

Handout #5:
IME ISSUE-BASED TIMING REQUIREMENTS

TYPE	POI	INCEPTION	TIME TO COMPLETE IME	TIME TO FILE IME REPORT ¹
Controverted claim establishment	Carrier	<ul style="list-style-type: none"> • Carrier incept • Or, may be directed at PHC 	3 days before hearing, which is 30 days after PHC	3 days before hearing, which is 30 days after PHC
Medical only issues:				
A. Variance	Carrier	Response to a variance request	Within 30 days of variance	<ul style="list-style-type: none"> • 5-day Notice of intent • File within 30 days of variance
B. Opioid weaning	Carrier	Carrier incept – and most are by records review	Complete examination prior to submission to Board	File and serve IME with the RFA-2
C. Authorization for services costing more than \$1,000	Carrier	Request for authorization per form C-4 AUTH	Within 30 days of C4 AUTH	Within 30 days of C4 AUTH
Award determinations:				
A. Causal relationship: additional, consequential	Carrier	WCLJ decision	30 to 60 days of WCLJ decision	If date set, due by next hearing
B. Ongoing degree of temporary disability	Carrier	IME incepted by carrier; motion may follow depending on results	Prior to filing of RFA-2 seeking hearing to suspend or reduce	IME filed simultaneously with RFA-2
C. Permanency classification (PPD or PTD)	Carrier / Claimant	<ul style="list-style-type: none"> • Medical received; other side <ul style="list-style-type: none"> ○ obtain medical ○ or, wait for medical direction hearing • If initiated by WCB, inception at medical direction hearing 	If directed at medical direction hearing, within 60 days of medical direction hearing	Within 60 days of medical direction hearing
D. SLU determination	Carrier / Claimant	<ul style="list-style-type: none"> • Medical received; other side may obtain medical • Or, WCB will notify parties 	Within 75 days of WCB notification	IME report to be filed within 75 days of WCB notification
Apportionment	Carrier / Claimant	Direction by WCLJ (may dovetail with depositions)	IME completed prior to scheduling of the deposition (discretionary time frame)	IME report must be filed in accordance with directive to depose in WCLJ decision
Records review (such as for causality in death case, or opioid weaning)	Carrier	Need for reference at a hearing	3 business days prior to hearing	3 business days prior to hearing

¹ General filing/service rule that applies to all IMEs herein is 300.2(d)(14):

- 10 business days after IME – in state
- 20 business days after IME - out of state