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Mr. James Shilts  
Department of Consumer & Business Services  
Workers' Compensation Division  
Post Office Box 14480  
Salem, Oregon 97309-0405

Dear Mr. Shilts:

I am an orthopedic surgeon and have an active private practice in St. Helens, Oregon. I also do independent medical evaluations, a few in my office, but most at Oregon Medical Evaluations. It has recently come to my attention there may be a requirement that independent medical evaluations will need to be finished and mailed by seven days from the date of the evaluation.

I believe that this requirement is unrealistic for many reasons.

Many charts are large and involved, and if one has a number of these to be done, it will be impossible to dictate them all in one day. Unless one comes to the same facility every day, it may be impossible to get the chart to be transcribed back the next day. When the chart is returned and it is transcribed immediately, one may not be at the facility to sign the report.

In an ideal setting, the report could be completed in seven days. In the real world, there are many variables that come into play including incomplete records, missing diagnostic studies, time delay in obtaining diagnostic studies at the time of the evaluation, and at times reviewing the literature to give informed opinions. One or all of these could easily delay the completion of a chart within seven days.

I am in private practice and have many other obligations, which include office hours, surgery, emergencies, and logistically it would at times be impossible for me to meet a seven-day requirement. There are times my week is so busy that I need the weekend to catch up. The seven-day requirement puts a great burden on full-time IME doctors. For those of us in private practice, it would make it almost impossible to do IMEs consistently within the seven-day requirement.

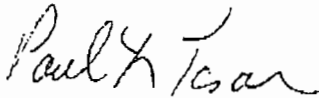
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The seven-day requirement does not take into account additional factors that invariably will occur. Doctors will take vacations, or go to meetings or courses. Doctors may get sick; the transcriptionist may get sick. These factors also will impact on the speed of obtaining a report.

I have just touched on the logistics of doing IMEs that precludes one from consistently meeting a seven-day deadline from the time of the IME until the report is dictated, transcribed, proofread and signed. I have not touched at all on the aspect of how this burdensome requirement will affect the quality of the reports. If one is not given enough time to adequately review the records, the diagnostic studies and the evaluation, and review necessary literature to produce a thoughtful, logical and well-thought-out report, no one will be happy with the quality of the product. God may have created the world in six days but that does not mean an IME doctor is going to be able to consistently produce an excellent report in seven days.

If you have any questions, please contact me.

Sincerely,



Paul L. Tesar, M.D.

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