

STAFF MEASURE SUMMARY**Senate Committee On Workforce****Fiscal:** Fiscal impact issued**Revenue:** No Revenue Impact**Action Date:** 04/20/15**Action:** Without Recommendation As To Passage, But W/Amendments And Requesting Referral To Ways And Means. (Printed A-Eng)**Meeting Dates:** 04/08, 04/15, 04/20**Vote:**

Yeas: 4 - Dembrow, Gelser, Rosenbaum, Thatcher

Nays: 1 - Knopp

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WHAT THE MEASURE DOES:

Establishes process for random selection of physician from list of qualified physicians maintained by Director of Department of Consumer and Business Services (DCBS) for independent medical examinations in workers' compensation claims. Directs DCBS to establish process for out-of-state independent medical examinations.

ISSUES DISCUSSED:

- Perception of relationship between insurer and medical reviewer under current system
- Usage and regulation of workers' compensation independent medical examinations (IMEs)
- History of IME legislation
- Coordination with specialists
- Frequency of claimant complaints
- Attention to physician preferences by claimants
- Workers' compensation training for physicians

EFFECT OF COMMITTEE AMENDMENT:

Directs Department to establish process for out-of-state independent medical examinations.

BACKGROUND:

The Oregon workers' compensation system provides benefits to workers who are injured or acquire an illness on the job. Workers' compensation insurers or self-insured employers have the right to request the worker attend up to three independent medical examinations (IME). If the worker refuses, the employee's workers' compensation benefits can be suspended. Costs for the examinations are paid by the insurer, and expenses necessary for attending the exam are reimbursed. Currently, under Oregon law, a physician must be pre-approved by the Director of the Department of Consumer and Business Services (DCBS) to perform an IME. The insurer or self-insured employer has the discretion to select any pre-approved provider to perform an IME.

Senate Bill 701-A establishes a process for the random selection of an IME physician from a list of qualified physicians maintained by DCBS.