

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 2
Yeas:	Berger, Edwards C., Holvey, Rosenbaum, Schaufler
Nays:	0
Exc.:	Esquivel, Smith P.
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	4/4

WHAT THE MEASURE DOES: Requires the Director of Department of Consumer and Business Services to adopt rules regarding standards of conduct for providers of independent medical examinations in workers' compensation claims if the appropriate health professional regulatory board does not adopt standards. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- Overview of SB 311 (2005)
- Independent Medical Examination Association code of conduct
- Support from Management-Labor Advisory Committee (MLAC)

EFFECT OF COMMITTEE AMENDMENT: Changes the guidelines of conduct for which the proposed rules must be consistent from the American Board of Independent Medical Examiners' to the Independent Medical Examination Association. Removes the date of reference to the American Board of Independent Medical Examiners guidelines of conduct. Adds an emergency clause, effective upon passage.

BACKGROUND: The 2005 legislature enacted SB 311, which established new laws regarding the conduct of independent medical examinations (IME) for workers' compensation claims. One of the measure's provisions directed the Department of Consumer and Business Services to maintain a list of IME providers that have met the certification requirements. The Director can exclude an IME provider from the list if the provider violates their individual regulatory board's code of conduct (i.e., physicians or chiropractors).

If the provider does not have a code of conduct, the measure established that the default code of conduct was the American Board of Independent Medical Examiners' (ABIME) code of conduct. After SB 311 was enacted, the ABIME notified the State of Oregon that the code of conduct is copyrighted. The Workers' Compensation Division has annually negotiated an agreement to use the code of conduct for free, but the ABIME has indicated that they prefer future agreements to include ABIME-included training or require IME providers who wish to be authorized to pay ABIME association dues.

HB 2943 A removes the ABIME code of conduct reference from statute, clarifying that if a health professional regulatory board does not adopt standards of conduct for IME providers, the department is required adopt rules regarding standards of conduct that are consistent with the guidelines of conduct established by the Independent Medical Examination Association.

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This summary has not been adopted or officially endorsed by action of the committee.