

Edging up

Short takes on emerging industry issues –
from topical compounds to responsive design technology

Topical compounds: amazing promises, high costs and unimpressive results *Are we in Oz?*

BY **PAUL PEAK, PHARM D**

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I was recently reminded of that famous moment in the Wizard of Oz and the line, "Pay no attention to that man behind the curtain." Behind all the smoke and noise, the main characters find only a man behind a curtain whose power is pretend and whose promises are empty.

As many are aware, topical compounds are being touted as the new way to treat pain. With this new trend of mixing together multiple medications, most of which have never been shown to be effective when given topically, physicians and pharmacists are pushing products that lack any real studies on efficacy or safety. While FDA-approved medications go through incredible scrutiny to prove their effectiveness and safety, compounded products do not fall under the same oversight. Yet, the incredible claims made

regarding their benefits are only exceeded by their costs. Workers' compensation, group health and government-sponsored plan administrators are realizing the impact of this new trend. From 2013 to 2014, workers' compensation drug spend on these products increased by 80% as utilization went up by more than 40% during the same period, according to the 2015 Workers' Compensation Drug Trends Report from Helios.¹ Recently, Tricare, which is the government-owned healthcare system for the military, announced their monthly spend on topical compounds increased from \$42 million in 2014 to \$335 million in 2015.²

However, these numbers don't tell us the whole story. A few months ago, I received a phone call from a local physician who treats workers' compensation patients.

The physician had recently been approached by a pharmaceutical company that promised amazing financial benefits in return for his promise to prescribe these compounds for his patients. The doctor was told that in exchange for prescribing the topical compounds (which cost \$2,000 to \$3,000 per month) he would receive \$800 per prescription along with ownership shares in the company. The physician was so alarmed by such a notion he felt compelled to reach out. Behind all the amazing promises and high costs, these topical compounds are just another way to abuse the system and make a buck. When inappropriate drugs like these are prescribed, our system is set up to send alerts to our claims and managed care teams. At Sedgwick, we can see behind the curtain and we are paying attention.

FMLA and same-sex marriage legislative update

BY **SHARON ANDRUS**

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The Family and Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons. In June, the United States Supreme Court ruled in a 5-4 decision that same-sex couples have the right to marry anywhere in the United States and have that marriage recognized as legal. As a result, multiple statutory definitions

and processes will need to expand to treat same-sex marriages the same as a marriage between people of the opposite sex. Specifically for the purposes of this discussion, after the Supreme Court's decision in *Obergefell v. Hodges*, the FMLA definition of spouse can be applied uniformly regardless of where same-sex couples were married or reside.

Employees can now take FMLA leave to care for their same-sex spouse with a serious health condition, for qualifying exigency leave if the spouse is being deployed and for other qualifying reasons. This change does not impact state leave laws that provide leave for Domestic Partners or Civil Union partners; while the employee would not be eligible to take leave under the

FMLA (only applies to legal same-sex marriages), they still may be allowed leave under state law.

Employers are encouraged to review their FMLA policies and verify that the definition of a spouse is up to date. In addition, we advise that you use caution in requiring proof of same-sex marriage if you do not require proof of marriage for opposite-sex spouses for purposes of taking leave. Finally, we recommend that you train supervisors or anyone involved in the FMLA process on these changes as some employees will be entitled to FMLA protection where they were not in the past. *Read more on the Sedgwick Connection blog at <http://blog.sedgwick.com/2015/06/26/same-sex-marriage-action-steps-for-employers>.*

Sedgwick introduces the next generation of viaOne® express

BY **JARROD MAGAN**

VP, Client Technology Services, Sedgwick

Sedgwick is proud to announce the release of the next dynamic version of viaOne express. The latest generation includes responsive design technology and a new document upload feature.

The new version of viaOne express can be accessed from any web browser and offers a consistent user experience, regardless of the device being used. In addition, it gives users the ability to upload photos taken with their smartphones or upload files from their personal computers, then send them directly to Sedgwick's claims management system. The new functionality simplifies the submission of required documentation and offers

an efficient, convenient way for clients and their employees to correspond with the Sedgwick team handling their claims.

All viaOne express users will be transitioned to the new web-based platform over the remainder of the year. This version of viaOne express also includes:

- User-defined dashboards landing page, providing quick and easy access to the information each user needs the most
- Customizable messaging and intake screen
- The ability to customize notification preferences online, including adding alternate contact person or preferences during a leave
- Enhanced search widgets that provide quick access to top level search results

The award-winning viaOne express module is part of a suite of cloud-based tools that provide Sedgwick's clients and their employees with 24/7 access to real-time claims information. The module allows users to check the status of claims and cases, view payment history, report intermittent absence time, securely communicate with their claims representative, report treatment and return-to-work dates, contact support for technical assistance and opt-in to receive automatic status updates via text or email throughout the process.

ADDITIONAL RESOURCES

¹**Workers' compensation drug trends report 2015**

<http://www.helioscomp.com/docs/default-source/Drug-Trend-Report-Files/dtr-2015-33015-single.pdf?sfvrsn=2>

²**CBS News - Feds open investigations into compounding pharmacies**

<http://www.cbsnews.com/news/feds-open-investigations-into-compounding-pharmacies>