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MEETING NOTICE:

The Advisory Council on Workers' Compensation and Occupational Disease Disablement will conduct a virtual meeting at 2 p.m., Thursday, February 10, 2022, via Zoom. Visit <https://workerscomp.nm.gov/Advisory-Council> for more information.

REMINDER TO INSURERS: AER SUBMISSIONS DUE

Annual Expenditure Reports (AER) for 2021 data are due by February 15, 2022. Reports can be filed at <https://w3.wca.state.nm.us/aer/LogOn.aspx>. New users can register for an account. Call Charles Cordova at (505) 841-6896 or email him with questions at Charles.Cordova@state.nm.us.

Robert E. Doucette, Jr. Named Workers' Compensation Administration Director

By Diana Sandoval-Tapia

Robert E. Doucette, Jr., became the 10th director of the New Mexico Workers' Compensation Administration (WCA) on December 6, 2021, upon appointment by Gov. Michelle Lujan Grisham. Doucette is no stranger to the agency, or to workers' compensation – he served as an Executive Deputy Director at the WCA from April 2011 until May 2015, and has continued to serve on national industry boards. During his previous appointment, Doucette oversaw both the support and operations functions of the agency, giving him a good foundation of all aspects of the WCA such as finance, human resources, information technology and facilities management, as well as the adjudication side, and other bureaus to include Economic Research & Policy, Self-Insurance/Audit and Medical Cost Containment.

Regarding his return, Doucette says his number one goal for the agency is transparency, and to advocate for the WCA. "I've always thought the WCA is a hidden gem," he said. "We need to tell more people who we are and what we do. More people should know what our mission is." He is only the second non-attorney in the agency's 35-year history to serve as Director.

Doucette is also no stranger to management or public service, having served 10 years as Deputy County Commissioner for Bernalillo County prior to his first appointment to the WCA. When he left the WCA in 2015, he became the Deputy Superintendent of Insurance for the state of New Mexico, holding that position until 2021, when he became the

first ever Deputy County Manager for Sandoval County. He is also a veteran of the United States Army, first enlisting in the early 1990s, then serving again in the late 1990s-early 2000s. The most valuable lessons he gleaned from military service are two: "First, you need a good team around you to accomplish any goal," he says. And second, "no one person is more valuable than anyone else." Those are lessons he says he has always remembered and used throughout his professional career.



WCA Director Robert E. Doucette, Jr.

Doucette earned a Bachelor of Science degree in English in 1998 from Black Hills University in Spearfish, S.D., and a Master of Arts degree in management and leadership in 2004 from Webster University in Albuquerque. He is a member of several boards, task forces and committees, to include the International Association of Industrial Accident Boards and Commissions (IAIABC), which is an association of workers' compensation jurisdictional agencies from around the world, and the North American Industry Classification System (NAICS), which is the standard used by federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.

Born in Massachusetts, but growing

NMWCA Employee and Bureau of the Year Announced at Agency Annual Event

By Aileen O’Catherine

The New Mexico Workers’ Compensation Administration (WCA) held its annual “All Hands” employee recognition event on December 1, 2021. The meeting was held at the agency’s main office in Albuquerque, as well as virtually via Zoom for those teleworking, and via video conferencing for field office participation.

The meeting features the winners of the annual Employee of the Year and Bureau of the Year awards. Then WCA Acting Director Leigh Martinez announced Economist Ruili Yan was selected for the “Employee of the Year” award. In presenting the award, Martinez said her nomination noted that Yan works diligently and quietly to fulfill her tasks, and in addition to assisting other agency employees and bureaus, she works with outside stakeholders such as

insurance carriers, self-insurers and others to make sure benchmarks are met. “I have always enjoyed working with Ruili,” said Martinez, who once worked in the same bureau as Yan. The nomination for Yan noted she strives for excellence and tracks data in a manner that is easy for others to understand. “Ruili’s performance has been good enough to become a shining example for others in the agency,” said her supervisor, Richard Adu-Asamoah, PhD. Yan has been with the agency for eight years.

