State of California Division of Workers' Compensation - Medical Unit Replacement Panel Request-8 Cal. Code of Regulations section 31.5

(Please print or type)

Panel number (Required)	Claim number (Required)	EAMS number (if a case is fi	Date of Inju	ry(Required):	
			Requesting Par	ty (Required)	
Employee first name (Required)	Middle Employee last na	me (Required)	Applicant's Attorney/Injured Worker Defense Attorney/Claims Administrator		
Indicate the reason why each Que to this form to support the requal adequately document your requal	ME should be replaced. A list of est for a new panel or explain t	he reason for the request in	instructions to this n the space provid	form. Attach docu	umentation
I. QME Name (Required)		-			
Reason for Replacement (Require	ed)				
2. QME Name		In Represented case replaced because t	•		•
Reason for Replacement					
In Represented cases only: Please check this box if the replaced because the QME was stricken in the 4062					_
Reason for Replacement					
Use this space to provide addition your replacement request. Please incomplete, inadequately docume worker or the workplace zip coordinately and the workplace zip coordinately worker or the worker or the workplace zip coordinately worker or the workplace zip coordinately worker or the w	se attach additional documentat rented or are otherwise incompr	tion as necessary to suppor ehensible will be returned.	rt your request. Re Please indicate th	quests that are eit	ther
Date of Request: (mm/dd/yyyy) Law Firm/Insurance Carrier	Name and Job Title of Requestor Requestor Street Address (Req		Requestor F	Phone Number: Requestor State	Requestor
	Signature of Requestor:	· 		(Required)	Zip Code

QME Form 31.5-2/2023

Declaration of Service

I declare that I am a resident of or employed in the county where the mailing took place. I am over the age of eighteen years and I am not a party to this case, my business or residence address is:

_	erson or firm named below, and				
A	depositing the sealed envelope with the U. S. Postal Service with the postage fully prepaid.				
В	placing the sealed envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U. S. Postal Service in a sealed envelope with postage fully prepaid.				
C	placing the sealed envelope for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.				
D	placing the sealed envelope for pick up by a professional messenger service for service. (Messenger must return to you a completed declaration of personal service.)				
E	personally delivering the sealed env	elope to the person or firm named below at the address shown below.			
Method of Service	Person or firm served	Street Address			
	City	State Zip Code			
Method of Service	Person or firm served	Street Address			
	City	State Zip Code			
Method of Service	Person or firm served	Street Address			
	City	State Zip Code			
Method of Service	Person or firm served	Street Address			
	City	State Zip Code			
I declare und	der penalty of perjury under the law	vs of the State of California that the foregoing is true and correct			

Instructions

Replacement panel requests are reviewed and approved based on the reasons set forth in section 31.5 of title 8 of the California Code of Regulation. These reasons are listed below for your use. The form attached to these instructions contains pull down menus that indicate the acceptable reason for a new panel. If you are completing this form by hand, please use the section numbers listed below to indicate the reason or reasons why a QME panel or an individual QME should be replaced. Insert the code section in the "reason for replacement" section, as necessary, provided in the form. For example, if you believe that a QME should be replaced because the QME cannot see the worker in the allotted time period, insert "31.5(a)(2)" in the "reason for replacement" below the name of QME you wish replaced. Attach documentation to support your request.

Section number	Explanation
31.5(a)(1)	A QME on the panel does not practice in the specialty requested by the party holding the legal right to request the panel.
31.5(a)(2)	A QME on the panel cannot schedule an examination for the employee within ninety (90) days of the initial request for an appointment, or if the 90 day scheduling limit has been waived pursuant to section 31.3(e) of title 8 of the California Code of Regulations, the QME cannot schedule the examination within one-hundred twenty (120) days of the date of the initial request
31.5(a)(3)	for an appointment. The injured worker has changed his or her residence address since the QME panel was issued and prior to date of the initial evaluation of the injured worker.
31.5(a)(4)	A physician on the QME panel is a member of the same group practice as defined by Labor Code section 139.3 as another QME on the panel.
31.5(a)(5)	The QME is unavailable pursuant to section 33 of title 8 of the California Code of Regulations (Unavailability of the QME).
31.5(a)(6)	The evaluator who previously reported in the case is no longer available.
31.5(a)(7)	A QME named on the panel is currently, or has been, the employee's primary treating physician or secondary physician as described in section 9785 of Title 8 of the California Code of Regulations for the injury currently in dispute .
31.5(a)(8)	The claims administrator, or if none the employer, and the employee agree in writing, for the employee's convenience only, that a new panel may be issued in the geographic area of the employee's work place and a copy of the employee's agreement is submitted with the panel replacement request.
31.5(a)(9)	The Medical Director, upon written request, finds good cause that a replacement QME or a replacement panel is appropriate for reasons related to the medical nature of the injury. For purposes of this subsection, "good cause" is defined as a documented medical or psychological impairment.
31.5(a)(10)	The Medical Director, upon written request, filed with a copy of the Doctor's First Report of Occupational Injury or Illness (Form DLSR 5021) (Cal. Code Regs.,tit. 8, §§ 14006 and 14007) and the most recent DWC Form PR-2 ("Primary Treating Physician's Progress Report") (Cal. Code Regs.,tit.8, § 9785.2) or narrative report filed in lieu of the PR-2, determines after a review of all appropriate records that the specialty chosen by the party holding the legal right to designate a specialty is medically or otherwise inappropriate for the disputed medical issue(s). The Medical Director may request either party to provide additional information or records necessary for the determination.
31.5(a)(11)	The evaluator has violated section 34 (Appointment Notification and Cancellation) of title 8 of the California Code of Regulations, except that the evaluator will not be replaced for this reason whenever the request for a replacement by a party is made more than fifteen (15) calendar days from either the date the party became aware of the violation of section 34 of title 8 of the California Code of Regulations or the date the report was served by the evaluator, whichever is earlier.
31.5(a)(12)	The evaluator failed to meet the deadlines specified in Labor Code section 4062.5 and section 38 (Medical Evaluation Time Frames) of title 8 of the California Code of Regulations and the party requesting the replacement objected to the report on the grounds of lateness prior to the date the evaluator served the report. A party requesting a replacement on this ground shall attach to the request for a replacement a copy of the party's objection to the untimely report.
31.5(a)(13)	The QME has a disqualifying conflict of interest as defined in section 41.5 of title 8 of the California Code of Regulations.
31.5(a)(14)	The Administrative Director has issued an order for additional QME evaluation pursuant to section 10164(c) of title 8 of the California Code of Regulations.
31.5(a)(15)	The selected medical evaluator, who otherwise appears to be qualified and competent to address all disputed medical issues refuses to provide, when requested by a party or by the Medical Director, either: a complete medical evaluation as provided in Labor Code sections 4062.3(j) and 4062.3(k), or a written statement that explains why the evaluator believes he or she is not medically qualified or medically competent to address one or more issues in dispute in the case.
31.5(a)(16)	The QME panel list was issued more than twenty four (24) months prior to the date the request for a replacement is received by the Medical Unit, and none of the QMEs on the panel list have examined the injured worker.

Do not return this page with your replacement request. Mail the completed form and Proof of Service to: Division of Workers' Compensation - Medical Unit, PO Box 71010, Oakland, CA 94612.