

## Chronic Opioid Therapy

Effective Date: 08/01/2015

Revised Date: 11/02/2020

Responsible Department: Pharmacy

Reviewed Date: 11/02/2020

### Introduction

The 2015 North Dakota Legislative Assembly amended North Dakota Century Code (N.D.C.C.) to establish qualifications for payment of chronic opioid therapy and procedures for prescribers of long-term opioid therapy.

The purpose of this policy is to outline Workforce Safety & Insurance's (WSI) definition of chronic opioid therapy and explain when WSI will cover chronic opioid therapy for an injured employee.

### Definitions

Debilitating side effects - An adverse effect to treatment or medication that in and of itself precludes return to employment or participation in vocational rehabilitation service.

Increase in function - The effectiveness of a treatment or medication that results in either a resumption of activities of daily living, a return to employment, or participation in vocational rehabilitation services.

Improved pain control - The effectiveness of a treatment or medication that results in at least a 30% reduction in pain scores.

### Policy

N.D.C.C. defines chronic opioid therapy as opioid treatment extending beyond 90 days from initiation, which is for the treatment of pain resulting from a nonmalignant, compensable condition or therapies for another nonterminal compensable condition.

### When chronic opioid therapy is covered

In order to qualify for payment for chronic opioid therapy:

1. The therapy must result in:
  - a. An increase in function; or
  - b. Enable an injured employee to resume working; or
  - c. Improve pain control without debilitating side effects
2. The therapy must treat an injured employee who is:
  - a. Nonresponsive to non-opioid treatment; and
  - b. Not using illegal substances or abusing alcohol; and
  - c. Compliant with treatment protocol

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3. The prescriber of chronic opioid therapy must provide to WSI the following:
  - a. At least every 90 days, documentation of effectiveness of the chronic opioid therapy, including documentation of improvements in function or improvements in pain control without debilitating side effects; and
  - b. Treatment agreement between the injured employee and the prescriber that restricts treatment access and limits prescriptions to one identified single prescriber.

### Chronic opioid therapy monitoring

At any time, the prescriber or WSI may request an injured employee on chronic opioid therapy to complete a random drug test for the presence of prescribed or illicit substances. Failure of the test or timely compliance with the request may result in termination of chronic opioid therapy coverage.

### Compliance

Failure to comply with any of the coverage and monitoring conditions may result in the termination of coverage for opioid therapy.

### **References**

North Dakota Century Code § 65-05-39

North Dakota Administrative Code § 92-01-02-29