

**ALABAMA DEPARTMENT OF WORKFORCE
WORKERS' COMPENSATION
ADMINISTRATIVE CODE**

**CHAPTER 480-5-5
UTILIZATION MANAGEMENT AND BILL SCREENING**

480-5-5-.37 Out-Of-State Medical Providers.

(1) Occasionally an employee, whose injury falls under Alabama's jurisdiction, may require treatment by a medical provider in another state. Alabama's fee schedules are developed under the premise that treatment will be provided in this state. The hospital and ambulatory surgery fee schedules are unique to that particular Alabama facility. Other Alabama medical provider's reimbursement schedules are derived from the most common payer of health care services in this state.

(2) Code of Ala. 1975, §25-5-77 limits the employer's liability to the prevailing rate or maximum schedule of fees. Prevailing is defined in Code of Ala. 1975, §25-5-1(15) and Department of Industrial Relations Administrative Code, Rule 480-5-5-.02(61). If another state has a workers' compensation schedule for that provider type, that schedule constitutes the prevailing rate for treatment of a workers' compensation injury.

(3) For any injury under Alabama's jurisdiction, the out-of-state medical provider is paid:

(a) According to that state's workers' compensation fee schedule for that provider;

(b) According to a mutually negotiated payment rate pursuant to Code of Ala. 1975, §25-5-314; or

(c) According to the Alabama workers' compensation fee schedule for non-facility medical providers.

Author: Workers' Compensation Division

Statutory Authority: Code of Ala. 1975, §25-5-77.

History: New Rule: Filed February 11, 2011; effective March 18, 2011.