

TITLE 260 – DEPARTMENT OF LABOR AND TRAINING

CHAPTER 50 – INJURED WORKER SERVICES

SUBCHAPTER 05 – WORKERS' COMPENSATION

PART 4 – Rules and Regulations for Palliative Care

4.1 Authority

The following rules and regulations regarding the request for additional palliative care are promulgated pursuant to R.I. Gen. Laws § 28-33-10(c).

4.2 Purpose

These rules are adopted for the purpose of regulating additional requests for palliative care.

4.3 Definitions

"Palliative care" means the first twelve (12) visits for medical services provided by a physician licensed by the State after maximum medical improvement has been attained. Palliative Care involves reasonable and necessary medical services in order to cure, rehabilitate or relieve an employee from the effects of his or her injury, including infrequent re-examination for prevention of further deterioration and follow-up examinations related to the administering of medications. Palliative Care does not include extensive diagnostic tests, comprehensive treatment programs, or frequent services of any type. Disputes as to the definition of "Palliative Care" are resolved by the Medical Advisory Board.

4.4 Additional Palliative Care

- A. Additional palliative care beyond the first twelve (12) visits after the employee reaches maximum medical improvement, is conditioned on the authorization of the claim administrator (insurer, self-insured employer, third party administrator) upon the request of the employee's treating physician (Medical Provider).
- B. A request for additional palliative care shall be submitted to the claim administrator by the employee's treating physician at least ten (10) working days prior to the delivery of the medical services and shall include:

1. Treatment plan, including nature and frequency of the proposed examinations
 2. Measures to evaluate treatment plan's objectives
 3. Timetable for achieving objectives, including projected end date of treatment
 4. Estimated total cost for the additional Palliative Care
- C. The request for additional palliative care shall be submitted by the treating physician on a form prescribed by the Rhode Island Department of Labor and Training with a copy forwarded to the employee.
- D. Upon receipt of a request for additional palliative care, the claim administrator shall respond to the request in writing and forward a copy thereof to the RI Department of Labor and Training, Division of Workers' Compensation, and the employee and his or her attorney within ten (10) working days of the receipt of the request. The response shall either approve, modify or deny said request and state the reasons in support of a modification or denial.
- E. In the event that a dispute exists regarding additional palliative care, either party may file a petition at the Workers' Compensation Court pursuant to R.I. Gen. Laws § 28-35-11.

260-RICR-50-05-4

TITLE 260 - DEPARTMENT OF LABOR AND TRAINING

CHAPTER 50 - INJURED WORKER SERVICES

SUBCHAPTER 05 - WORKERS' COMPENSATION

PART 4 - RULES & REGULATIONS FOR PALLIATIVE CARE

Type of Filing: Amendment

Agency Signature

Agency Head Signature

Agency Signing Date

Department of State

Regulation Effective Date

Department of State Initials

Department of State Date