



Workers' Compensation Board

October 10, 2019

IME Committee

Recommendations Report Discussion

IME Advisory Committee

Schedule

- IME Provider Access – *Thursday, March 14*
- Scheduling & Timing – *Tuesday, April 9*
- Injured Worker Experience – *Wednesday, May 8*
- Cost of IMEs and IME Entity Panel – *Thursday, June 13*
- Quality of Reports and Technical Issues – *Tuesday, July 9*
- Process and IME Member Questionnaire – *Wednesday, August 7*
- Fraud & Abuse / Review Questionnaire Responses / Initial Draft Report – *Tuesday, September 10*
- Discuss Revised Draft Report ← *Thursday, October 10*
- Finalize Draft Report – *Wednesday, November 13*
- Review and Approve Final Report – *Thursday, December 12*

Agenda

Agenda Topic	Time Allocation
Introduction	5 minutes
Review Advisory Committee Recommendations Report DRAFT	30 minutes
Portal Technology Demonstration	10 minutes
Advisory Committee Questionnaire – Updated Recommendations	120 minutes
Wrap-up and Overview of November meeting	15 minutes

Draft IME Report

- Introduction
- Executive Summary
- Methodology
- Survey Responses
- Recommendations
- Appendices

➤ Letter to Legislature

Portal Technology Demo

Questionnaire Review Topics

- A. Education and Training
 - 1. Continuing Education
- B. Timing of notice for exam, filing and service requirements
 - 1. End Same Day/Same Manner
 - 2. Notice Waiver
 - 3. Filing Waiver
 - 4. Modify 10/20 regulatory filing requirements by case type
 - 5. Modify Request for Information filing
- C. Injured Worker Experience
 - 1. Reasonable Travel Time
 - 2. Reasonable Wait Time
- D. Other
 - 1. Allow access
 - 2. Fraud

Questionnaire Review

A. Education and Training

1. Continuing Education

- General support for Board/vendor to provide education/training
- Very few other states require education/training
- No cost to providers
- May exacerbate shortage of IMEs in upstate areas

[Refer to Handout 1-Education & Training Materials]

Questionnaire Review

B. 1. End “Same Day/Same Manner”

- Discussed the possibility of using a Board portal to upload reports
- Portal may alleviate “same day/same manner” issue
- Reports become accessible to all/ with option for paper printout for claimant
- Untested portal system

[Refer to Handout 2-Examination & Reporting Requirements Materials]

Questionnaire Review

B. 2. Notice waiver (IME-5)

- Discussed the possibility of waiver of 7-day requirement by written consent
- Portal may expedite waiver notification

[Refer to Handout 2-Examination & Reporting Requirements Materials]

Questionnaire Review

B. 3. Filing waiver (IME-4)

- Some members agree with allowing claimant to waive filing requirement
- Some members believe it may delay medical care
- Claimants may not agree if IME report varies with treating provider determination

[Refer to Handout 2-Examination & Reporting Requirements Materials]

Questionnaire Review

B. 4. Modify 10/20 day filing requirements, by case type

Providing longer time frame for filing of IME report if the delay will not affect the claimant's benefits, except where specifically directed by the Board

- A. Controverted claim establishment
- B. Medical only: Variance
- C. Medical only: Opioid Weaning
- D. Medical only: Authorization for services costing more than \$1,000
- E. Award determination: Causal relationship; additional, consequential

Questionnaire Review

- B. 4. Modify 10/20 day filing requirements, by case type
 - F. Award determination: Ongoing degree of temporary disability
 - G. Award determination: Permanency classification (PPD or PTD)
 - H. Award determination: SLU determination
 - I. Apportionment
 - J. Records Review (such as for causality in death case, or opioid weaning)

[Refer to Handout 2-Examination & Reporting Requirements Materials]

Questionnaire Review

B. 5. Modify request for information filing (IME-3)

- IME provider may be required to acknowledge receipt of IME3 prior to due date of IME4
- Administrative burden
- Discussed modifying statute

[Refer to Handout 2-Examination & Reporting Requirements Materials]

Questionnaire Review

C. 1. Reasonable travel time

- Regulations regarding either claimant's time or distance to travel for exam
- Should consider travel time since there are geographical discrepancies
Adds administrative burden

Refer to Handout 3 - Reasonable Travel Time Materials

Questionnaire Review

C. 2. Reasonable wait time

- Comparison between IME and treating provider wait times
- Procedures for rescheduling
- Injured worker may leave because of excessive wait time.
- Wait times differences between upstate/downstate locations

[Refer to Handout 3 - Reasonable Travel Time Materials]

Questionnaire Review

D. 1. Allow access

- Possible use of Board portal for document upload

[Refer to Handout 3 – Allow Access to Case Folder Materials]

Consensus on topic?

Next Steps

- **October 18th: Committee IME report comments due**
- **November 1st: Revised draft IME report completed**
- **November 13th: Line-by-line review of draft IME report**
- **December 12th: Review & approve final IME report**