

Chronic Opioid Therapy

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Responsible Department: Pharmacy

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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