



ADVISORY NO. 499

TOPIC: DWC REVISITS CARRIER'S DUTIES DURING DESIGNATED DOCTOR (DD) PROCESS

On 7-14-15, DWC issued a reminder to system participants concerning duties of the carrier and of the treating doctor during the DD process. Pursuant to Rule 127.10(a)(3), the treating doctor and the carrier must provide all required medical records and analyses to the DD no later than 3 working days prior to a DD exam. Working days do not include weekends nor holidays. If an exam is scheduled for a Friday, and assuming that there are no holidays involved, the due date for delivering the medical records and analysis to the DD is Tuesday (Thursday is working day 1, Wednesday is working day 2, Tuesday is working day 3).

The failure to provide medical records in accordance with the rule is an administrative violation and prevents the DD from completing a certifying examination. If the required medical records are not received within 1 working day prior to an examination, the DD shall reschedule the exam to occur no later than 21 days after receipt of the records. Rescheduled examinations may result in unnecessary delays.

If the DD has not received the medical records or any part thereof at least 3 working days prior to the examination, the DD shall report this violation to the Division within 1 working day of not timely receiving the records. In other words, the DD will face an administrative violation if he does not report the untimely filing of the medical records.

Designated doctors are encouraged to reach out to DWC for assistance in obtaining medical records prior to examinations. DWC staff may contact treating doctors and carriers that have not yet provided a complete set of required medical records to the DD at any time before a scheduled examination and will take necessary action to ensure all required medical records are received.

The best practice for the carrier is to make copies of the medical records at its first notice of the DD process. This should occur either at the time the carrier prepares the DWC-32 or receives a DWC-32 from the claimant or the claimant's representative.

FO&L will be happy to assist with your DD needs.

If you have any questions about this Advisory, please contact James Sheffield (jrs@fol.com) or Bobby Stokes (rds@fol.com).

FLAHIVE, OGDEN & LATSON