



## The Hand Center

ORTHOPAEDICS OF THE HAND & UPPER EXTREMITY

January 31, 2017

Chairman Les Mason, members of the House Commerce, Labor and Economic Development Committee, thank you for the opportunity to provide information for your consideration. My name is Mark Melhorn. I am presenting this information on behalf of the Kansas Medical Society and the science that was used to develop the Sixth Edition of the *AMA Guides to the Evaluation of Permanent Impairment*. After you have reviewed the science, I believe that you will understand why I am encouraging you to vote “no” on HB2059.

I graduated from the University of Kansas, School of Medicine and after completing my residency in Wichita and my fellowship at the University of Southern California, returned to Wichita, Kansas. I have been practicing in Wichita since 1986 and I am currently on the faculty of KUMC-Wichita as an Associate Clinical Professor of Orthopaedics.

I would like the committee to be aware that I have been a volunteer (nonpaid) contributor to the Fourth, Fifth, and Sixth Editions of the *Guides* and the *AMA Guides Newsletter*. I have no financial interest in either product, my full disclosure is provided by separate document.

### Summary

I see and treat injured workers in my office daily. I appreciate their concerns about and limited understanding of the workers’ compensation process. I apologized that I am unable to be present today, but on short notice, I did not want to inconvenience my patients by rescheduling.

I had the opportunity to testify to the Senate Committee February 12, 2015 on SB167 at which time the committee was insightful in moving to the Sixth Edition of the *Guides*.

It now appears that there is an effort to revert to the Fourth Edition. The Fourth Edition was created in 1992. Please consider this question. Which one of you today would want your physician to treat you using 20 year old medical science?

Each edition has reflected and incorporated the improved science of impairment and assessment, along with the improvements in medical treatments, which have resulted in better outcomes. The current Sixth Edition of the *AMA Guides* reflects the current best science and expert consensus.

Many of the conditions for which we treat injured workers are not listed or available for consideration in the Fourth Edition. Unfortunately, this results in some physician’s providing estimates of medical unsupported impairment ratings that vary widely. This often creates a vacuum that is filled with ligation. Many studies have shown that ligation leads to poorer medical outcomes, additional unnecessary time of work, and increasingly dysfunctional injured workers.

The purpose of the *Guides* is to provide appropriate and fair impairment for loss of function which can be done using the most current science. Therefore, I encourage you to continue to allow physician's to use the best current science as reflected in the Sixth Edition.

I have included a copy of my February 12, 2015 testimony for your review.

Thank you for the opportunity to present this information.

Sincerely,

A handwritten signature in black ink that reads "J. Mark Melhorn MD". The signature is written in a cursive, flowing style.

J. Mark Melhorn, MD