

STATE BY STATE GUIDE TO DIRECTION OF CARE

Revised: 02/09/20

STATE	CHOICE OF PHYSICIAN		Medical Provider Posters
	INITIAL CHOICE	CHANGE OF PHYSICIAN	
ALABAMA	EMPLOYER – except in the case of an emergency	With approval by the employer/insurer and if dissatisfied they can select from a panel of 4 selected by the employer (once)	Generic worksite posters may be used
ALASKA	EMPLOYEE	One change allowed without restrictions. Subsequent changes require written approval of the employer/insurer	Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION.
ARIZONA	Self-Insured Employer : Employer Non Self-Insured: Employee However, EMPLOYER can direct first visit, after that Employee can choose	With the written approval of the employer/insurer or attending physician or when ordered by the WC agency	Generic worksite posters may be used. However, for Non Self-Insured employers the poster must clearly state that it is simply a RECOMMENDATION.
ARKANSAS	EMPLOYER	Employer. Employee may petition to change once with AWCC approval.	Generic worksite posters may be used. Arkansas MCO: Health Notice (Form H) must be posted
CALIFORNIA	MPN: The EMPLOYER selects within the MPN group for the initial visit. NO MPN: EMPLOYEE can select after 30 days. EMPLOYER can direct care for initial 30 days.	MPN: After the initial medical evaluation with a physician of his/her choice from within the MPN. NO MPN: During the first 30 days the Employee may request a one-time change of physician. Employee may change to a physician of their choice 30 days from the date the injury was reported.	Use state template, must include language stating that the complete provider listing is available by calling appropriate network number. California HCO, MPN
COLORADO	EMPLOYER provides employee with a list of four physicians, injured employee may select an authorized physician from that list	Within 90 days following the DOI an employee may request a one-time change in physician. A change may also take place with approval of the employer/insurer; if ordered by WC agency; by referral from a treating physician; or for the insurer’s failure to respond to a written request for change within 15 days	Worksite Posters or Panels are REQUIRED The panel must state the insurer responsible for the claim or that the employer is self-insured. It is a REQUIREMNT that the posters include the contact information of the party responsible for administering claims for the employer. This includes the Address, Phone # and Name(s) of persons responsible for adjusting claims. Each Worksite Poster or Panel shall consist of (4) physicians or (4) corporate medical providers, or a combination where available. Or, (2) physicians and (2) corporate medical providers. At least (1) of the (4) designated providers must be at a distinct location different from. The designated provider list must be furnished to the employee in a verifiable manner within 7 business days following notice of the injury.
CONNECTICUT	EMPLOYER may direct the employee for initial treatment. However, after initial treatment is rendered the employee may select their own physician. When there is an approved medical care plan the injured employee must choose from within the applicable network.	If ordered by the WC Agency: upon approval by the insurer or self-insurer; employee can request a hearing	Generic worksite posters may be used Connecticut MCP
DELAWARE	EMPLOYEE	Employee has the right to choose at any time	Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION.
DISTRICT OF COLUMBIA	EMPLOYEE	Only if authorized by the insurer or the Private Sector Branch of the Office of Workers’ Compensation	Generic worksite posters may be used. DC MCO (for DC gov’t employees)
FLORIDA	EMPLOYER FL-MCA: may direct injured employees	Upon written request, the employee is entitled to a one time change in physician.	Generic worksite postings may be used. Florida MCA
GEORGIA	EMPLOYER- Employee selects from a list provided by the Employer	NON- MCO: One free change from one panel provider to another	Non-MCO: Posters are REQUIRED and MUST be printed on an unaltered, state mandated GA WC-P1 form and on 8.5x14 inch legal size paper, can

