

**IME Roundtable Meeting
January 16, 2025
via zoom**

Staff Participants: Cristy Miller, L&I Dane Henager, ATG Joann Willyerd, L&I Karen Jost, L&I Melissa Dunbar, L&I LaNae Lien, L&I Nancy Adams, L&I Sara Nielsen, L&I Shannon Rushing, L&I Tanya Weber, L&I Troy Parks, L&I	Participants: Aimee Borrego Chelsea Stockner Chris Schauble Irene Suver Jeff Gosda Kayla McCain Kristin McCoy Lynn Dal Santo Mat Nguyen Michelle Bates Rachel Faber Rose Serna Terri Johnson	Douglas Pepper, DC Eugene Toomey, MD S. Daniel Seltzer, MD Steven Elerding, MD Tar Chee Aw, DDS
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Safety Message, Agenda & Accountability Log Review:

Troy briefly discussed zoom meeting etiquette. The agenda was reviewed.

Melissa shared a safety message on stretching. Remember to take regular breaks to stretch. This helps reduce fatigue by increasing blood supply to muscles. Stretching can also help prevent muscle strain injuries, improve posture, and increase muscle coordination and balance.

Accountability Log Review– Troy Parks

Troy reviewed the accountability log. There will be an update in this meeting about interpreter scheduling. There is a delay in the co-recording rule writing. An update will be given on the third party recording pilot. There will be information on this during this meeting. L&I does not have jurisdiction over B&O tax compliance, this is done by the Washington State Department of Revenue.

Program Updates:

Examiner Pool – Troy Parks

Troy shared the total number of approved examiners, as well as the number of Out-of-State examiners compared to the number of in-state examiners.

Attendees would like to see the number of examiners doing exams. There is a difference between the number of examiners that only do several exams per year compared to the number of examiners doing a majority of the exams.

Complaints YTD – Troy Parks

Troy shared the complaint data for calendar year 2024. The top specialties and types of complaints remain the same. There were 145 complaints in 2024. The department typically receives complaints on less than 1% of IMEs.

This data is shared with other stakeholders. We have been including in those presentations that the percentage of IMEs with complaints is a very low percentage.

The group asked the percentage of complaints that are sent to the examiner for response.

Examiner Exit and Retention Surveys – Troy Parks

Troy shared the number of responses received from the Examiner Exit survey for calendar year 2024. There was a high number of examiners that disagreed that they were paid fairly. Many examiners agreed they had an acceptable workload and adequate orientation.

Quality Trends – Tanya Weber

Tanya gave a brief summary of her quality reviews and the reasons an IME can be requested. She has been doing quality reviews and capturing data since January 2019. This includes State Fund, Self-Insurance, and telehealth. There have been 4,691 reviews done so far.

The firms and examiners have been seeing a lot of missed diagnosis that could be helped if an IME was done earlier in the claim. This may be because of the expansion of who can be an Attending Provider to provider types that have not historically been as involved in treating workers.

Role of the IME Firm Medical Director – Dr. Azadeh Farokhi

Azadeh led a brief discussion on the department's requirements for the IME firm Medical Director. The responsibilities of the Medical Director come from the Medical Examiners' Handbook (MEH). The department would like to get better understanding of how firms use their medical directors.

The firms were not willing to share how Medical Director is used, but asked why this is being looked at. The department has other stakeholder groups that have asked about the role of Medical Directors for IME firms and what they do. This discussion is just to give the department a better understanding to relay when these questions are asked.

MCN shared that their Medical Director does not review all reports. They do get involved in QA escalation, and if situations in similar to examples in the MEH arise. They also assist in creating training for new examiners.

IME Recording:

Third-Party Recording Pilot – Troy Parks

Troy gave the background of the recording rule. The next step is to conduct a third party recording pilot. This pilot will allow the worker the opportunity to opt into using the secure third party recording service in conjunction with or in lieu of using their own recording device. This pilot will help inform any future rulemaking efforts or changes to IME policies.

The pilot will run for six months, from March 1 through August 31. There will be a kick-off meeting on February 11 and two user training opportunities on February 20 and 27. A high level look at the pilot was shared. When the worker provides notice of their intent to record the firm will ask if worker is interested in participating in the pilot.

The comment was made that there have been several instances recently where workers complained about the examiner recording the exam while they were dictating. Examiners dictate during exams and have been doing this since before the recording rule. Examiners only record their own notes on the worker's history, not the worker.

