

February 27, 2006

John Shilts
Department of Consumer and Business Services
Workers' Compensation Division
PO Box 14480
Salem, OR 97309-0405

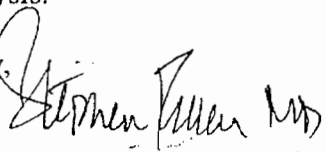
Dear Mr. Shilts:

This letter is written in regard to the Oregon Administrative Rule 436-010-0265 (15) (a) which requires IME reports to be completed in seven days.

- 1.) This is not going to work because:
 - a.) The physician does not know ahead of time how complex a chart will be.
 - b.) The physician (inadvertently) may end up with four "train wreck" charts in one day.
 - c.) Complex multi-part charts often take 14+ hours to dictate.
 - d.) These reports can take 24-36 hours to transcribe.
 - e.) These reports then can take one day for editing/proofing turnaround by the physician.
 - f.) These reports can take up to two days for staff to make the physician's final corrections.
- 2.) The rule is going to discourage participation of new physicians because:
 - a.) It makes IME's more stressful due to the time crunch.
 - b.) "Sanctions" by WCD are very daunting and add stress.
- 3.) Because of this rule, several physicians (personal communication):
 - a.) Are threatening to quit.
 - b.) Feel that IME physicians "are being penalized" compared to no constraints on the treating doctors.
 - b.) Feel that IME's will be "garbage in, garbage out."
 - c.) Feel this rule complicates the process, rather than simplifying it.

In summary - brief IME's (about five to seven pages) resulting from small charts can be turned out in seven days, but the complex IME's (multiple body parts over a 20 years time frame with multiple accidents and multiple insurers) deserve different consideration if WCD desires a quality analysis.

Respectfully,



Stephen Fuller, M.D.

c: HESquires@aol.com

EXHIBIT

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