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		MCO: Allowed at least one change of physician within the managed care plan	be folded. Per State requirements address and location name will not be printed on panel. ** Panels must have at least 6 providers. One must be an ORTH SURGEON. No more than 2 clinics regardless of specialty. No affiliated providers. Try to get a minority. An employee bill of rights poster must accompany each panel. No hospitals unless specific ones are requested. ** MCO: Posters or panels are FORBIDDEN. The employee must be provided a complete listing of ALL MCO providers within the employee's GSA.
HAWAII	<u>EMPLOYEE</u>	Employee must notify employer/insurer prior to initiating change. Any subsequent changes must be approved by employer or Director of L&I.	Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION.
IDAHO	<u>EMPLOYER</u>	With the approval of the employer/insurer; by referral from treating physician or by petitioning the Commission in writing for a change	Generic worksite posters may be used
ILLINOIS	<u>EMPLOYER</u> - if PPP is established <u>EMPLOYEE</u> - if no PPP	An employee may opt out of an employer's PPP, but that counts as one of the employee's two choices of physicians.	No PPP: Generic worksite posters are FORBIDDEN to direct care UNLESS they've been approved by the IL WC Commission. Illinois PPP
INDIANA	<u>EMPLOYER</u>	With approval of the employer/insurer	Generic worksite posters may be used, with the addition of the address and telephone number of the employer's insurance carrier or person responsible for administering the workers' compensation claims.
IOWA	<u>EMPLOYER</u>	With approval of the employer/insurer or by order from the Iowa WC Commissioner.	Generic worksite posters may be used
KANSAS	<u>EMPLOYER</u>	If ordered by the Director of WC. An employee can seek up to \$500 of treatment with an unauthorized provider that the employer/insurer is liable for.	Generic worksite posters may be used
KENTUCKY	<u>EMPLOYEE</u> – if part of a MCP the employee will select from participating medical providers	Employee can change one time for any reason, thereafter they must show reasonable cause in order to change	Non-MCP: Employer may provide a panel of physicians as a RECOMMENDATION only MCP: An MCO may provide a panel of all gatekeepers in the enrollee's geographic area along with a directory website. These two items replace the requirement for an entire directory.
LOUISIANA	<u>EMPLOYEE</u>	With approval of the employer/insurer	Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION.
MAINE	<u>EMPLOYER</u> for initial 10 days	Employee may change once with notice to the employer which the employer/insurer can contest	Generic worksite posters may be used
MARYLAND	<u>EMPLOYEE</u>	At any time	Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION.
MASSACHUSETTS	<u>EMPLOYEE</u> - except for first visit if employer has an established preferred provider agreement	Upon approval by the insurer/self-insurer only for 2 nd change; unless the employee is subject to a preferred provider agreement, they may change treating physicians once without the consent of the employer/insured	Generic worksite poster may be used, if the employer utilized a PPA the list of names of the provider in the PPA within an employee's geographic region shall be posted prominently at the worksite Massachusetts PPA
MICHIGAN	<u>EMPLOYER</u> for initial 28 days	After 28 days the employee may change to a treating physician of their choice. The employee must notify their employer of this change.	Generic worksite posters may be used
MINNESOTA	MCP: <u>EMPLOYEE</u> selects from network Non-MCP : <u>EMPLOYEE</u>	May change within 60 day of initial injury without approval; upon approval of the insurer	Generic worksite posters may be used, in conjunction with the state poster.

