARLA will provide to all employees entering the workers' compensation system notice of its written Continuity of Care policy and information regarding the process for an employee to request a review under the policy and will provide, upon request, a copy of the written policy to the employee. AARLA/TMC will comply with the requirements of LC §4616.2(d) and (e) as follows:

- AARLA/TMC will provide either verbal or written notice to the injured employee of the termination from the MPN of his or her treating provider.
- AARLA/TMC will arrange for transfer of care to another MPN provider or will provide for the completion of treatment with the terminated provider according to LC §4616.2(d).
- If the injured employee requests completion of treatment with the terminated provider, the AARLA claim adjuster will review the claim for compliance to LC §4616.2(d).
- If the injured employee meets the criteria as defined by LC §4616.2(d), AARLA will provide:
 - Completion of care for up to 90 days of treatment for an “acute condition” as defined in LC §4616.2(d)(3)(A) 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 limited duration”. 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” defined in LC 4616.2(d)(3)(B) as “a medical condition due to a disease, illness, or other medical problem or medical disorder that is serious in nature and that persists without full cure or worsens over an extended period of time or requires ongoing treatment to maintain remission or prevent deterioration”. This “extended period of time” is further defined in 8 CCR 9767.10(c) as having “a duration of at least ninety days.” Completion of care shall be provided for a period of time necessary to complete a course of treatment and to arrange for a safe transfer to another provider, as determined in consultation with the employee and the terminated provider and consistent with good professional practice. Completion of treatment shall not exceed 12 months from the contract termination date.
 - Completion of care for the duration of a “terminal illness” as defined in LC §4616.2(d)(3)(C) 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 contract termination date as discussed in LC §4616.2(d)(3)(D).
- AARLA/TMC will notify terminated providers whose services are continued beyond the contract termination date pursuant to LC §4616.2(d)(4)(A) that they must agree in writing to be subject to the same contractual terms and conditions that were imposed upon the provider prior to termination. The

AARLA claim adjuster may direct the injured employee to an MPN provider if the terminated provider does not agree to comply with the prior contractual terms and conditions.

- Unless otherwise agreed by the terminated provider and AARLA/TMC, the services rendered pursuant to this section shall be compensated at rates and methods of payment similar to those used by AARLA/TMC for currently contracting providers providing similar services who are practicing in the same or a similar geographic area as the terminated provider. The AARLA claims adjuster may direct the injured employee to an MPN provider if the terminated provider does not accept the payment rates provided for in this paragraph.
- If the terminated provider was terminated for cause, fraud, or other criminal activity, the injured employee shall be transferred to an MPN provider.
- Nothing stated above prohibits AARLA from agreeing to provide continuity of care with a terminated provider should AARLA determine that it is in the best interest of the injured employee to continue treatment with the terminated provider.
- **Dispute Resolutions:**
 - After AARLA makes a determination of the employee's medical condition, AARLA will notify the employee (with a letter written in English and in Spanish sent to the employee's residence and a copy that will be sent to his or her physician, using layperson's terms to the maximum extent possible), advising whether or not he or she will be required to select a new provider from within the MPN.
 - If the terminated provider wishes to continue to treat and if the injured employee disputes the medical determination, he or she will be required to request a report from the treating physician that addresses whether his or her medical determination falls into any of the four conditions referenced above (as set forth in Labor Code 4616.2(d)(3)). The treating physician will be required to provide this report within 20 calendar days from the request. If the treating physician fails to issue the report, then AARLA's determination shall apply.
 - If AARLA disputes the medical determination by the treating physician, the dispute will be resolved using the QME process pursuant to Labor Code section 4062.
 - If the treating physician agrees with AARLA's determination that the injured employee's medical condition does not meet the conditions set forth in Labor Code section 4616.2(d)(3), the employee will be required to select a new provider from within the MPN during the dispute resolution process.
 - If the treating physician does not agree with AARLA's determination that the injured employee's medical condition does not meet the conditions set forth in Labor Code section 4616.2(d)(3), the injured employee shall continue to treat with the terminated provider until the dispute is resolved.