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FOR IMMEDIATE RELEASE

BUNCH'S POSITION ON WAL-MART/CONCENTRA LAWSUIT

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The intent of this document is to outline Bunch & Associates' (hereafter "Bunch") official position, as it relates to the Wall Street Journal article published on July 21, 2010, which announced the lawsuit filed against Wal-Mart last year in the State of Colorado on behalf of its injured employees.

The lawsuit, filed in the U.S. District Court for Colorado, alleges that Wal-Mart broke state and federal laws by using a subsidiary to control the medical treatment obtained by employees with workplace injuries. The article states that Wal-Mart sent the injured workers to clinics run by Concentra Inc. (hereafter "Concentra"), which operates approximately 300 medical centers and 250 workplace clinics in 40 states.

Wal-Mart, Concentra and insurer American Home Assurance Co., part of American International Group Inc., have been charged with conspiring to violate a Colorado workers' compensation law that bars companies from dictating medical care for employees injured on the job. The article neglects to mention that workers' compensation is a state-specific process and that there are approximately 56 different workers' compensation systems in the United States. Furthermore, the ability for the employer to direct where its injured employees are medically treated is highly dependent on the state in which the workplace injury occurred.

After carefully reviewing the relevant facts, Bunch encourages its clients not to extrapolate or derive anything from this lawsuit, particularly given its early development and the nature of workers' compensation law and federal/state jurisdictional issues. For further assurance, Bunch encourages all of its clients to revisit a copy of Bunch's account-specific protocols presented during implementation. Bunch is aware of the ruling and operates in full compliance.

Bunch has been certified by the industry-leading accreditation organization, URAC, and has written policies that have been approved by its executive leadership, national medical director, and valued clients. Since the majority of employees injured on the job do not have a workers' compensation insurance identification card, Bunch provides an introductory letter to all providers who treat employees who have work-related injuries and/or illnesses. This document educates the treating physician on the administrative processes the employer has in place from a managed care perspective. It does not, however, include treatment protocols or treatment expectations. Rather, it clarifies administrative instructions, such as how to process bills and who to contact for specific information. It may also include options for patients who are released to return to work with physical restrictions.

The advantage to unbundling the managed care portion of your workers' compensation practices includes an unbiased third party to provide the checks and balances of a healthy program. Bunch operates as an extension of the risk management department and uniquely does not own a provider network, therefore eliminating any financial incentive to funnel care to an owned entity. Bunch's network partners treat in the best interest of their patients to deliver the best outcomes, individualizing each treatment plan to provide the best medical care.

Bunch's case management process follows state-specific guidelines as primary in the jurisdictions that legislatively address such issues. Since Colorado is addressed in the article, it is important for Bunch clients to know that Colorado treatment guidelines are utilized for all applicable injuries. Additionally, in Colorado, utilization review is not performed until the treatment falls outside of the stated guidelines (see CO Rule 16).

Once a treatment pattern exceeds Colorado guidelines, Bunch reviews all treatment for medical necessity. Additionally, Bunch provides its nurse case management team with electronic access to several nationally-recognized guidelines, including, ACOEM and Official Disability Guidelines (ODG), to assist in those treatment review decisions. The use of scientific-based and nationally-recognized guidelines provides consistent clinical review criteria to assist nurses in evaluating the injury for appropriate utilization, duration of treatment, and frequency of care while always considering individual circumstances in each case.

Screening criteria are used to determine medical necessity of treatment and guides the nurse in certification of treatment requests. If the status does not support the requested treatment, the request is referred to an appropriate physician for review and recommendation. In an instance where state specific criteria or ODG is not applicable, or does not provide the information the nurse case manager needs to make a medical necessity determination, evidence-based medicine criteria may be referenced. Evidence-based medicine outlines best practices and provides supporting research to guide medical appropriateness decisions.

As part of its standard operating procedures, Bunch is committed to ensuring the guidelines the case managers require are current, accurate and, more importantly, an appropriate clinical source. Guidelines are updated continually as standard of care practices evolve with advances in medicine and medical technology. Bunch's guidelines are reviewed annually, at a minimum, by its medical director and senior clinical management team, to ensure the criteria are current and relevant. Internal training is also developed for front line case managers focusing on criteria revisions as they relate to emerging medical information and current clinical practices.

In summary, clients have the confidence of knowing that Bunch is dedicated to ensuring full compliance with all of the various state-regulated workers' compensation laws.

About Bunch & Associates:

Bunch & Associates is a disability management company headquartered in Lakeland, Florida. It is recognized by many employers as a preferred partner delivering service beyond expectations. Integrating technology, service and value, Bunch's multi-disciplinary approach brings claim adjusters, nurse case managers, medical bill review staff and treating physicians together to act as extensions of the employer's risk management department. Working together, Bunch has proven its ability to significantly improve the results achieved by traditional insurance programs.

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