

**Medical Services Review Board – Special meeting  
June 8, 2010  
minutes**

**Members present**

Philip Bachman, M.D.  
Beth Baker, M.D.  
Barbara Baum, MS PT  
Jeffrey Bonsell, D.C.  
Glenda Cartney  
Barb Gibson, M.D.  
Michael Goertz, M.D.  
Rose Hatmaker  
Reed Pollack  
Jody Ruppert, OTR/L  
David Schultz, M.D.  
Jon Talsness, M.D.  
Andrea Trimble-Hart

**Members excused**

Kathi Hendrickson, R.N.  
Greg Hynan, D.C.  
John Kipp, M.D.  
Robin Peterson, PT  
Andrew Schmidt, M.D.  
Elizabeth Shogren, R.N.

**Staff members present**

Kate Berger  
Penny Grev  
Mike Hill  
Julie Klejewski  
William Lohman, M.D.  
Phil Moosbrugger  
Patricia Todd  
Lisa Wichterman  
Jana Williams

**Visitors present**

Cristine Alveida, Medtronic  
Chuck Cochrane, MNAJ  
Mike Donnelly, Corvel  
Jeremy Estenson, MN Chamber  
Becky Girvan, Medtronic  
Mary Krinkie, MN Hospital Assoc.  
Andy McCoy, Fairview  
Susan McDonough, Intracorp  
Nate Mussell, Lockridge Grindal Nauen  
Gregg Nelson, NLD  
Gary Pelletier, MAPS  
Jim Pikala, ACKSP  
Mary E Ryan, Medtronic  
Becky Schierman, MMA  
Aaron Schmidt, Arthur Chapman  
Jerry Sish, MNAJ  
Kris Wittwer, Attorney  
David C. Wulff, MNAJ

The meeting was called to order by Chairperson Beth Baker at 5 p.m. A quorum was present. Members and staff members introduced themselves.

The purpose of the special meeting is to review the proposed rule changes with the MSRB and get advice and comments from the board.

Phil Moosbrugger explained the rule making process and the method to submit formal comments to DLI to review.

Moosbrugger reviewed the following proposed rule changes to the board.

1. Allowing certified managed care plans to negotiate and contract fees for services with health care providers
2. Updates to penalties payable to health care providers and injured workers
3. Changes to the requirements for the calculation of a prevailing charge
4. New rules for permanent implants

The rulemaking process, documents, time line and the role of the Medical Services Review Board were presented. The department is requesting the board's advice regarding the seven regulatory analysis questions:

- (1) a description of the classes of people who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule;
- (2) the probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues;
- (3) a determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule;
- (4) a description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule;
- (5) the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses or individuals;
- (6) the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses or individuals; and
- (7) an assessment of any differences between the proposed rule and existing federal regulations, and a specific analysis of the need for and reasonableness of each difference.

Chairperson Baker opened the meeting to discussion of the rules. The board went through each of the proposed rules discussing the member's comments and questions.

Moosbrugger reminded the board to please send the department their comments and suggestions to the regulatory analysis questions. Also, the public may send in comments through the department's rulemaking docket.

***Chairperson Baker adjourned the meeting at 6:15 p.m.***

Respectfully submitted,

*Lisa Wichterman*

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Medical Policy Specialist