The Facilities Bureau was named the agency’s 2021 “Bureau of the Year.” In presenting the award, Martinez said the bureau is always “doing things to keep us going.” The bureau was nominated several times for the work they accomplished during the agency’s pandemic shutdown, when the bureau’s staff continued to



Ruili Yan

work from the office. “The facilities team has kept the WCA running during COVID and are always ready to help,” said one nomination. Bureau staff includes Bureau Chief Freddy Ramirez, as well as Anita Mayberry and Michael Gauthier.

The WCA also recognized staff members for their years of service to the agency. Service award recipients included Elizabeth Peralta, 20 years; Barbara Garcia, 15 years; Hon. Shanon Riley, and Richard Adu-Asamoah, PhD, 10 years; and Mark Brannen, Trey Flynt, Anita Mayberry, Freddy Ramirez, Lisa Romero, Julie Head, Christopher Olivas and Valerie Seidel, for five years of service.

New WCA Director (cont’d.)

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up in the small town of Jaffrey, N.H., Doucette came to New Mexico

NM Workers’ Comp. Adm. Quarterly Bulletin

Robert E. Doucette, Jr., Director
Diana Sandoval-Tapia, Public Information Officer
Aileen O’Catherine, Public Relations Specialist

The Bulletin is electronically published in January, April, July and October by the Public Information Office of the New Mexico Workers’ Compensation Administration. The Bulletin is available free of charge. Send changes of e-mail address and requests to receive the Bulletin to Diana Sandoval-Tapia in the Public Information Office, New Workers’ Compensation Administration, WCA-PIO@state.nm.us.

Suggestions for articles are welcome. Call Diana Sandoval-Tapia at (505) 841-6052.

Recent issues of the Quarterly Bulletin can be viewed on the Internet at <https://workerscomp.nm.gov/NMWCA-Publications>.

in 2001 when he was an officer in the U.S. Army because his wife, Christina Doucette, wanted to go to medical school here. She earned her physician assistant certification from the University of New Mexico School of Medicine and her master’s degree from the University of Nebraska. She is currently the Physician Assistant Director of Primary Care at University of New Mexico Hospital.

The Doucettes have been married for 24 years and have three children, Nathaniel, who earned a finance degree from UNM’s Anderson School of Management and currently works for Bernalillo County; Joe, also a student of UNM’s business school, but currently studying for a year in Paris, France; and Abigail, a high school freshman.

What is the Advisory Council?

The Advisory Council on Workers’ Compensation and Occupational Disease Disablement is a task force created by statute, comprised of six members, three representing workers and three representing employers. The primary role of the Council is to advise the governor and legislature on the status of the workers’ compensation system in New Mexico. The Advisory Council is required to meet at least twice annually. Scheduled meetings of the Council are announced on the WCA website, <https://www.workerscomp.nm.gov/Advisory-Council>.

Medical Cost Containment Bureau Provides a Unique and Vital Role in Workers' Compensation

The New Mexico Workers' Compensation Administration's (WCA) Medical Cost Containment (MCC) Bureau provides an array of services to facilitate appropriate, timely, efficient and cost-effective medical care to New Mexico's injured workers. "We serve as the primary point of contact for medical issues within the workers' compensation system," said MCC Bureau Chief Jessica Sanchez about the bureau's work. "We also enforce and educate on the Health Care Provider (HCP) Fee Schedule, and the WCA Rules, especially Rule 7," which covers payment for health care services.

One of the main roles of the bureau's billing dispute specialists is to resolve the hundreds of annual billing disputes that may come from HCPs, employers, insurers, and in some cases, workers. The WCA's Health Care Provider Fee Schedule & Billing Instructions (Fee Schedule), published annually, lists specific costs for procedures and equipment. Sometimes, however, a dispute may arise if there is a question about who should pay for what specifically.