There were concerns mentioned that during the pilot the worker is still allowed to record during the exam. This should be testing if this is a way to create a single recording. The worker could get a copy of the recording right away if they would like to. The questions were asked how this is going to be tracked and what exactly is being tested? This could make things very simple and easy if it's done right.

Some attendees do not think this pilot will shift anything and the Department should look at increasing pay. During exams that are recorded the examiners end up spending more face to face time with the worker. If examiners end up not spending additional time, then the standard IME fee should apply. If an examiner does end up spending more time with worker then there should be a separate fee. The fee would not be for recording but for additional time spent.

The suggestion was made that exam length should be looked at during pilot. Some firms have had situations where someone comes in to record with lots of equipment and it take a while to set everything up before the exam can start.

If recording malfunctions will the exam continue or not? The vendor the Department is working with assures that as long as they have access to the link, even if system goes offline, the recording will still be done and will be uploaded when system refreshes.

Interpreter Services:

Feedback on Rollout & Language Link Update – Cristy Miller

Cristy gave an update on interpreter scheduling services. WordBridge allows users access to in person, telephonic, and video interpretation services. If you cannot get in person interpretation services it is recommend that you contact their customer service to have them help updating the request to telephonic and video interpreter.

The SOSi phone line for on-demand telephonic interpretation services rolled out January 2. There have been some growing pains. SOSi employees cannot be doing interpreting due to Washington specific rules. Calls going to interpreter's voicemails has been fixed. If you still have trouble with wait times, please let the Department know.

There have been complaints of interpreters dropping the call in the middle of an appointment. If you experience issues with this, please report it to SOSi. If the call was dropped the examiner should call back to try to secure another interpreter.

Some attendees have reported multiple issues to SOSi and copied the Department and have not heard back. There are concerns about taking so long to get a telephonic interpreter. They are getting asked questions by the automated system, then when a person gets on the phone they ask the same questions. Then they sit on the phone waiting for an interpreter. As soon as you dial the 833 number, press option 2 to be connected to operator right away. They will collect all the information necessary to bill and pay the interpreter correctly.

When requesting phone or video interpretation the firms receive a confirmation but the zoom link is not included. They have to log in to get access to the zoom link. It would be helpful to have the link in the confirmation email. Cristy will check with IT and SOSi on this if there are any security concerns with including that link in the email.

If firms have any updates to staff or account information they can let Cristy know. The number of provider accounts has almost doubled since July 1 2024. This is believe to be due to increased visibility in the system. The number of interpreters is also increasing. There are 445 in the process of completing their registration.

Success rates for IMEs are a bit lower than the statewide success rates. Statewide the success rate is about 91% while IMEs is about 88%. The statewide unfulfilled rate is about 7%, and the IME unfulfilled rate is about 8%.

The number of active interpreters includes telephonic interpreters. This interpretation service is an option however, if need you need an in person interpreter and cannot secure through L&I you can pay for the service on your own. The legislation that passed prohibited the Department from paying an agency for interpreter services. The options were to either pay the interpreter directly or use a vendor. The Department went with the option of finding a vendor.

Claims & Scheduling Units Trends:

Claims – Nancy Adams

There was nothing new to report. The Department has the same frustrations around recordings and getting exams scheduled. Staff are trying to work through those as they come up.

Self-Insurance –LaNae Lien

There was nothing to report out on, and no questions.

Scheduling – Shannon Rushing

Nancy gave a brief update for Shannon. The total referrals created for fiscal years 2023 – 2025 was shared. The number of reschedules are going up. This is possibly related to recording. There will be more data on this at the next meeting.

Shannon had asked the firms to send examples when they get requests for recording but then worker does not record. Some of these go through reschedules and sometimes they have to travel the worker to accommodate the recording request. Nancy is getting that data from Shannon and it is helpful for tracking.

Q&A – Open Discussion Round Robin – Group

Some attorneys are sending out blanket statements. Some workers also think they have to record.

It would be helpful for the firms if the assignment letter was put in with the IOC. They currently have to try to go through the File copies to try and find the assignment letter. It would be helpful if this can be labeled as Assignment Letter instead of IOC or File Copy. Staff have asked and have worked on trying to create a document type for the assignment letter. They have had to put this on hold since it's a technology update. Nancy will check with IT on this again.

