



October 1, 2014

RE: Important Change in Colorado Workers' Compensation Law Concerning Referrals of Injured Employees for Medical Care

Dear Valued Customer:

House Bill 1176 changed Rule 8 of the Colorado Revised Statutes, which governs the workers' compensation process in the state, to allow injured employees to seek treatment from a panel that contains at least two (2) medical providers. This change went into effect January 1, 2008. Previously, employers, or their insurance carriers, had the right to select the first medical provider for work-related injuries.

In order to comply with this new regulation, as an employer, you are now required to provide a Designated Provider List to injured employees so they may select a provider. If this new requirement is not followed, that is, if a proper list is not provided, we lose the ability to control the referral and an injured employee will be permitted to treat with a provider of their choice.

There are a number of rules that employers and carriers must follow when creating the Designated Provider List. Those rules, along with a summary of the other key changes for Rule 8, are included with this communication.

In an effort to assist our customers with complying with these regulations, we have created Designated Provider Lists by zip code. You may access these lists through our website at [www.zurichna.com](http://www.zurichna.com). Once at the site, click on "Claim Information" in the top tool bar. A link is provided on the right hand side of the screen under the heading "Colorado Designated Provider". Here you will find provider lists. The lists are organized in numeric order by zip code and are Word documents so they can be easily printed or e-mailed.

An additional benefit of the lists being in Word is that they can be updated with different medical providers if so desired. Once you've reviewed the Designated Provider List for your area, should you wish to use a different provider, you can either contact Zurich for assistance creating a new list, or use our C.a.r.e. Directory Online services to identify other providers and update the list yourself. Instructions for using our C.a.r.e. Directory Online service are enclosed as well.

If you have any questions or concerns, please feel free to contact your agent, broker or me.

Sincerely,

Neal Fusco  
Director, Managed Care

Enclosures: Colorado WC Changes – Rules 8 Overview  
Zurich C.a.r.e. Directory Online Instructions

**Colorado House Bill 1176 & Colorado Rule 8 Summary**  
**New Statute & Rule Concerning Employer's Duty to Provide**  
**List of Providers to Treat Injured Employees**  
**Effective 1-1-08**

**8-1 REFERRAL:**

- Employers **must provide a written list of at least two medical providers.**  
(*Designated provider list*)
- *Exception:* If there are less than four (4) providers within a 30 mile radius of the employer's location, then the employers must provide at least one provider.
- The two medical providers must be at two distinct locations without common ownership.
- At the time of injury, the Designated Provider List must be provided to the injured worker and it must contain the following:
  - Names and contact information of providers;
  - Name and contact information of the employer's authorized representative, and
  - Name and contact information of the employer's workers' compensation carrier, or third party administrator.
- In case of **emergency**, the injured worker shall be taken to any physician or facility that is able to provide treatment. When emergency is over, employer must provide the "Designated Provider List" and comply with the above.
- If worker is ***injured away from employer's premises*** (i.e. construction site), injured worker may be taken to a physician who can attend to the injury in the vicinity of the injury. However, **within seven (7) business days** of notice of the injury, the employer shall comply with the above procedures.
- If the list of providers is not provided **within seven (7) business days of the injury notification the employee may choose their physician.**

**8-2 DESIGNATED PROVIDER MUST PROVIDE INFORMATION**

- An interested party is entitled to receive a list of ownership interests and employment relationships, if any, from a designated provider. **A copy of such written request must be to the employer's representative.** (A form provided by the Division shall be used to provide this information - *attached.*)

**Note:** *Employer should have their designated physician complete these forms in advance so that the employer can have said form on site to provide to injured workers upon request so as to ensure compliance.*

- If the form is not provided by the employer or insurer within **five (5) business days** of the request, the employer or insurer shall furnish the injured worker with a substitute designated provider within **seven (7) business days** of notice that the information was not timely provided.
- **If no substitute provider is designated, injured worker may choose his own authorized treating physician.**

**8-3 ON-SITE HEALTH CARE FACILITY**

- If employer has a qualified on-site health care-facility, injured worker may be referred to that facility.
- On site facility must be under the supervision and control of a physician, on the premises or reasonably available.

- If injured worker is referred to on-site facility, **within seven (7) business days** of notice of an injury, employer must provide worker with a “designated provider list” containing at least one physician or corporate medical provider, and the designated provider list must contain all contact information as set forth in section 8-1 of this Rule.