The goal is to always resolve a

dispute informally, and in as timely a manner as possible. In 2020, the MCC bureau's average time for resolving disputes was one month and nine days. Through September 2021, the average resolution time was 26 days. When the bureau receives a referral for a dispute, a specialist logs the information into a system, and makes sure all supporting forms and documentation are received. Charges are then entered into a payment worksheet where specialists break out the maximum allowable payment of each service according to the HCP Fee Schedule. "A dispute can go either way so there could be an overpayment or an underpayment," said Sanchez.

When parties in dispute can't resolve the dispute informally, the specialists prepare files for a director's determination and a possible hearing where MCC may testify as subject matter experts on their processes.

Specialists also intervene for injured workers who are sometimes balance billed, which is not allowable under the state's workers' compensation law. "Cases are highly rewarding if a worker's bill is pulled out of collections. They are

so grateful for the assistance in what was a desperate financial situation," said Sanchez.

Over the past three years, there has been a decline in billing disputes, showing that the interventions and education conducted by staff have been working. "Each year, MCC analyzes every word of every section of the Billing Instructions, the section of the HCP Fee Schedule we are responsible for revising," Sanchez said. "Our goal is to make the language clearer and easier to understand for our users." Sanchez noted that staff study the billing disputes they have gotten so they can zero in on problem areas and flag for necessary changes. "In 2017, we had a huge influx of New Mexico Gross Receipts Tax billing disputes, so in 2018, we clarified that this had to be billed as a separate line item. We are always asking ourselves what we can add, streamline or change to cut down on disputes."

To accomplish agency goals, the bureau relies on robust medical experience. Billing Dispute Specialist Doreen Hamlin, who has over 30 years of medical billing experience,

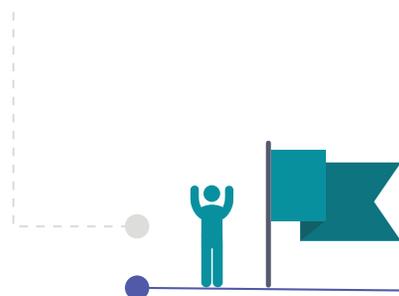
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Billing Disputes

WCA Billing Dispute Specialists Make the Difference

Resolutions through Medical Cost Containment

Dispute specialists facilitate communication that results in timely and accurate medical payments



01

Dispute Referral Received

Dispute specialists log information into tracking system and gather correct forms and documents.

02

Is Billing Dispute Valid?

Based on statute, rules and processes, referrals are pursued as billing disputes or parties are educated on correct billing processes.

03

Maximum Allowable Payment

Specialists itemize each service and procedure according to HCP Fee Schedule to determine overpayment or underpayment.

04

Informal Resolution Not Possible?

Dispute specialist prepares files for director's determination and possible hearing. Director's decision is final.

2022 Fee Schedule Update

By Jessica Sanchez

The Medical Cost Containment Bureau (MCC) has provided a summary of changes that occurred in the *2022 WCA Health Care Provider Fee Schedule and Billing Instructions*:

Going through each section of the Health Care Provider (HCP) Fee Schedule Billing Instructions, in order of topic as it appears, the changes (excluding minor editorial revisions) were:

1. Official Disability Guidelines (ODG) definition was updated to reflect MCG Health merger.
2. Anesthesia rate went up from \$62.40 per unit to \$62.54.
3. Durable Medical Equipment (DME) guidelines: wording was added to better clarify a) when invoices need to be provided when claims are submitted for processing, b) rental fees billed above the cost of purchase is prohibited and c) pre-authorization is required.
4. Evaluation and Management (E/M) Services: updated to reflect adoption of AMA CPT guidelines that went into effect in 2021.
5. Explanation of Benefits (EOB): five new EOBs were added along with revision to better reflect specific reasons for denial.
6. Facility Fees and Room Charges: added clarification that revenue code 51X is prohibited.
7. Failed Appointments: reimbursement for “established” patients was stricken from the Psychotherapy section, and codes in that same section were updated.
8. Hospital Ratios were all recalculated according to WCA methodology, resulting in an overall base rate increase from 0.36 to 0.41.

