

POLICY 13.05

Section: Medical Examinations

Effective: 4-1-2023

**Title: Policy 13.05 - Scheduling
Independent Medical Examinations**

**Cancel: Interim Policy 13.05
dated 1-1-2021**

See Also: [29 U.S.C. § 701](#) (rehabilitation act)
[42 U.S.C. Chpt 21 Subchpt VI § 2000e-2](#) (civil rights act)
[42 U.S.C. Chpt 126 § 12101](#) (americans with disabilities act)
[RCW 49.60](#) (discrimination – human rights commission)
[RCW 51.08.121](#) (new medical issue)
[RCW 51.32.055](#) (determining permanent disabilities)
[RCW 51.32.110](#) (medical non-coop., paying for expenses and time lost)
[RCW 51.32.112](#) (medical examination standards)
[RCW 51.36.070](#) (medical examinations)
[WAC 296-14-410](#) (non-cooperation)
[WAC 296-15-440](#) (use of medical examinations in self-insured claims)
[WAC 296-20-01002](#) (definitions)
[WAC 296-20-022](#) (paying out-of-state providers)
[WAC 296-23-302](#) (definitions)
[WAC 296-23-308](#) (scheduling case progress examinations)
[WAC 296-23-309](#) (how many examinations may be requested)
[WAC 296-23-312](#) (independent medical examination provider number)
[WAC 296-23-317](#) (independent medical examination provider qualifications)
[WAC 296-23-401](#) (independent medical examinations and appeals)
[Medical Examiner's Handbook](#)

Approved by:

Cheri Ward for the Insurance Services Policy Council

This policy applies when scheduling an independent medical examination (IME).

1. An IME can only be requested for specific reasons.

Reasons for requesting an IME include decisions regarding:

- Claim allowance.
- Reopening.
- New medical issue.
- Appeal.
- Case progress.

- Permanent partial disability.
- Work restrictions.

2. The IME must be scheduled at a time and place reasonably convenient to the worker.

Reasonably convenient means a location where residents within the workers' community (county) would normally travel for similar care.

Example: A worker living in a rural or less populated county needs to see a neurologist. There is limited availability of neurologists in their county. Residents in the community typically travel to Thurston County to see a neurologist. Having the worker travel to Thurston County is reasonable.

Exception:

2a. If the attending provider declined to refer for a consultation and there is no available approved examiner in the reasonably convenient location, the department or self-insured employer may make arrangements including but not limited to:

- Scheduling with the next available examiner at a location as close as possible to the worker.
- Minimizing travel for single or multiple examination appointments.
- Use of telemedicine when appropriate.

3. Out of state IMEs must be scheduled with department approved examiners.

If the exam can't be scheduled in a reasonably convenient location, the department or self-insured employer will accommodate the worker by considering the following options before requiring the worker to travel:

- Consultation(s).
- Scheduling with the next available examiner at a location as close as possible to the worker.
- Minimizing travel for single or multiple examination appointments.
- Use of telemedicine when appropriate.

NOTE: The consulting provider must have a department provider number.

NOTE: Out of state chiropractors can't perform impairment ratings.

4. Adjudicators may require a worker living in another country return to the United States for an IME.

The adjudicator may authorize a consultation in the country where the worker resides.

5. State Fund adjudicators may request specific doctors ONLY in certain situations.

State Fund adjudicators may request specific doctors only in the following situations:

- Reopening requests (when returning the worker to the closing examiner).
- Repeat examinations (when the doctor examined the worker before).
- When the claim involves complex medical or legal issues making it appropriate for the adjudicator to request specific doctors.

Reminder: IME requests should not exclude approved examiners without documented reason(s).

6. The department or self-insured employer must provide a written notice of the IME appointment to both the worker and the worker's representative.

The notice must:

- Be sent at least 14 calendar days but not more than 60 days prior to appointment.
 - For self-insured employers, 14 calendar day notice must be given for examinations scheduled to address claim allowance. A 28 calendar day notification is required for all other self-insurance IMEs, unless the worker waives that requirement.
- Include the appointment time, date, and place.
- Be sent to all claim parties.

NOTE: For State Fund, the purpose of the IME needs to be documented in the IME Precall letter and the claim file. Self-insured employers are required to use the [Self-Insurance IME Assignment Letter](#) to document the purpose or reason(s) for the examination.

Exceptions:

- 6a. The worker or the worker's representative may agree to waive the notice for initial IME scheduling or reschedules. The worker's agreement to waive must be documented in the claim file.
- 6b. IMEs for incarcerated workers are confidential and no appointment notice is sent.
- 7. Department or self-insured employer will comply with applicable federal and state civil rights laws.**
- The department or self-insured employer will provide reasonable accommodation to ensure equal access for any person with a disability whether due to a work injury, preexisting condition or other health condition.
- Examples of reasonable accommodation include but are not limited to:
- Alternative communication methods, including reprinting and reformatting of information needed to administer industrial insurance benefits, such as Telecommunications Relay Services and Braille materials.
 - Providing specialized transportation or location for IMEs to accommodate physical mobility limitations.
 - Ensuring workers with multiple or extended examinations are allowed regularly scheduled breaks.
- 8. The department or self-insured employer provides meaningful access to workers with limited English proficiency by offering language access services at no cost.**
- 9. The department or self-insured employer must provide a copy of the IME report to the attending physician, the worker, and the worker's representative.**

For further information about this or other workers' compensation policies, you may contact the Insurance Services' policy program at 360-902-6932.