#### **8-4 ONE-TIME CHANGE OF TREATING PHYSICIAN**

- The injured worker has a right to make a one time change of provider. The injured workers must request the change in writing **within ninety (90) days of the date of injury and before MMI**, using the approved Division of Worker's Compensation form. The new physician must be a physician on the “Designated Provider List”.
- The injured worker must mail or hand deliver the request form to **all of the following people:**
  - The current treating provider;
  - The newly selected provider;
  - The employer's authorized representative, and
  - The workers' compensation carrier.
- If compliance, injured worker may obtain a one time change of physician. I
- If the insurer believes the notice did not meet the statutory requirements and it does not want to recognize new physician, it must provide written notice to all parties within seven (7) business days of receiving the request form. The notice shall set for the reason(s) for its belief that the request did not meet the statutory requirements.
- If a dispute arises, they may file a Motion or file for a Hearing.

#### **8-5 TRANSFER OF MEDICAL CARE**

- When there is a request for change of provider, the original authorized physician remains authorized and shall provide care until the initial visit with the new authorized provider.
- The insurer may facilitate the **transfer of medical records to the new Physician**. Otherwise, the new physician should request from the old physician.
- Insurer may schedule the new appointment with the new physician, for if the injured worker is unable to **schedule the appointment within thirty (30) days of the date of notification, the insurer will be required to provide the injured worker with an alternative physician** who shall become the authorized treating physician. If the insurer, fails to get the appointments scheduled or authorize a new physician in accordance with the above, **injured worker may select his own physician**.
- The carrier shall track how often employees change providers and supply this information to the state if requested.

# Zurich C.a.r.e. ® Directory Online



## Login Instructions:

- Type in the website address [www.zurichna.com](http://www.zurichna.com)
- Click on "Claims Information" in top right hand corner
- Click on "Directory Online" in the Helpful Information box on right side of page
- Click on "Access the C.a.r.e. Directory Now" link in the middle of the page

## Zurich C.a.r.e. ® Directory Online has several major functions:

- **Search by Address:** By entering an address (e.g. insured location or claimant's home) Zurich C.a.r.e. ® Directory Online will locate and list the provider specialties or facilities you specify within the distance you specify for the search.
- **Search by Provider Name:** By entering a provider name (e.g. doctor or hospital), Tax ID Number, or Phone Number, Zurich C.a.r.e.® Directory Online will determine whether a provider is a member of one of the networks.
- **Search by Region:** By entering a state, city, county or zip code, Zurich C.a.r.e.® Directory Online will locate all providers within that geographic region matching the specialties you choose.
- **Quick Search:** By entering an address, Zurich C.a.r.e.® Directory Online produces a mini directory or placard of the closest five point-of-entry providers to the address. Final results can be printed and emailed.
- **Print a Directory:** You can create and print a list of providers and/or facilities for an insured or claimant. You can also pick specific providers from the list by checking the box next to their name. Final results can be printed and emailed. **Note, if you don't select any providers, you will get everyone on the current page.**
- **Print a Medical Placard:** You can create and print a Medical Placard (wall poster/panel) for an insured which will list specific providers and facilities that the insured should direct their employees to. Final results can be printed and emailed. **Note, you must select at least one provider by marking the checkbox by their names.**
- **Create Referral Letters:** Once a specific provider or clinic/hospital has been selected, you can generate referral letters to the claimant and/or the provider confirming the referral. All letters can be printed and emailed.
- **Get a Map and Driving Directions:** You can view a map and detailed driving directions to a selected provider or clinic/hospital by clicking on the map/note icon. The map and driving directions page can then be printed or emailed.
- **Create a Density Map:** Using search results generated by Zurich C.a.r.e.® Directory Online, you can get a quick overview of the network coverage in that area. Note, all providers in the search results are picked up regardless of whether you pick providers or not. Final results can be printed and emailed. **Note, all providers in the search results are picked up regardless of whether you pick providers or not.**
- **E-Mail Search Results/Directories/Placards:** After performing a search, you can send the results to anybody with internet e-mail by clicking on the e-mail icon at the bottom of the page.

## Tips and Suggestions:

- **Use complete addresses:** Use zip codes and specific street addresses whenever possible.
- **Select an Appropriate Search Distance:** In major metropolitan areas 1, 2 or 5 mile searches will usually return more than enough providers. In less densely populated areas, you might want to search 5, 10 or more miles.
- **Pick the Specialties You are Looking For Before Doing a Search.**
- **Use the "Refine Further" Function:** This is really handy if you are searching for more than one specialty type in one search. With "Refine Further", you will see the types and numbers of specialty types that are within the search area. From here, you can refine your search based on what is available. (To view the list of Super Categories and the specialties within them, use the "Refine Further" button.)
- **Additional Help Information:** Click on the help tab for more specific instructions or call 866-732-5342 for additional assistance.
- **Add this website to your Favorites:** For easy access, you can add this website to your list of Favorites. Once you have logged into the website, click on the Favorites toolbar and select "Add to Favorites." For future searches, simply click on the Favorites toolbar and select "Provider Search."