



[Workers' Comp](#)

# Workers' Comp Transformation and the Pandemic: 2020 Trends and Insights from the mPower Conference

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3 MIN READ

COVID-19 has caused many changes throughout 2020, including in the workers' compensation industry, with many employees leaving the office and working from home, regulations that have affected health care delivery and an uncertain economy. These changes have come quickly and are still evolving, even as 2021 approaches. During the 2020 mPower industry conference held in October, Mitchell experts shared several important insights and emerging trends in the workers' compensation industry that continue to change because of the pandemic. Below are summaries of their discussions, along with links to the full webcast session.

## COVID-19 Presumption Laws

Throughout the pandemic, many states have expanded workers' compensation [presumption laws](#). Prior to the COVID-19 pandemic, state presumption laws focused mainly on first responders and healthcare workers and typically did not include airborne infectious diseases. Now, many presumption laws have been expanded to include a wider class of workers, have changed what is classified as "occupational exposure" and redefined how to determine whether a person was exposed at work.

## Telehealth Trends and Challenges

The use of telemedicine [grew dramatically](#) after the start of the pandemic due to hospital regulations and as a way to protect patients from the pandemic, but the rapidly expanding technology also faced security concerns. There have been multiple questions across the industry about how to manage HIPAA compliance for telehealth visits, and some have recommended broad patient education programs regarding telehealth privacy. Telehealth also has had an effect on pharmacy regulations—initial concerns at the start of the pandemic led to slight relaxation of telehealth prescribing rules. As a result, the industry will need to monitor for any potential prescribing fraud and abuse over the next few months and years.

## Upcoming Regulatory Changes

As we continue into 2021, our regulatory experts have their eyes on a few important legislative topics to watch next year, including:

1. Privacy and Telehealth
2. Marijuana and Opioids
3. Mental Health and Presumption Laws

Watch regulatory experts discuss the future of workers' compensation policy:

[Watch Now](#)

## Marijuana Legalization

Even as the pandemic has taken center stage this year, multiple states have had movement on marijuana legalization. Several states across the U.S. had ballot initiatives regarding marijuana legalization, [many of which passed](#), and a few federal initiatives are under consideration. Additionally in 2020, courts have heard a few cases surrounding this topic that may affect the workers' comp industries, including whether claims organizations will be required to cover the cost of marijuana.

Better understand recent and future marijuana policies:

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## Return-to-Work Changes

Since the start of the COVID-19 pandemic, how the workers' compensation industry helps injured employees get back to work has changed. Back in March and April, we were worried about limited access to care, economic fallout impacting jobs, claims stalling and access to pharmacy medications. Now that we are multiple months into the pandemic, the industry is shifting its focus to ensuring COVID-19 guidelines continue to be followed, preparing for potential new restrictions as cases spike and implementing safety measures at work.

## 9 Tips for Optimizing Workers' Compensation Programs in Economic Uncertainty

As the COVID-19 pandemic continues and the market remains uncertain, claims organizations can take the following nine steps to better optimize their workers' compensation programs:

1. [Outsource Bill Review](#)
2. Digitize Medical Bill Payments
3. Optimize Non-PPO Cost Containment
4. Maximize Cost-Effectiveness of Drug Therapy
5. Consider Mail Order
6. Evaluate Paper Transactions from Out-of-Network Pharmacies and Physician Dispensing and Leverage Formulary and Regulatory Controls to Manage
7. Put Case Management to Better Use by Implementing Early Intervention

8. Improve Claim Flow-Through Utilization Review
9. Use IME to Control Backlog

Watch industry experts explain how this checklist can help programs prepare for the future:

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