



Matthew H. Mead
Governor

State of Wyoming Department of Workforce Services

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John Cox
Director
John Ysebaert
Deputy Director

Memorandum

DATE: May 26, 2017

TO: Associations and Other Interested Parties

FROM: Jason Wolfe, Administrator, DWS Office of Standards and Compliance,
Wyoming Workers' Compensation Division

JW SUBJECT: Proposed adoption of the Wyoming Workers' Compensation Rules and Regulations,
Chapter 1 General Provisions

The Department of Workforce Services, Workers' Compensation Division proposes the following changes:

Chapter 1, Section 3(l), (q), (n), and (ao)(v) due to a 2017 Wyoming statute change, § 27-14-109, HEA 52. This change clarifies the definition of county government and county governmental entities and allows county governments to establish one workers' compensation account.

Chapter 1, Section 6, Adoption for Procedures, Fees, Costs and Charges for Inspecting, Copying and Producing Public Records was added.

Other changes include clarification on definitions, minor formatting and reduction of rules.

The Rules may be accessed and downloaded from the Secretary of State's website:
<http://soswy.state.wy.us/Rules/default.aspx>

Public comments can be sent to: marcia.price@wyo.gov
Public comments will be accepted from 5/24/17 through 7/17/17.



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FROM: Jason Wolfe, Administrator, DWS Office of Standards and Compliance,
Wyoming Workers' Compensation Division

 SUBJECT: Proposed adoption of the Wyoming Workers' Compensation Rules and Regulations,
Chapter 2 Employer Coverage, Compliance, and Discount Programs

The Department of Workforce Services, Workers' Compensation Division proposes the following changes:

Chapter 2, Section 3 due to a 2017 Wyoming statute change, §27-14-207(h)(j), SEA 54. This change will clarify and determine the calculations used for out-of-state employers experience modification ratings (EMR).

Other changes in Chapter 2 include minor formatting and changing Appendix A – Glossary of Termination to Section 15.

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FROM:  Jason Wolfe, Administrator, DWS Office of Standards and Compliance,
Wyoming Workers' Compensation Division

SUBJECT: Proposed adoption of the Wyoming Workers' Compensation Rules and Regulations,
Chapter 10 Miscellaneous Medical Protocols

The Department of Workforce Services, Workers' Compensation Division proposes the following changes:

Section 2 – Alcohol and Drug Testing Protocols – The cutoff concentrations for initial and confirmation tests and the chart were deleted.

Section 4 – Biofeedback – The number of treatments was deleted.

Section 6 – Blood borne Pathogen Testing and Prophylactic Care (b) was changed so benefits shall not be limited for testing or prophylactic care for any particular covered occupations included in the definition of “injury” and prescribing reasonable prophylactic medical treatment during the disease’s latency period.

Section 7 – Compound Prescription Medications – The Division shall pay for compound prescription medications per the Wyoming Workers' Compensation Provider Bulletins, National Drug Code and the fee schedule in Chapter 9, Section 7.

Section 13 – Home and Vehicle Modifications – The Division requires permission as well as consent from a property owner prior to any modifications will be considered.

Section 16 – Massage Therapy – Clarify criteria permitting massage therapy upon orders from the treating health care provider and in conjunction with other therapy modalities.

Section 19 – Off-label use of Medical Services – Reviews will include two (2) rather than one (1) reliable prospective, randomized, placebo-controlled, double-blind trial.

Section 25 – Prescribed Drugs and Pharmacy Services – Clarifies for physicians who dispense pharmaceuticals from their offices are subject to the Division’s fee schedule.

Other changes include format corrections, website address updates and reducing rules

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