

**PUBLIC NOTICE OF PROPOSED CHANGES TO THE RULES, REGULATIONS AND FEE SCHEDULE OF THE WYOMING WORKERS' COMPENSATION DIVISION**

**PUBLIC NOTICE IS HEREBY GIVEN** that the Wyoming Workers' Compensation Division is proposing changes that will affect the Division's rules, regulations and fee schedule. These proposals include modifications to the *Wyoming Workers' Compensation Rules, Regulations and Fee Schedules*;

The Department is proposing to amend **Section 32 Spinal Cord Stimulators** to **Chapter 10 Miscellaneous Medical Protocols** to include the following new rule:

**Section 32. Spinal Cord Stimulators.** The Division shall not authorize payment for any neurostimulator procedures, including spinal cord dorsal stimulators and dorsal root ganglion neuroaugmentation, or any medical or surgical costs related to the placement, revision, or removal of any spinal cord stimulator.

Wyoming Statute § 27-14-616(b)(i) authorizes the Medical Commission to promulgate rules declaring the acceptability or necessity of certain medical, hospital, or other health care procedures for workers' compensation claims. The Medical Commission concludes the current evidence on neurostimulator procedures, including spinal cord dorsal stimulators and dorsal root ganglion neuroaugmentation ("spinal cord stimulators"), demonstrates that there is not sufficient evidence to uphold and continue use of spinal cord stimulators to treat chronic neuropathic pain in workers' compensation patients. As a result, the Medical Commission recommended a new rule, Chapter 10, Section 32, providing that the Workers' Compensation Division (Division) shall not authorize payment for spinal cord stimulators and related medical and surgical costs. The Medical Commission voted upon and unanimously recommended this rule during its September 6, 2019 annual business meeting. The Director of the Department of Workforce Services (DWS) approves of this rule, as required by the statute.

After much research (internal studies, medical journal articles, peer review recommendations and FDA reports) and discussion, the Medical Commission found that spinal cord stimulators do not result in significant changes to patients' perceived pain, physical function, or morphine-equivalent dose of narcotic/opioid pain medication. There is no evidence to suggest spinal cord stimulators are more effective than non-surgical treatments. From the Medical Commission's standpoint, spinal cord stimulators are not a clinically-effective intervention and the Division should not authorize payment for them in workers' compensation claims.

Written comments should be submitted to the following address by **January 30, 2020**.

Wyoming Workers' Compensation Division  
ATTN: Kelly Roseberry, Medical Commission Executive Director

5221 Yellowstone Road  
Cheyenne, WY 82002  
(307) 777-5422

Or via email to: [kelly.roseberry2@wyo.gov](mailto:kelly.roseberry2@wyo.gov)

A public comment period will end at close of business on **January 30, 2020**.

A **Public Hearing** is scheduled for **Thursday, January 30, 2020 at 2:00 pm** at the **Department of Workforce Services (DWS) building, 5221 Yellowstone Road, Cheyenne WY 82002**.

Copies may be obtained by submitting a written request to the Division, with pre-payment by personal check or money order for the total number of copies requested; the fee for each copy is \$4.00. The proposed rules may be downloaded, free of charge, from the Department of Workforce Services (DWS) at:

<http://www.wyomingworkforce.org/news/publicnotices/>