The Spanish appointment letter was just recently changed to update the language. Hopefully this will help with the confusion causing some workers to think they have to record the exam.

Quality is subjective based on who is looking at the report; worker, firm, AP. What process does the Department have to monitor quality? The IME ONC does random report reviews for all examiners. The Claim Managers watch as reports come in and can consult with a claims ONC when necessary. Staff also watch for patterns of complaints and reports issues and can take action if needed.

Issue Tracking:

Provider Concerns:	Department Updates / Outcomes:
Interpreter scheduling issues	<p><u>1/16/25</u>: update on IME utilization and roll out of on-demand over the phone 1/2/25.</p> <p><u>9/19/24</u>: SOSi is the new interpreter services provider.</p> <p><u>6/17/24</u>: Go Live!</p>
Legislative Bill that allowed recording of IMEs	<p><u>1/7/25</u>: GovDelivery message on delay in co-recording rule writing. Upcoming 3rd party recording pilot March-August 2025.</p> <p><u>9/19/24</u>: CR101 filed in August for Co-recording and Third-party recording pilot rules. Listening sessions held. Draft language shared Oct 10. Co-recording rules anticipated to file in December. Third-party recording pilot estimate to last 6 months.</p> <p><u>5/9/24</u>: The department is tracking impacts and conducted listening sessions this week for Labor, Business, and IME Providers. Update given by Karen Jost, see presentation and notes above.</p>
<p>Several Fee increase requests:</p> <ul style="list-style-type: none"> • File page count should be reduced to 200 pages • Pay examiner travel to remote locations in-state. • Increase fee for additional claims in an IME • Pay more for hand impairment ratings. These take as much time as the psychiatrists do with the worker. • The Coalition would like to bring back the administrative fee codes. <ul style="list-style-type: none"> • Examiners do not get paid for all their prep work if the exam is cancelled, now that the admin fees are rolled into the exam fee. 	<p><u>9/16/24</u>: HPPM presented latest analysis. See presentation and notes above.</p> <p><u>1/11/24</u>: Troy presented department analysis of IME reimbursement since the fee updates in 2022. The data reviewed shows that around 77% of files are 400 pages or less. The total dollars paid for IMEs continues to increase while the number of exams goes down. The data analysis supports maintaining the current policy of 400 pages or less being bundled into the exam fee. See presentation slides</p> <p><u>9/14/23</u>: There is a new code, Q3014 that can be billed with telemedicine in some cases. See explanation above under Telemed or in MARFS under updates and corrections. Dr. Farokhi is working on a project to determine file size and time spent reviewing files. She gave an update at this meeting.</p>

Provider Concerns:	Department Updates / Outcomes:
	<p><u>5/4/23</u>: Update</p> <ul style="list-style-type: none"> • HPPM shared the findings of their review showing the department paid more money for fewer IMEs since the July, 2022 fee schedule updates. Dr. Farokhi will look at the page count issue and make a recommendation to Karen. • There will not be any more fee updates in the July MARFS other than the COLA increase. • There are no added fees related to the IME recording legislation. The worker is responsible for the cost of recording and they can use their phone to record.
High rate of IME reschedules, what is the root cause?	<p><u>5/9/24</u>: Karen presented impact analysis of recording rule including rescheduling data which showed higher reschedule rates for exams where recording is requested.</p>
Concern that out of state examiners are not aware of Business and Operation taxes and do we know if they are registering for that?	<p><u>9/19/24</u>: L&I does not have jurisdiction over B&O tax compliance, WA Dept. of Revenue does. Further, L&I pays the firm, who has contractual relationship with examiner and have responsibility to ensure their contractors are adhering to state and federal laws.</p> <p>The IME provider agreement, MEH, and WAC 296-23-317 state:</p> <p>WAC 296-23-317 (1)(j) Provider must comply with all federal, state, and local laws, regulations, and other requirements with regard to business operations, including specific requirements for the provision of medical services.</p> <p>B&O tax compliance falls under the jurisdiction of Dept of Revenue.</p>

NEXT IME ROUNDTABLE MEETINGS

Thursday, May 08, 2025 – 9:30am – noon – Location: TBD

Thursday, September 18, 2025 – 9:30 am – noon – Location: TBD

Thursday, January 15, 2026 – 9:30 am – noon – Location: TBD