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DWC posts draft SB 863 regulations for Independent Medical Review

The Division of Workers' Compensation has posted to its online forum draft regulations implementing Senate Bill 863's mandate to establish an independent medical review (IMR) program.

This program will allow employees to obtain an expedient review of utilization review decisions that deny, delay, or modify a medical treatment request made by the employee's treating physician. IMR, which is required to become effective on Jan. 1, 2013, for all occupational injuries occurring on or after that date, and on July 1, 2013 for all dates of injury, will be conducted by qualified physicians selected by an independent review organization designated by the Division. Currently, the division is negotiating with Maximus Federal Services, Inc. to administer the IMR program.

Members of the public will have 10 days to review and comment on the draft regulations. In addition to creating the new IMR program, the proposed regulations will revise existing utilization review regulations to conform to the workers' compensation reform bill signed earlier this year by Gov. Brown.

The IMR regulations include: a proposed Request for Authorization form for use after Jan. 1, 2013, which will assist in defining medical treatment issues in the initial utilization review process; a provision to defer utilization review until other issues affecting liability are resolved; the mandatory Application for Independent Medical Review; the procedure for submitting documents for IMR; and proposed costs of IMR which, under SB 863, must be paid by claims administrators.

The forum can be found by clicking the "current forums" link on the top of the [DWC forums](#) page.

Comments will be accepted at the forum through Dec. 7, 2012. Please feel free to participate in this important process.