

Transfer of Care Policy
San Diego County Schools Risk Management Joint Powers Authority
San Diego County Schools JPA
MPN ID #: 1401

For injured Covered Employees who are being treated outside of the MPN for an occupational injury or illness that occurred prior to the effective date of San Diego County Schools JPA , San Diego County Schools Risk Management Joint Powers Authority will provide for the completion of treatment as noted below.

(A) If the injured covered employee is being treated by a physician or provider prior to the implementation of the MPN and the injured covered employee's physician or provider **becomes** a contracted provider within the MPN, the injured covered employee and his/her physician or provider shall be notified that his/her treatment is being provider under the provisions of the MPN.

(B) Injured Covered Employees who are being treated by a physician or provider outside of the MPN for an occupational injury or illness that occurred prior to the effective date of the MPN, including injured Covered Employees who pre-designated a physician and do not fall within Labor Code§4600(d), will continue to be treated outside the MPN for the following conditions:

I. **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 duration of less than ninety (90) days.
Completion of treatment shall be provided for the duration of the acute condition.

II. **A serious chronic condition.** A serious chronic condition is a medical condition due to a disease, illness, catastrophic injury, or other medical problem or medical disorder that is serious in nature and that persists without full cure or worsens over ninety (90) days and requires ongoing treatment to maintain remission or prevent deterioration. Completion of treatment will be provided for a period of time, necessary, up to one year from the covered employee's receipt of notification:

(A) to complete a course of treatment approved by San Diego County Schools Risk Management Joint Powers Authority and

(B) to arrange for transfer to another provider within the MPN, as determined by San Diego County Schools Risk Management Joint Powers Authority. The one-year period for completion of treatment starts from the date the injured covered employee's receipt of the notification of determination that an injured covered employee has a serious chronic condition as defined.

III. **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.

IV. *Performance of a surgery or other procedure* that is authorized by San Diego County Schools Risk Management Joint Powers Authority as part of a documented course of treatment and has been recommended and documented by the provider to occur within 180 days from the MPN coverage effective date.

San Diego County Schools Risk Management Joint Powers Authority may make a determination whether an injured covered employee's treatment should be transferred to a physician within the MPN if the above conditions are not met. All transfer of care determinations will be in writing in both English and Spanish and use lay terms to the maximum extent possible, and will be sent to the injured covered employee's address and a copy of the letter shall be sent to the injured covered employee's primary treating physician.

If the injured covered employee disputes a transfer determination made by San Diego County Schools Risk Management Joint Powers Authority, he/she must request a report from the his/her primary treating physician that addresses whether the injured covered employee falls within any of the conditions set forth in (I) through (IV). If the treating physician fails to provide a report to the covered injured employee within 20 calendar days of the request from the covered injured employee, the determination made by San Diego County Schools Risk Management Joint Powers Authority shall apply.

Disputes regarding the medical determination made by the treating physician concerning the transfer of care shall be resolved pursuant to Labor Code § 4062.

- 1) If the treating physician **agrees** with the determination made by San Diego County Schools Risk Management Joint Powers Authority that the injured covered employee's medical condition does not meet the conditions set forth in (I) through (IV), the transfer of care shall go forward during the dispute resolution process.
- 2) If the treating physician **does not agree** with the determination made by San Diego County Schools Risk Management Joint Powers Authority that the injured covered employee's medical condition does not meet the conditions set forth in I through IV, the transfer of care shall not go forward until the dispute is resolved.

Until the injured covered employee is transferred into the MPN, the employee's physician may make referrals to providers within or outside the MPN.