9. Out of state hospitals: wording was revised to clarify when the hospital ratio should be applied. The rate also increased from 0.36 to 0.41

10. Medical Cannabis: The maximum number of units increased “up to 345 units with a written recommendation from the authorized HCP per rolling 90-day period.” The Maximum Reimbursable Amount also dropped from \$12.02 to \$11.81, as calculated using WCA methodology.

11. Provider’s Report of Physical Ability (PROPA) section was revised significantly to show the PROPA 2022 revision shall be billed for reimbursement if pre-authorization is obtained AND if it is completed at the provider’s initial visit or if there is a change in work status (section 2 of the PROPA) or activity restrictions (section 3 of the PROPA).

Completion of the PROPA shall be billed using CPT code 99080 and shall be reimbursed \$25.00. For the initial visit, medical notes must indicate “WCA Provider’s Report of Physical Ability -- Initial. For established patients, the medical notes must indicate “WCA Provider’s Report of Physical Ability Change.”

12. Urine Drug Testing: outdated wording from the ODG website was removed and the following wording was added: “Urine drug testing for chronic opioid therapy that is conducted in accordance with the Prescription Monitoring Program (PMP) regulations in the applicable jurisdiction shall be considered reasonable and

necessary treatment.”

13. Appendix A: repetitious wording regarding the 60/40 split for technical component/professional components was removed as this has been referenced more clearly elsewhere in the specific sections it applies to.

14. The Fee Schedule listing of fees – the list of only those that were changed or deleted, can be found [here](#):

Access the full 2022 HCP Fee Schedule and Billing Instructions [here](#).

Access the 2022 Director’s Order [here](#).

Review the 2022 public comments [Responses](#).

Access the Provider’s Report of Physical Ability (PROPA), 2022 revision

https://workerscomp.nm.gov/sites/default/files/documents/forms/PROPA_fillable.pdf

For further information that is helpful to HCPs or prior year HCP Fee Schedules, visit our [HCP webpage](#).

For any questions, contact the Medical Cost Containment Bureau at wca-mcc@state.nm.us

Liz Peralta and Renee Martinez Share Employee of the Quarter Award

The WCA Employee of the Quarter for the fourth quarter of 2021 is a unique winner, as there is a co-winner for the first time. Information Technology Bureau employees Elizabeth Peralta and Renee Martinez were nominated for the quarter based on the hard work undertaken while filling in for multiple bureau vacancies. “They are carrying the weight of the network systems, helpdesk, computers, equipment setup, etc,” wrote a nominator, and stepped in to assist at recent events, troubleshooting equipment setup prior to an important

meeting, and ensuring all technical aspects were a go for an especially complicated virtual event. Through it all, they continued with all the day-to-day functions of the agency.

“If any employees were ever more deserving of recognition, it would be these two!” wrote the nominator.

The quarterly award recognizes agency employees who exemplify excellence in the workplace.

Peralta has been an employee since 2001, and Martinez started with the agency in 2021.



Liz Peralta



Renee Martinez

Medical Cost Containment Bureau (cont'd.)

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was hired as the MCC's first specialist in 2017. Prior to that, the agency's medical billing disputes were handled by the MCC Bureau Chief and a medical secretary. After a record year of 1,394 billing disputes received in 2017 and 303 disputes in 2016, MCC hired a specialist dedicated to the task. A second specialist was hired in 2019 when Loveatta Bamberg began at the agency. Bamberg also had over 30 years of experience in medical billing and administration. The bureau is further served with Medical Secretary Trish Platt, who has over 20 years of medical office experience.

In addition to working on billing disputes and the HCP Fee Schedule, MCC staff assist with research on medical topics. They help draft items such as the Telehealth Director's Order issued in March 2020, which provided billing direction for telehealth use as it increased under the COVID-19 pandemic. Previously, telehealth had been under-utilized in workers' compensation.