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		or self-insurer after 60 days; or the employee can file a request for additional changes	There is a state mandated posting for certified managed care programs Minnesota MCP
MISSISSIPPI	<u>EMPLOYEE</u>	Upon approval by the insurer or self-insurer. If change is denied the employee can apply to the Commission for the change; Referrals by the chosen physician are limited to one physician within a specialty or subspecialty	Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION.
MISSOURI	<u>EMPLOYER</u>	Upon approval by the insurer /employer or if ordered by the Division or Commission	Generic worksite posters may be used, in conjunction with the state poster (WC-106)
MONTANA	<u>EMPLOYEE</u> for initial treatment. Any time after acceptance of liability the insurer can designate a different treating physician or approve employee's choice	With the approval of the employer/insurer	There is no state mandated posting unless there is a certified plan. Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION. Montana MCO
NEBRASKA	Generally <u>EMPLOYEE</u> will select from a list the employer provides (EE can designate a provider who has treated the employee or family in the past)	With the approval of the employer/insurer or if ordered by the Compensation Court	There is no state mandated posting unless there is a certified plan. Generic worksite posters may be used in this case. Nebraska MCP
NEVEDA	MCO: <u>EMPLOYEE</u> selects from panel Non-MCO : <u>EMPLOYEE</u> selects from panel	Within the first 90 days of a claim. After 90 days a change can be made by an employee's written request and the insurer's approval of that request.	Worksite panels or posters are REQUIRED to be used to direct care for treatment. Nevada MCO **The Worksite panels or poster shall consist of (2) or more physicians or chiropractors who are qualified to conduct the examination, if there are (2) or more such physicians or chiropractors within (30) miles of the employee's place of employment; or (1) or more physicians or chiropractors who are qualified to conduct the examination, if there are NOT (2) or more within (30) miles of the employee's place of employment. **
NEW HAMPSHIRE	Non-MCO : <u>EMPLOYEE</u> MCO: <u>EMPLOYEE</u> selects from network	Non-MCO: No statutory provision MCO : Employee has the right to make one change of physician or health care provider within network at each level of treatment	Generic worksite postings may be used New Hampshire MCO
NEW JERSEY	<u>Non-emergency: EMPLOYER</u> In an emergency: <u>EMPLOYEE</u>	With approval by the employer/insurer or if ordered by the Division of Workers' Compensation	Use state template. Should have language about calling 911 at the bottom. Only NJ providers may be placed on the NJ panels. New Jersey MCO
NEW MEXICO	<u>EMPLOYER</u> has the option to control provider choice during the first 60 days, after the 60-day period the employee may select a provider of his/her choice	The employee may change physicians after 60 days IF the employer directed care for those initial 60 days.	Generic worksite posters may be used. However, an employer must notify its' employees in writing of their choice to select the initial provider or permit the employee the selection.
NEW YORK	Non-PPO : <u>EMPLOYEE</u> PPO: <u>EMPLOYEE</u> selects from network	Non-PPO: Employee can change providers at any time except where the employer is part of a PPO PPO: the employee may choose any provider authorized by the WC Board 30 days after the first visit to the PPO provider	NO PANEL unless part of the MCO New York ROC, PPO ROC - Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION. PPO – Must provide at least 2 physicians from every medical specialty and a least 2 hospitals (in the event hospitalization is needed) for the employee to choose from
NORTH CAROLINA	Non-MCO: <u>EMPLOYER</u> MCO: <u>EMPLOYEE</u> selects from network	Non-MCO: Employee may change physician subject to approval of the Commission. Employee may consult additional physicians as employee deems reasonably necessary without imposing liability on the employer/carrier.	Form 17 is the state mandated information posting. A generic worksite posting may also be used in conjunction with Form 17. North Carolina MCO - Posting Required

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NORTH DAKOTA	<u>EMPLOYEE</u> may select for initial treatment unless employer participates in RMP (Risk Management Program) and designated a preferred provider. If so, EMPLOYER can direct for first 30 days of treatment.	Employee can file a written request for additional changes to the organization	Generic worksite posters may be used. If the employer participates in RMP they must provide and post notice identifying the preferred medical provider and the terms of the program.
OHIO	HPP (State Fund): <u>EMPLOYEE</u> QHP (Qualified Health Plan): <u>EMPLOYEE</u> selects from network Self-Insured/Non-QHP: <u>EMPLOYEE</u>	HPP (State Fund): Employee must notify MCO of request to change. QHP: Employee may request a change after written notice to QHP. The QHP shall approve request within 7 days of receipt to another QHP provider or any bureau certified provider. Self-Insured/Non-QHP: Employee can submit a written request for a change to the self-insuring employer. The self-insuring employer must approve request within 7 days of receipt.	Generic worksite posters may be used. Ohio HPP, QHP
OKLAHOMA	<u>EMPLOYER</u> , unless emergency or the employer fails to provide medical treatment within 5 days after actual knowledge of injury is received	Non-CWMP : The Commission on application of the employee shall order 1 change of physician. Upon approval the employer will provide the employee a list of 3 physicians to choose. CWMP (Certified Workplace Medical Plan): An employee may apply for a change using the dispute resolution process	Generic worksite posters may be used. Oklahoma CWMP
OREGON	Non-MCO: <u>EMPLOYEE</u> MCO: <u>EMPLOYEE</u> selects from network	Non-MCO: Employee is allowed two changes, and may petition for more MCO: If changes requested beyond what is allowed by the MCO contract or plan, the employee must request approval from the insurer. Insurer must respond within 14 days of request.	Non-MCO: Worksite posters or panels are FORBIDDEN Oregon MCO
PENNSYLVANIA	<u>EMPLOYER</u> - Employee must select from a designated panel of providers posted by the employer for initial 90 days of treatment. If panel is not posted and in place the employee has the right to select medical treatment from any provider from the time of the first visit	During the initial 90-day period the employee has the right to switch to any provider on the list. After the 90-day period has expired the employee may seek medical treatment from any health care provider.	Worksite posters are REQUIRED to direct care. Use state template. No providers from NJ. The Worksite Poster or Panel shall consist of at least (6) providers. At least (3) of the providers on the list shall be physicians. An employee acknowledgement form must accompany each panel. Pennsylvania CCO
RHODE ISLAND	<u>EMPLOYEE</u>	Non-PPN: Employee can change provider without restrictions. PPN: If the employer/insurer maintains an approved preferred provider network, then a change of physician must be from within the network	Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION.
SOUTH CAROLINA	<u>EMPLOYER</u>	If ordered by the WC Commission or if approved by employer/insurer	Generic worksite posters may be used.
SOUTH DAKOTA	<u>EMPLOYEE</u>	With approval from the employer/insurer. Approval must be obtained in writing.	Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION.

