

DWC IMR Update Webinar

Questions & Answers

NOTE: The intent of this webinar was to clarify the process for submitting applications for Independent Medical Review. The questions and answers presented below reflect this intent. This forum did not address policy and legal issues or questions related to specific cases.

Q: Is there any thought to providing a verification of receipt?

A: Verification of receipt of an IMR application comes in one of two forms. If an application is missing required information, a Notice to Injured Worker will be generated and mailed. If there are no issues with the application, a Notice of Assignment and Request for Information will be generated and mailed.

Q: Will MAXIMUS also provide a webinar on the IBR process sometime in the future?

A: Yes. An IBR webinar will be hosted in the first quarter of 2014.

Q: If the IMR application is missing a signature from the Injured Worker is that considered a "Defective Application"?

A: Yes. An application must be signed to be valid.

Q: How do we request information from MAXIMUS about the physician reviewer in order to determine whether any appeal categories have been met, viz., fraud, bias, etc.?

A: By law, information about the physician reviewer is not available for dissemination.

Q: Are attorneys and injured workers required to copy claim administrators on what documents they are submitting in response to the request for information?

A: Yes. By law, copies of any documents sent to MAXIMUS by one party to an IMR must also be served on the other party.

Q: What if injured worker/AA submits medical documents from a non MPN provider?

A: All medical records sent to MAXIMUS will be reviewed and considered.

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Q: What would MAXIMUS suggest we do if we get a Notice of Assignment, however the case in chief resolved by compromise & release and the review is no longer necessary?

A: The attorney or injured worker should notify MAXIMUS in writing that the case in chief has been resolved by compromise and release. MAXIMUS will then terminate the IMR.

Q: If the claims adjuster/administrators don't submit the requested information or submits it late, who is responsible for prosecuting any penalties? Is that the responsibility of the injured worker or applicant attorney to pursue or will the DWC do it themselves?

A: Information regarding failure to submit required information, or late submission of that information should be forwarded to the DWC, as only DWC has the authority to assess penalties for failure to comply with IMR obligations.

Q: What happens if the Claims Administrator does not submit records? In the new proposed regs, MAXIMUS can't issue a determination based solely on the UR denial. Are you reaching out to the Applicant's for records? Otherwise the delay in medical review for the failure of the claims administrator to submit records penalizes the injured worker because they are not getting treatment, while the claims administrator gets a slap on the hand, with a miniscule penalty.

A: As long as MAXIMUS has medical records from either party, the case will be sent to a physician reviewer and a final determination will be issued.

Q: When there are multiple UR requests for an injured worker do records need to be sent to MAXIMUS every single time there is a UR dispute and request for IMR?

A: The law requires that medical records be submitted for each IMR. Records cannot be transferred from one IMR to another.

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Q: Are you accepting IMR applications completed by the treating provider?

A: Yes. A treating provider can request an expedited IMR on behalf of an injured worker. A treating provider can also request a standard IMR on behalf of an injured worker, but must be authorized to do so by the injured worker.

Q: The regulations require any corrections to be submitted on a separate piece of paper -- not on the application received from the claims administrator. Correct?

A: Corrections to the IMR application can either be made on the application itself or submitted on a separate piece of paper.

Q: If IW is represented and attorney has notified MAXIMUS that they are representing IW for IMR, is MAXIMUS sending Notice & Second Notice requesting missing info to the attorney?

A: All correspondence is generated either to the party or to the authorized representative of the party.

Q: Are the injured worker and attorney required to send administrators a list of documents they submit?

A: No. The injured worker must serve on the claims administrator copies of any documents submitted to MAXIMUS.

Q: If we submit medical records that are not from the PTP for review, do these carry the same weight as PTP records?

A: All pertinent records submitted by the parties under the Labor Code will be considered by the IMR reviewer. The physician reviewer will determine which records are relevant to the resolution of the issues at dispute in IMR.

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Q: Is there available a condensed version of this webcast/information for the injured workers? It might stop some persistent calling to the applicant attorneys' office.

A: The DWC will post a copy of the webinar on their website that can be downloaded by the public.

Q: Are adjusters required to submit the IMR application when they send the UR determination to the injured worker? Is there a timeframe for that?

A: Adjusters must mail a copy of the completed IMR application with the UR determination. Questions about timely service of the UR determination should be directed to the DWC.

Q: Is the UR determination already filed with the DWC and if so, why doesn't MAXIMUS obtain it from the DWC electronic case file to expedite the process?

A: The UR determination is not filed with or served on the DWC.

Q: Is there a fee to submit an application for IMR? If so, who pays?

A: Adjusters must pay fees associated with IMRs.

Q: Does the IW or his or her physician have the opportunity to submit these documents electronically?

A: Documents can currently be submitted by mail, and can be submitted using electronic media such as flash drives and CDs. With the release of the online application, parties will be able to upload electronic applications directly to MAXIMUS.

Q: Can the injured worker's attorney sign the application for IMR?

A: Yes, an applicant attorney representing an injured worker can sign the IMR application on behalf of the injured worker.