



County of Los Angeles Chief Administrative Office

Transfer of Ongoing Care Policy Title 8, California Code of Regulations Section 9767.9 (Labor Code 4616)

In order to maintain the same high standards of medical treatment and care for all covered employees, the County of Los Angeles (County) is adopting the statutory provisions for the transfer of ongoing care into the Medical Provider Networks (MPNs) for medical treatment for occupational injuries and illnesses. If the covered employee's injury or illness does not meet the conditions set forth in (a) through (d) below, the covered employee may be transferred into the MPNs for medical treatment at the discretion of the County. All transfers and referrals of ongoing care made after February 1, 2006, to providers for treatment of any occupational injury or illness shall be made to a provider within the MPNs.

If the covered employee is being treated for an occupational injury or illness by a physician, or provider that becomes a provider prior to implementation of a MPN, and that physician or provider later becomes a provider within the MPNs, then County shall inform the injured covered employee that his/her treatment is being provided under the provisions of the MPNs.

Subject to coverage through the workers' compensation system, the County shall authorize the completion of treatment by a non-MPN provider for covered employees who are being treated outside of the MPNs for an occupational injury or illness that occurred prior to the implementation of the MPNs and whose treating physician is not a provider within an MPN, including covered employees who pre-designated a physician and do not fall within State of California Labor Code section 4600(d) based upon the following conditions:

- (a) **An acute condition.** An acute condition is a medical condition that involves a sudden onset of symptoms due to an illness, injury, or other medical problem that requires prompt medical attention and that has a limited duration of less than 90 days.
- (b) **A serious chronic condition.** A serious chronic medical condition due to a disease, illness, or other medical problem, that persists for at least 90 days, without full cure or worsens and requires ongoing treatment to maintain remission or prevent deterioration. Completion of treatment shall be provided for a period of time, up to one year, necessary to complete a course of treatment approved by the employer and to arrange for a transfer to a provider within the MPNs, as determined by the County. The one year period for completion of treatment starts from the date of determination that the employee has a serious chronic condition.
- (c) **A terminal illness.** A terminal illness is an incurable or irreversible condition that has a high probability of causing death within one year or less. Completion of treatment shall be provided for the duration of a terminal illness.

(d) **Performance of a surgery** or other procedure that is authorized by the County as part of a documented course of treatment and has been recommended and documented by the provider to occur within 180 days from the MPNs effective date of February 1, 2006.

Following the County's determination of the covered employee's medical condition, the County will notify the covered employee of the determination regarding the completion of treatment. The notification will be sent to the covered employee's residence and a copy of the letter will be sent to the employee's primary treating physician. If you do not agree with the transfer, you may ask your treating physician for a report that addresses whether you are in any of the categories set forth in (a) through (d) above.

If either the County or injured employee do not agree with the treating physician's report, the dispute regarding the medical determination will be resolved according to State of California Labor Code Section 4062. If you disagree, you must notify the County's workers' compensation third party administrator.

If your treating physician agrees with the County's determination that the injured employee's medical condition does not meet the conditions set forth in (a) through (d) above, the transfer of care shall go forward during the dispute resolution process.

If the treating physician believes the County's determination that the injured employee's medical condition meets the conditions set forth in (a) through (d) above, you may continue treatment with that provider until the dispute is resolved.