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North Carolina Industrial Commission

January 16, 2018

Industrial Commission Publishes Notice of Rulemaking to Address the Opioid Epidemic in Workers' Compensation Cases

FOR IMMEDIATE RELEASE:

Raleigh, N.C. – Chairman Charlton L. Allen of the North Carolina Industrial Commission is pleased to announce an update in the process to adopt rules for the workers' compensation system addressing the opioid crisis. The proposed rules and information related to the rulemaking process were published today, January 16, 2018, in Volume 32 Issue 14 of the North Carolina Register. These rules for the utilization of opioids, related prescriptions, and pain management treatment are proactive measures aimed at curtailing opioid misuse and addiction in workers' compensation claims. "Today marks an important step in this initiative," said Chairman Allen. "It is important to the Commission that the public is aware of these proposed rules. The Commission encourages the public to be engaged in this process."

The rules proposed for adoption are promulgated to ensure injured workers are provided the services and care intended by the Workers' Compensation Act and medical costs are adequately contained. "Opioid misuse and addiction are a major public health crisis in this state," said Chairman Allen. "Many injured workers are prescribed opioid medications as part of treatment for their injuries, creating a nexus between the problems affecting the general population and the workers' compensation system. These rules are a comprehensive, well-reasoned solution for North Carolina." The proposed rules are intended to facilitate the timely and effective delivery of appropriate medical treatment for pain management in workers' compensation claims.

In February 2017, Chairman Allen established the North Carolina Workers' Compensation Opioid Task Force to study and recommend solutions for the problems arising from the intersection of the opioid epidemic and related issues in workers' compensation claims. After formation of the Opioid Task Force, the General Assembly passed Session Law 2017-203, Section 4.(a), which authorized the Commission to adopt rules and guidelines, consistent with N.C. Gen. Stat. § 97-25.4, for the utilization of opioids, related prescriptions, and pain management treatment. Several months of research and stakeholder collaboration went into developing the proposed utilization rules. The Commission considered the recommendations of the Opioid Task Force and feedback received through preliminary public comment.

A public hearing is scheduled for March 2, 2018 at 2:30 p.m., and the Commission will accept written comments until March 19, 2018. The earliest effective date of the proposed rules, if adopted by the Industrial Commission and approved by the Rules Review Commission, is May 1, 2018. Notice of this rulemaking, including additional information on the public hearing and the written comment period, can be found on the Industrial Commission's website at <http://www.ic.nc.gov/proposed10MRules.html>. Any questions should be directed to Kendall Bourdon at kendall.bourdon@ic.nc.gov.