MCC staff also assist with case

management, utilization review, rerouting misrouted medical claims, and tracking hospital admissions. They provide support to the Independent Medical Exam (IME) Committee and the Director's Medical Advisory Committee (DMAC).

The Early Return-to-Work Initiative, started in 2017 as a pilot project for the WCA, has grown to become an integral part of the New Mexico workers' compensation landscape, with more and more employers utilizing the initiative's tools to keep costs down. Currently, this is administered by Las Cruces Return-to-Work-Specialist Marietta Valdez, who has more than 20 years experience as a job developer. The WCA has “Best Practices” tools that help employers design a program for their needs. As of September, 2021, there were 26,210 employees enrolled under employers working with the plan.

In 2020, even with COVID-19 restrictions, MCC staff answered 94 inquiries and conducted 78 outreach events/informational meetings/contacts,

reaching 375 workers' compensation stakeholders. Through September, 2021, MCC answered 100 inquiries, conducted 16 outreach events/informational meetings/contacts, reaching a total of 346 stakeholders.

Sanchez believes that focusing on the “front end” of disputes rather than the “back end” is the best way to contain medical costs. Although not everyone understands or knows what MCC staff do, “we hope that with our outreach and education efforts, more people realize we are here to assist all parties to improve the medical landscape for workers in New Mexico,” said Sanchez.

This report was made possible by MCC Bureau Chief Jessica Sanchez and the MCC team.

WCA Holiday Food Drive Collects Food and Funds for Those in Need

The WCA held its third annual holiday food drive to benefit the Roadrunner Food Bank (RRFB), from December 14 through December 30, 2021. WCA staff and the workers' compensation community brought non-perishable food items to the agency, and could make monetary donations through the RRFB website on a special NMWCA page.

One in six New Mexicans are at risk of hunger, and the state ranks worst for child hunger. WCA staff work to alleviate that hunger each holiday season.

A box with food donations was set up in the Albuquerque office lobby. A delivery of items that were collected by

December 30, totaling 147 pounds, were taken to the food bank to help RRFB volunteers create food boxes for those most in need. The RRFB has a formula that estimates each pound of food is equal to 1.2 meals. Donated goods were enough for 176 meals. Monetary donations amounted to \$513.18. The RRFB formula estimates each dollar is enough for five meals. The collected

amount was enough for 2,565 meals.

The Hobbs field office also gathers food each holiday season. This year, they gathered enough beans and rice for 60 meals. "Beans and rice are easy meals local families can fix," said Hobbs Ombudsman Valerie Seidel.

With both goods and funds collected, the drive totaled 2,801 meals for hungry New Mexicans.

2021 NMWCA Food Drive



NMWCA Job Openings

The NMWCA provides postings for job openings on its agency webpage. Current postings include:

- UEF Attorney
- Accountant/Auditor
- State Investigator
- Legal Secretary (two openings)
- Return-to-Work Specialist

- IT Systems Administrator
- IT End User Support
- Safety Consultant (Las Cruces and Albuquerque)
- HR Specialist

To learn more about these jobs, visit <https://workerscomp.nm.gov/WCA-Jobs>.

Applications must be made through the

New Mexico State Personnel Office at <https://careers.share.state.nm.us/>.

New Mexico Workers' Compensation Administration Offices:

MAIN OFFICE

Location & Main Mail Address:

2410 Centre Ave. SE
Albuquerque, NM 87106-4190

Alternate Mailing Address:

PO Box 27198
Albuquerque, NM 87125-7198

Phone Numbers:

Phone: (505) 841-6000
In state toll-free phone:
1-800-255-7965
Fax Clerk of the Court:
(505) 841-6060
Director's Fax: (505) 841-6009

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Farmington, NM 87401
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Fax: (505) 599-9753

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Santa Fe, NM 87505
Phone: (505) 476-7381
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WCA Helpline-Hotline: (toll free in New Mexico)

1-866-WORKOMP 1-866-967-5667

WCA Website:

<https://workerscomp.nm.gov>