



ADMINISTRATIVE RULES OF MONTANA

24.29.3127 PERIODIC REVIEW OF CERTAIN REOPENED MEDICAL BENEFITS

- (1) The department's medical director shall biennially review claims where medical benefits have been reopened in order to determine whether the previous recommendations should be changed.
- (2) The department shall request the worker and the insurer deliver to the department claim records created since the prior medical review. The department's request shall specify a deadline by which claim records must be received by the department.
- (3) The biennial review will be based on the claim records previously submitted and the records sent pursuant to (2). If a party does not timely send updated claim records, the medical director shall base the review on the materials available.
- (4) For parties which filed a joint petition for reopening and did not deliver claim records to the department with the initial petition:
 - (a) if the insurer agrees medical benefits should remain open until the next review, medical records are not required for periodic review and the department will acknowledge the continued concurrence for reopened medical benefits;
 - (b) if the insurer does not agree medical benefits should remain open until the next biennial review, they must notify the department and the other party within 14 days of notice of the review that they believe benefits should not continue and submit claim records. The medical director will conduct a review as set forth in ARM 24.29.3105.
- (5) Following the medical director's review, if the medical director believes there is reason to change the prior recommendation, the medical director shall:
 - (a) in cases where the original review was made by a medical review panel, convene a new medical review panel to review the updated claim records; or
 - (b) in cases where the original review was made solely by the medical director, only the medical director will review the updated claim records.
- (6) Following completion of the periodic review, the medical director shall issue a report and make recommendations.

Authorizing statute(s): 39-71-203, MCA

Implementing statute(s): 39-71-717, MCA

History: NEW, 2016 MAR p. 204, Eff. 2/6/16; AMD, 2021 MAR p. 1210, Eff. 9/25/21; AMD, 2024 MAR p. 1066, Eff. 5/11/24.