

## Bulletin

# Independent medical examinations

To assist with managing your workers compensation claim, the insurance company or self-insurer may decide to have you examined by an independent medical examiner.

Medical practitioners who provide independent medical examinations (IME) are from private practice and do not work for the insurer or self-insurer however the insurer or self-insurer pays for the examination. The IME doctor will not previously have been involved in your care and they do not manage your injury or take the place of your treating doctors. They provide medical opinions only.

The IME doctor will usually be asked to answer a set of questions which vary depending on the purpose of the examination. Some reasons might be:

- to get a diagnosis and opinion on your injury or disease
- to find out the likely progression and outcome of your condition
- whether your condition is still related to your employment
- treatment options that might help you
- an opinion on your work capacity (not just your pre-injury job but any type of job you could now do)
- assessment of any permanent impairment

The medical examiner will usually have some speciality relevant to your medical condition. The insurer or self-insurer does not need to seek your agreement on the medical examiner they choose.

When you go along to the appointment, please take along photograph ID and any relevant information you may have about your injury such as scans, reports or x-rays. The IME doctor may ask you many questions about your medical problems, including how they started and the manner in which they progressed. You may be asked questions about tests and treatments, as well as questions about your general health and your personal, social and recreational life.

To help avoid any inconvenience, it is a good idea to confirm your appointment with the IME doctor seven days prior to your appointment date.

## Insurers and self-insurers are not responsible for your treatment

Insurers or self-insurers do not manage your treatment and are not responsible for arranging your treatment. This responsibility rests with your treating doctor and allied health professionals and requires your active engagement.

## Initial medical opinion

After you first lodge your claim your case manager may decide to get an opinion from a doctor.

The *Return to Work Act* requires that your case manager must first try to get this opinion from your treating doctor. After receiving that opinion, or if the opinion is not provided, the case manager can then send you to another doctor at the expense of the insurer or self-insurer. The case manager must tell your treating doctor about the appointment that has been made and the name of the doctor you are seeing. When the examination is over, a copy of the medical report must be given to your treating doctor.

## Medical examinations

If your injury takes longer to resolve, the insurer or self-insurer may require that you undergo an IME at reasonable intervals. Medical examinations 6 months or more apart would be considered reasonable. More frequent examinations may not be considered reasonable unless there are good reasons, such as a marked change in your condition or if your condition needs opinions on different types of injury (for example orthopaedic and psychological).

The *Return to Work Act* requires the insurer or self-insurer to notify your treating doctor of the name of the IME doctor, the contact details of the IME doctor and following the examination, must give a copy of the medical report to your treating doctor.

## Complying with the request for an IME

The insurer or self-insurer will choose the doctor, make travel arrangements and pay for the cost of you being examined.

You need to remember to take photo ID and any relevant information you may have about your injury such as scans, reports or x-rays.

If you unreasonably refuse to undergo the examination, or you obstruct the examination the *Return to Work Act* provides that the insurer or self-insurer may cancel or reduce weekly compensation payable until the examination takes place.

## What will happen at the examination?

As the IME doctor is not providing any treatment, the examination may be different from what you are used to. A physical examination may be required depending on your condition or injury, so it is best to wear comfortable clothing.

The IME doctor will be supplied with background information from your claim file. You are free to ask questions of the IME doctor during the examination and the doctor will be able to clarify their role.

You can take someone with you to the appointment. However, it is up to the doctor whether friends or relatives are allowed to be present during the examination.

## What happens after the examination?

After the examination, the IME doctor will send a report to the insurer or self-insurer. The doctor provides an opinion but is not involved in any decisions the insurer or self-insurer makes after they receive the report. The insurer or self-insurer is required to send a copy of the report to your treating doctor. Once your treating doctor has a copy of the report, this is an opportunity to discuss the report with your doctor.

## What options exist if your doctor does not agree with the IME outcome?

There is no administrative process in the *Return to Work Act* that provides a way to resolve any conflicting opinion between medical practitioners. An option is for a case conference between you, your doctor and the insurer or self-insurer to talk about the management of your injury and the opinion of the IME. If there remains a conflict it may be helpful for your treating doctor or in some cases your legal adviser to arrange a further medical opinion.

## Contact us

For further information please contact us on 1800 250 713, facsimile (08) 8999 5141, via email at [datantworksafe@nt.gov.au](mailto:datantworksafe@nt.gov.au) or go to the NT WorkSafe website at [www.worksafe.nt.gov.au](http://www.worksafe.nt.gov.au)