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State of California

DWCNewsline

Division of Workers' Compensation

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Internet Web Page: <http://www.dwc.ca.gov>

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Notice of rulemaking and public hearing regarding proposed changes to qualified medical evaluator regulations

The Division of Workers' Compensation (DWC) has proposed an update to selected qualified medical evaluator, (QME) regulations.

The proposed regulations will amend the following sections of Title 8, California Code of Regulations:

- Section 100 The Application for Appointment as Qualified Medical Evaluator form
- Section 104 The Reappointment Application as Qualified Medical Evaluator form
- Section 105 The Request for Qualified Medical Evaluator Panel—Unrepresented form and attachment form 105 (How to Request a QME If You Do Not Have an Attorney)
- Section 106 The Request for Qualified Medical Evaluator Panel—Represented form and attachment form 106 (How to Request a QME in a Represented Case)

The proposed regulations will change QME forms 100, 104, 105, and 106 by adding the following specialties for doctors of chiropractic approved by the Board of Chiropractic Examiners:

- DCN Chiropractic Neurology
- DCO Chiropractic Orthopaedic
- DCS Chiropractic Sports Medicine

The proposals also make some minor corrections to the regulations. All changes to the existing regulations are shown in underline/strikeout format.

The [proposal](#) is posted on the DWC Web site and has been forwarded to the Office of Administrative Law for publication in the California Notice Register. A public hearing on the regulations is scheduled for:

Date: Tuesday, Aug. 9, 2011

Time: 10:00 a.m. to 5:00 p.m. or until conclusion of business

**Place: Elihu Harris State Office Building – auditorium
1515 Clay Street
Oakland, California 94612**

Members of the public may comment on the proposed regulations until 5 p.m. on Aug. 9, 2011.

Title 8, California Code of Regulations, sections 12 and 13 provide that the administrative director shall recognize only those specialties boards recognized by the respective California licensing boards for physicians as defined in Labor Code section 3209.3. The definition of physicians in Labor Code section 3209.3 includes chiropractic practitioners. By a regulation effective April 15, 2010, the Board of Chiropractic Examiners recognizes chiropractic specialties “that are recognized by the American Chiropractic Association (ACA) or the International Association (ICA).”

The changes in the regulations propose to conform the QME regulations to the Board of Chiropractic Examiner’s regulation.

The proposed QME regulations are authorized under Labor Code sections 139.2, 4060, 4061, 4062, 4062.1, 4062.2, regarding the appointment and reappointment of qualified medical evaluators and the procedures concerning medical evaluations.

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