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**DWC issues notices of public hearings for Independent Medical Review and Qualified Medical Evaluator regulations**

The Division of Workers' Compensation (DWC) has issued notices of public hearings for the Independent Medical Review (IMR) and Qualified Medical Evaluator (QME) regulations. The proposed rulemakings are to permanently adopt the emergency regulations which became effective on Jan. 1, 2013. A public hearing on the proposed regulations has been scheduled at 10 a.m., April 4, in the auditorium of the Elihu Harris Building, 1515 Clay Street, Oakland, CA, 94612. Members of the public may also submit written comment on the regulations until 5 p.m. that day.

The IMR regulations implement Senate Bill (SB) 863's mandate to establish an efficient, non-judicial way resolve disputes over medical treatment recommendations made by an injured worker's treating physician. For injuries on or after Jan. 1, 2013, and effective July 1, 2013 for all dates of injury, a utilization review decision that denies, delays, or modifies a treating physician's request for a specific course of medical treatment for the reason that the treatment is not medically necessary is subject to review through IMR. In IMR, the decision-maker is an independent, conflict-free physician applying evidence-based medical standards rather than a judge.

The regulations detail the IMR process, and include the timeframes and manner for an injured worker to seek IMR, the form that must be completed and used, the documents that must be filed by the claims administrator and the injured worker, and the IMR fee (which must be paid by the claims administrator).

The QME regulations amend existing regulations to clarify that independent medical review is the sole process for resolving disputes regarding ongoing medical treatment issues. Based on additional SB 863 mandates, the regulations also limit a QME to 10 offices for conducting comprehensive medical-legal evaluations, streamline the application process for chiropractors, and allow for factual corrections of a comprehensive medical-legal report from a QME panel. The regulations further amend a number of forms to conform to statutory changes.

DWC will consider all public comments, and may modify the proposed regulations for consideration during an additional 15-day public comment period. The notices of rulemaking, text of the regulations, and the initial statements of reasons can be found at on the [DWC rulemaking page](#).

More information about the rulemaking process can be found on [OAL's website](#).

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