

**ALABAMA DEPARTMENT OF INDUSTRIAL RELATIONS
ADMINISTRATIVE CODE**

RULE

Division: Workers' Compensation
Chapter: Utilization Management/Bill Screening
Page: 1 of 1

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 providers' reimbursement schedules are derived from the most common payer of health care services in this state.

(2) Code of Alabama, 1975, § 25-5-77 limits the employer's liability to the prevailing rate or maximum schedule of fees. Prevailing is defined in Code of Alabama, 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 fee 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 Alabama, 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 Alabama, 1975, §25-5-77

History: Effective March 21, 2011