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### Colorado Rule 8

Colorado Rule 8 has established requirements that each employer in the State of Colorado provide a designated provider list to each employee pre-injury either verbally or written, and to each injured worker through verifiable means within 7 business days following an injury. This provider list shall include two unrelated medical facilities from which the injured employee can seek treatment in addition to providing a main employer contact for claims related concerns and an insurance carrier address and phone number.

If emergency care is needed, the injured employee can be transported to any emergency medical facility for initial care, after which further care must be in compliance with the designated provider list. Also, if the employee is out of his or her normal work area, initial care can be provided at any clinic, but future care again must comply with the designated provider list.

If the employer does not comply with the requirements set forth by Rule 8, the injured employee will have the right to direct their own care with a physician of their choosing.

Within Rule 8, there is a provision for the injured worker to request a change of physician within 90 days of the injury. Upon receipt, the employer has seven business days to object to the change and must specify their reasons. If the request is not rejected within seven days, the physician selected by the injured worker must be authorized. If the request is rejected, a hearing is set.

There are only two exceptions to Rule 8 as follows:

(8-43-404(5)(a)(I)(B)) If there are fewer than four physicians or corporate medical providers within thirty miles of the employer's place of business who are willing to treat an injured employee, the employer or insurer may instead

designate one physician or one corporate medical provider, and subparagraphs (III) and (IV) of this paragraph (a) shall not apply. A physician is presumed willing to treat injured workers unless he or she indicates to the employer or insurer to the contrary.

(8-43-404(5)(a)(II)(A) If the employer is a health care provider or a governmental entity that currently has its own occupational health care provider system, the employer may designate health care providers from within its own system and is not required to provide an alternative physician or corporate medical provider from outside its own system

In addition to the above information which is directly influenced by the employer, there are other aspects of Rule 8 governing how Independent Medical Exams are to be managed, how medical communications must be shared and involve the employee at all times, and how records and audio records should be managed. These other aspects of Rule 8 have more to deal with the day-to-day claim management which should be handled by the claims examiner. However, there may be times that an employer will need to know more about this. If more information is needed, please feel free to contact your Account Executive who can involve the appropriate person.

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