

BEFORE THE DEPARTMENT OF LABOR AND INDUSTRY
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 24.29.1611 pertaining to)
medical utilization and treatment)
guidelines for workers' compensation)
purposes)

TO: All Concerned Persons

1. On March 29, 2019, the Department of Labor and Industry (department) published MAR Notice No. 24-29-343 pertaining to the public hearing on the proposed amendment of the above-stated rule at page 317 of the 2019 Montana Administrative Register, Issue Number 6.

2. The department held a public hearing in Helena on April 19, 2019, at which no members of the public commented on the proposed rule action. One written comment was submitted to the department during the public comment period.

3. The department has thoroughly considered the comment received. A summary of the comment and the department's response are as follows:

COMMENT 1: A commenter questioned why the department did not include coaching as part of the chronic pain and complex regional pain syndrome portions of the utilization and treatment guidelines. The commenter submitted references to demonstrate that there is good evidence that coaching is an effective tool in the treatment of chronic pain.

RESPONSE 1: The department has reviewed the references submitted by the commenter and discussed the issue with a physician who consults with the department on such matters. The department concludes that there is suitable evidence to conclude that coaching is an additional tool that can be appropriate in the management of chronic pain, and has amended the utilization and treatment guideline publication accordingly. The text of the added material is shown below:

"Based on the biopsychosocial model for chronic pain and on the distributed learning model for knowledge acquisition and skills development, the Comprehensive Telephonic Pain Self-Management Coaching Program (CTPSCP) is designed to help patients develop the skills necessary to effectively manage their pain and to increase their level of function. The program includes components of pain education and pain self-management skills training along with stress management and emotional coping skills training. In addition, CTPSCP also provides health education and health behavior change guidance and support, goal-setting guidance, and self-monitoring tools. Problem-solving, assertiveness skills training, social and emotional support, accountability, and career guidance are also provided and integrated. All CTPSCP services are delivered telephonically in a synchronous (i.e., teleclasses,

support groups, group coaching, and individual coaching) and asynchronous manner (i.e., confidential voicemail, e-mail, and texting with supportive messages and reminders). This allows participants to receive assistance at home without a need for expensive equipment, a substantial time commitment, or travel. The goal of a CTPSCP is to foster patient empowerment by encouraging participants to progressively and efficiently assume an active role in their own pain management and self-care. All CTPSCP's "Pain-to-Wellness Coaches" (P2WCs) must be credentialed by a coach training program accredited by the National Board for Health and Wellness Coaches. CTPSCP is not designed to diagnose or treat any medical conditions. It is meant only to function as an adjunctive intervention, concurrent with the treatments delivered by the patient's medical providers. Prior to participation in a CTPSCP, medical approval of the care plan by the authorized treating physician and authorization by the insurer are required. CTPSCP Participant Criteria are included below:

- A diagnosis of chronic pain.
- Basic level of literacy to understand educational presentations and written materials, and to effectively engage in goal-setting.
- Basic motivation to increase the level of functioning and engage in productive work-related activities.
- Access to a telephone line and ability to interact telephonically.
- Ability to interact socially in a respectful, positive, and constructive manner (i.e., anger issues under control and avoidance of inappropriate language, insults, or threats).
- No active psychosis, active suicidality, or moderate cognitive impairment.
- Participation in an initial assessment and agreement to sign the participation agreement."

The added text shown above will be inserted into the guideline's chapters on chronic pain and complex regional pain.

4. The department has amended ARM 24.29.1611 as proposed.

/s/ MARK CADWALLADER
Mark Cadwallader
Alternate Rule Reviewer

/s/ GALEN HOLLENBAUGH
Galen Hollenbaugh, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State June 11, 2019.