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North Carolina Industrial Commission

December 20, 2017

Industrial Commission Announces Proposed Rules Addressing 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 the proposal of rules for the workers' compensation system addressing the opioid crisis. 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. "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 rules proposed for adoption are promulgated to ensure that injured workers are provided the services and care intended by the Workers' Compensation Act and that medical costs are adequately contained. "It is the Commission's responsibility to ensure that injured workers receive reasonable and necessary care for their injuries. As part of that responsibility, it is critical that the Commission take steps to identify best practices and adopt meaningful solutions to help address this crisis where possible," stated Chairman Allen. 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.

Notice of these rules will be published in the January 16, 2018 issue of the North Carolina Register. A public hearing is scheduled for March 2, 2018, 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. The proposed rules can be found on the Industrial Commission website at www.ic.nc.gov/121917proposedopioidrules.pdf. Any questions should be directed to Kendall Bourdon at kendall.bourdon@ic.nc.gov.