

Forensic Medical Records Review Vs Independent Medical Exam/Records Review

As adjusters, we are trained to utilize an IME or Independent Medical Exam when a claimant is malingering, adds body parts to the original complaint(s), when surgery or certain medical procedures have been recommended by the treating physician and/or to secure full duty and a release from care.

Adjusters should know there are greater and more efficient tools out there to be utilized, that will bring a great result to their claims.

When an adjuster schedules a claimant for an IME, all records are sent to the IME physician, with a list of questions that adjuster wants the IME to address. A letter is sent to the IME with the medical records attached and the adjuster's questions, a letter is sent to the claimant to advise of the IME date & time and a copy of the IME appointment is sent to the claimant's attorney, plus a day of TTD must be paid to the claimant as well as a mileage check and in many jurisdictions; the adjuster is limited as to how far they can send the claimant to be seen by an IME. This could be problematic when in a rural area. Either the IME is too far away to send the claimant or the area is too rural to have a good and credible IME physician to use. This could force you into using an IME service or a traveling IME. And if there is a Field Case manager on the file, there are the FCM charges that will be incurred as the FCM will be attending the IME with the claimant. And if the claimant is a No-show for the IME, you are then hit with a No-show fee.

When an adjuster schedules a Forensic Medical Records Review, only a letter to the Forensic physician, (with pointed questions that need to be addressed for the defense attorney) and the medical records are sent. There is no tipping of the hat to the claimant or the claimant's attorney of the exam, no issuing of TTD or mileage to the claimant, no having to incur additional expenses such as travel for the claimant that doesn't drive nor any FCM charges. There are no No-Show fees.

The FME will only charge one flat rate regardless of how many body parts.

An IME is limited to his/her specialty, such as Hand Specialist can only address hands, some orthopedics only address shoulders, some only do knees, etc. Therefore, more than one IME may be required in order to address all allegedly involved body parts. This greatly increases the cost of an IME as multiple IME physicians can be required.

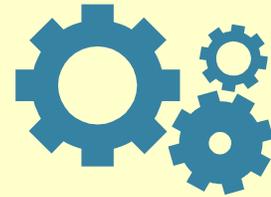
With a Forensic Medical Records Review, the physician is a Forensic examiner, which means he specializes in all body parts, systems and body mechanics; therefore, you only need this one exam. This greatly reduces your costs.

An IME may or may not review all the records, claim notes, surveillance and other potential evidence you send and if they do, they will charge you additional costs to view the extra material, plus they will charge upwards of an additional \$750.00 per body part and they will also charge additional to write an addendum.

A Forensic Medical Examiner will review everything that you send along with the request and not charge for each additional body part. The FME will only charge one flat rate regardless of how many body parts.



An IME opinion will reiterate to you the history of injury and the injured body part, it will reiterate the medical records reviewed, diagnosis, prognosis, recommended treatment plan and work status. The written IME opinion is received about 30 days after the IME date. The opinion may or may not address causation, but RARELY will state the How and the Why of the injury and medical condition. An IME many times will waver from their original opinion and agree with the treating physician or they will become the treating physician, which makes the IME a moot opinion, that still cost you quite a bit of money and not get you that zero award at trial.



The FME written opinion will obtain all of the same information as an IME report but the major difference is that the FME will in fact address the **HOW** and the **WHY** of the medical condition, the involvement of the body part(s) to the injury of record and the medical science to prove the **HOW** and the **WHY**. We spoke with many attorneys before rolling out this new service and we repeatedly heard the attorneys say that they are moving away from the normal IME for these very reasons and are opting to utilize an FME or Biomedical physician. Our FME will sit with the attorney to discuss cross examination questions in order to better position for a zero award.

An IME will very rarely secure you a zero award, be found as credible as the treating physician, be held in the same regard as a treating physician or be thought of as an expert medical witness.

Our FME can and will do all of the above. Our FME has been in the WC, GL, AL and MedMal arena, nationwide for over 25 years. He is well known as a medical expert witness, he has been able to assist attorneys in securing that zero award, has been the reason behind case law changes and he also has a legal background, which enables him to discuss cross examination questions and depositions with the attorney.