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Medical Necessity

What is the definition of medical necessity?

Ohio BWC medical disability manual states that treatment must have some measurable method to the patient. Treatment that is designed to either improve and or maintain the patient's functional status meets the definition of medical necessity within the BWC compensation rules and regulations.

Ohio Administrative Code, 4121-3-32 (A), states: **“Maximum medical improvement” is a treatment plateau (static or well-stabilized) at which no fundamental functional or physiological change can be expected within reasonable medical probability in spite of continuing medical or rehabilitative procedures. An injured worker may need supportive treatment to maintain this level of function.**

December 01, 1999, Greg Jewell M.D., previous Ohio BWC medical advisor stated that once the injured worker has reached maximum medical improvement, injured worker may still need and be entitled to ongoing medical care. Dr. Jewell stated "Maximum medical improvement does not mean that medical or supportive care must be discontinued or is unnecessary, only that is not anticipated that condition will improve with further treatment and therefore has become stable. Therefore, please do not deny medical care because the injured worker has reached maximum medical improvement status in the claim. "

March 20, 2001, Reno Cameruca Mandamus case stated revealed the following facts: In short, the Commissions own regulations strongly suggest that treatment that only maintains a level of function can meet the test of medical necessity. Temporary benefit treatments are routinely applied in the practice of medicine. Clearly, a medical treatment that produces only temporary benefit can be reasonably necessary to treat injury, pain medications are but one example of this.

March, 30, 2001 Greg Jewell M.D. previous Ohio BWC medical advisor submitted a memo to all file and examination reviewers for the BWC and MCOs stating the treatment cannot be denied due to such statements as no lasting therapeutic benefit or no improvement.

The necessity of supportive care is defined within the Ohio administrative codes.

There is a memo/directive which states that and injured workers request for treatment should not be denied based upon the fact that injured workers clinical condition has reached a maximal medical improvement level.

Hence treatment requests cannot be denied if the injured worker is being treated for the purpose of maintaining their functional status.

As the OSCA BWC Chairman, if there are examples of an injured workers treatment been denied based upon the fact of maximal medical improvement, please send examples of these denials to my attention.