

IME Business and Labor Advisory Team Meeting
December 5, 2023
9:30 AM – 11:30 AM

Present: Kristen Baldwin-Boe, Melissa Dunbar, Karen Jost, Tanya Weber, Troy Parks, Nancy Adams, Shannon Rushing, Dane Henager, Gary Kolonja, Azadeh Farokhi, MD, Dianne Whitten, Gennia Wellington, Kathy Potvin, Chantelle Yeager, Donna Egeland, Cheri Ward

Guests: Joann Willyerd

Absent: Knowrasa Patrick, LaNae Lien, Ann Silvernale

Brief Summary of Activities:

- Announcements, Safety Message, & Introductions
- IME Program Updates
- Quality Measures
- Updates
- Open Discussion

Announcements & Safety Message:

Troy reviewed Zoom meeting etiquette. Gennia Wellington was introduced as a new member replacing Lisa Vivian. The agenda was reviewed.

The safety topic today is safe winter driving tips. Be prepared by checking over the vehicle, and have an emergency kit. Stay alert and check road conditions for the route you're traveling. Drive slowly and avoid passing snow removal trucks on the right. Leave extra space between the vehicles in front of you. If you start to skid ease off the brakes and turn into the skid.

IME Program Updates:

Examiner Status – Troy

A new quarterly report that lists the newly approved & recently removed examiners, will be posted on our webpage. The link to the website and location was shared.

The IME exit surveys stats were shared. There have been 5 responses received this year so far. About 69% had positive responses. Examiner retention survey stats were also shared. There have been 7 responses received this year.

Complaints YTD – Troy

There have been 121 complaints this year. The types of complaints are broken out into four categories; report, examiner, exam, and firm. Most complaints are regarding the report. The top specialty with complaints are Orthopedic surgeons.

Examiner Pool Update – Troy

Troy presented some IME examiner stats. The total monthly number of approved examiners were shared along with the numbers of the top four specialties; Ortho, Neuro, Chiro, and Psych. The department is monitoring the number of examiners available to provide exams.

Quality Review – Tanya

Tanya shared her quality review stats. This included the types of reviews done each year since 2020 excluding telehealth. The primary focus has been and will continue to be the re-credentialing reviews. The top specialties reviewed are Ortho and Neuro. Tanya compared Orthopedics to all other specialties. They have slightly higher amounts of non-billable addendums and shows they could use more resources. Tanya and Dr. Farokhi will be working on that this coming year.

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Tanya shared a comparison between telehealth and non-telehealth reviews. The number of times examiners provided opinions on questions or conditions not requested of them was slightly higher for telehealth exams.

Tanya also shared a comparison of telehealth psych exams and non-telehealth psych exams. There was still an increase in the percentage of telehealth psych exams where the examiner opined on questions or conditions not asked about.

Let Tanya know if there are any other areas of the data or trends the group would like to see.

MEH Updates – Kristen

Kristen gave a brief update on the *Medical Examiners' Handbook* (MEH) updates. The MEH is updated every July 1. The updates page from the July 2023 document was sent to the group this morning. It can also be found in the MEH after the cover page. Updates include new RCW/legislation that was added, some WACs were repealed, and clarifications and edits in several sections. The team will start working on 2024 update, next month. If anyone has suggestions for changes, they can send them to Kristen or Melissa. Suggestions can be sent any time of the year.

IME Data Report – Nancy Adams

Nancy gave a brief presentation on the IME data report. The report was legislatively mandated from 6440. The first report is out and posted on the L&I website. The next report will be done in late December or early January.

The purpose of the report is to make IME data available to any interested parties, as well as monitor trends and aid discussions around IMEs. Not all of the data between Self-Insurance and State Fund can be compared. Some data elements that can be compared are the number of IMEs per claim, the percentage of claims with IMEs, and the number of days until the first IME.

If there are any questions regarding this data report there is an email set up, IMEReporting@lni.wa.gov.

SHB 1068 IME Recording Implementation – Jen Lybbert

Jen gave a quick presentation regarding SHB 1068. Some tasks that have been done are; published a "FAQ document about IME Recordings" to the L&I website, held a pre-stakeholder meeting on October 27, held an internal meeting to go over the feedback, internal process testing, and drafted updates for the FAQ documents based on the feedback. There is no publication date for the FAQ update as of yet.

The upcoming tasks include rule making, updates to the IME referral letters, and publishing the updated FAQ. The CR102 is tentatively set for January 2, 2024 with public hearings set for February 6, 2024. Staff are currently in the process of updating the IME referral letters that are sent to workers. The updates include who the worker needs to send notice to.

Updates:

Claims – Nancy

Nancy gave a quick update regarding claims. There have been 96 IME protests received. Some top reasons for protests are newly contended conditions, and case progress. About 38% had

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changes that needed to be made. The others were appropriate. Staff are continuing to collect data and will report out at a future meeting.

Nancy gave an update on some of the impacts of SHB 1068. Staff are still seeing ongoing reschedules. Most mental health exams being rescheduled are due to recording requests. Most others are rescheduled due to SHB 1068 are due to non consent to co-recording. Most firms will allow recording if co-recording is also allowed.

The comment was made that it seems like co-recording should just be automatic that if one party records. That can help maintain integrity.

Scheduling – Shannon

Shannon gave an update on scheduling trends. Some scheduling stats were shared. There has been a steady amount of referrals have been initiated. There was an increase in referrals in quarter 4 of 2023.

The group wondered if that has anything to do with recording bill. The numbers shared are just referrals from the Claim Managers and does not include reschedules. This number could be affected though if the CM completes the referrals because changes need made and then creates new referral. There is no way to tell right now. Quarter 4 is for the fiscal year not calendar year, which includes April, May, and June.

There is currently no way to track examiners willingness to be recorded.

Self-Insurance – Nancy

Nancy gave an update on the SI protest data. The number of disputes received was shared. The top reasons for disputes are case progress, number of IMEs, and the assignment letter. The assignment letter could be because the purpose for the IME does not match the questions. Just over 61% of the dispute outcomes are in favor of the worker.

The group asked what it means when the issue is forwarded for provider review. Nancy believed it means it was forwarded to Provider Quality and Compliance due to a complaint for review. Not many of these are seen. We can get clarification on these types from SI. It could also be in addition to the protest sent, there is also a complaint about the examiner.

Open Discussion:

No topics discussed.

Future Meetings:

Tuesday	April 02, 2024	9:30am – 11:30
Tuesday	August 13, 2024	9:30am – 11:30
Tuesday	December 10, 2024	9:30am – 11:30