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TENNESSEE	<u>EMPLOYER</u> - Employee selects from a list provided by the Employer.	If the treating physician refers the employee, he or she is entitled to a second opinion by another physician from a panel of two physicians practicing in the same specialty or from the original panel if the employer has already provided a panel in that specialty.	Worksite posters are REQUIRED. Use state template Worksite posters are REQUIRED. Use state template. Panels MUST be created on an unaltered, state mandated TN C-42 form and printed on Letter-size (8 1/2" x 11") paper. ** No clinics may be listed; ALL listed providers MUST be physicians. The Worksite Panel or Poster shall consist of (3) or more independent reputable physicians or surgeons, chiropractors or specialty practice**
TEXAS	NON HCN: <u>EMPLOYEE</u> HCN: <u>EMPLOYEE</u> selects from network	NON HCN: If approved by Division HCN: An employee may make one change within network. All subsequent changes must be approved by the network	Non HCN: Generic worksite poster may be used HCN: If a panel or poster is used, it must list all treating doctors in the approved service area
UTAH	<u>EMPLOYER</u> if they have a preferred provider plan in place. If no PPP, then <u>EMPLOYEE</u> can choose	Employee can make one change without the approval of the employer/insurer. After that, the employee needs pre-authorization by the employer/insurer.	Generic worksite posters may be used.
VERMONT	<u>EMPLOYER</u>	Employee may elect to change the employer's choice of provider at any time after the initial visit by filling a written notice	Generic worksite posters may be used.
VIRGINIA	<u>EMPLOYER</u> - Employee s selects from a panel of at least 3 physicians selected by the Employer	With approval from employer/carrier or after a hearing by the Commission	Worksite posters are REQUIRED to direct care. Use state template (2 pages). – One page must include check boxes with a date and signature line **Worksite poster shall consist of at least (3) physicians. No clinics may be listed; ALL listed providers MUST be physicians. Posted physicians should not share a practice or any community of interest. **
WASHINGTON	<u>EMPLOYEE</u>	Approval by WC Agency or Self-Insurer	Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION.
WEST VIRGINIA	Non-MHCP: <u>EMPLOYEE</u> MHCP: <u>EMPLOYEE</u> selects from network	Non-MHCP: Upon authorization of the Commission, Insurance Commissioner, private carrier or self-insured employer, whichever applies. MHCP: Employee may select a new provider within the MHCP. If employee wishes to change to a provider outside the plan he or she will need approval from the Commission	Non-MHCP: Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION. MHCP
WISCONSIN	<u>EMPLOYEE</u>	Employee has the right to one change. All additional changes must be mutually agreed upon by the employee and the employer/insurer.	Generic worksite posters may be used. However, the poster must clearly state that it is simply a RECOMMENDATION.
WYOMING	<u>EMPLOYER</u> , but the employee may decide to select their own provider for any reason. If employee selects own provider the employer or division may require a 2 nd opinion from a health care provider of their choice.	With approval of the Division – employee must file a written request with the Division	Generic worksite posters may be used