

NOTICE TO PARTIES OBTAINING QME PANELS IN REPRESENTED CASES:

To expedite the issuance of QME panel requests in represented cases, the DWC Medical Unit does not review the request to determine compliance with the QME regulations or the legal merits of the request.

In some cases, two or more panels in different specialties have been issued, not because the Medical Unit made any determination about the merits of a panel request, or the merits of an objection, or because the attorney applying met the standard in the regulation governing additional panels in a different specialty (8 CCR 31.7.)

For this reason, please resolve all objections and questions regarding the validity of panels that have been issued with a workers' compensation administrative law judge (WCALJ). In the alternative, the parties in a represented case are always able to obtain an evaluator by agreeing to an agreed medical evaluator.

Qualified medical evaluators are being advised by DWC that once a party has scheduled an appointment for a QME evaluation and the opposing party subsequently sends a written objection of any kind regarding use of the QME from the QME panel, the QME already selected should issue a letter advising both parties at the same time and the DWC Medical Unit: 1) that the appointment has been cancelled; 2) the amount of time, if any, already spent on the case, e.g. in record review, etc.; and 3) that the QME will schedule a new appointment once the disputed issue is resolved by a WCALJ. The timeframe under the QME regulations for scheduling and sending notice of a new appointment date, in such a case, will begin from the date the QME receives a call from a party to schedule an appointment after the dispute is resolved.

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