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# MediScene

Keeping You Up-to-Date with the Industrial Commission's Medical Services

## What's New in Your Life?

This is a reminder to inform IC Medical Services if there have been any changes in your professional information. This could range from something as basic as your contact or billing information, or a change in your business associates, to a change in your licensure or certification status.

An efficient way to approach this is for you or one of your practice team members to go through the IC "Specialists' Panel Application", and make sure you note and report any changes to the information contained therein, including your responses to the attestation questions on page 2.

If there have been changes, please contact us at: [medical.service@ic.ohio.gov](mailto:medical.service@ic.ohio.gov)

## So, Doctor, Where Did That Information Come From, and What Do You Think It Means?

The April 2023 MediScene issue introduced new examination report templates. In that issue we offered some "helpful hints" for using the new templates. One of those hints was: "Examiners may choose to develop a questionnaire for the injured worker, to assist in gathering elements of the history." Using a questionnaire is a common practice, and can be helpful in gathering information about the injury, treatment, symptoms, and the impact of the allowed condition(s).

The "hint" goes on to say: "This, however, is not a suitable substitute for the specialist examiner verbally reviewing and verifying the history with the injured worker." Why not?

Best practice for taking a medical history requires a face-to-face interaction, where there is opportunity for clarification and quantification of relative terms. Review of deposition transcripts arising from medicolegal reports has taught us reports of these interactions should clarify what information was exchanged, how information was gathered, and quantify any qualitative terms, within the context of the examination.

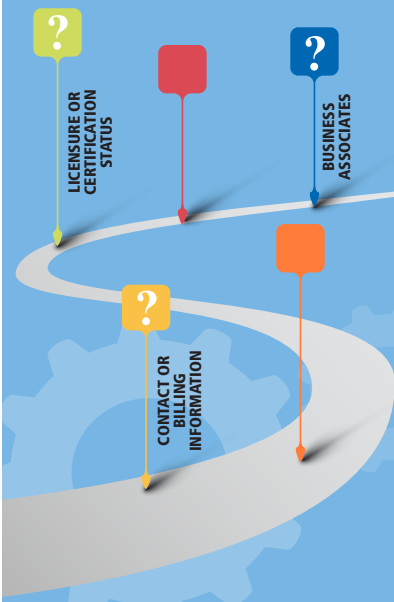
## Substantially Aggravating

It is not uncommon to read a physician's report regarding a work-related injury, in which it is stated "in my opinion, this injury caused substantial aggravation of the pre-existing condition of (fill in the blank)." This statement, which sounds authoritative - and in fact might be true - may actually belie the examining physician's lack of knowledge and authority, which can be substantially aggravating to those who know better. The following is meant to clarify issues related to substantial aggravation for examining specialists.

Ohio Revised Code 4123.01 states "'injury' includes any injury, whether caused by external accidental means or accidental in character and result, and received in the course of, and arising out of, the injured employee's employment." Further, "'injury' does not include a condition that pre-existed an injury, unless that pre-existing condition is substantially aggravated by the injury." Whether a condition is substantially aggravated and compensable under the Ohio workers' compensation system (the system) is a legal determination, which physicians are not qualified or licensed to make.

However, to determine if there is substantial aggravation, the system must rely on medical evidence, which physicians are qualified and licensed to produce. This occurs in the form of a sufficient and reliable medical record. A medical record sufficient and reliable in assisting the legal determination of substantial aggravation must include objective diagnostic findings, objective clinical findings, or objective test results. Subjective complaints without objective findings are insufficient to substantiate a substantial aggravation

The value of accurately and reliably reporting objective findings – pre- and post-injury – should not be underestimated in the case of substantial aggravation.



# MediScene Review Questions

## FIXED!

Thanks to your input (and quick response from our IT team), the IC Specialist Examiner Home page on the IC Online Network (ICON) has been updated! The top banner now includes the following dropdowns:



- **MANAGE ACCOUNT** - for editing account profiles;
- **EXAMINER RESOURCES** - for Medical Services contact information, examination forms and templates, and links to the IC Medical Exam Manual, and IC MediScene newsletter library; and
- **REPORT MANAGEMENT** - for uploading reports for review by the IC, and linking to REPORT COMMUNICATIONS.

The REPORT COMMUNICATIONS option will allow specialists to view uploads including the "referral packet" (referral letter, assessment form, and fee bill) and messages from IC staff. This upload will occur at the time of scheduling. An email will simultaneously be sent to the email established in the account profile notifying the account holder of the newly uploaded communication.

The "**Claim Data**" section will continue to contain all claim file documents, including but not limited to the Medical Scheduling Work Sheet (MEDWRKSHT), the Permanent Total Disability Statement of Facts (PTD-SOF), and Specialist Packet (SPEC PAC). These can be viewed by going to **Find a Claim** at the bottom of the **IC Specialist Examiner Home** page, entering the requested data in search boxes, clicking **Submit**, and then clicking on **View Claim Documents**.

## DIRECTIONS AND SUBMISSION

After reviewing the material in the newsletter, please fill in your name, date, time spent on the activity, and your answers to the review questions.

When completed, you may print this page and fax it to 614-466-1051, attention Medical Services, subject "*MediScene Review Questions*", to be placed in your file and held for your future reapplication. Alternatively, you may save your completed form to your computer by choosing "Print", and then choose "Destination" as "Save to PDF". Please email the saved document as an attachment to [medical.services@ic.ohio.gov](mailto:medical.services@ic.ohio.gov), subject line "*MediScene Review Questions*".

**Your Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Time Spent on CME Activity:** \_\_\_\_\_ (Maximum 30 minutes)

## MEDISCENE REVIEW QUESTIONS, FEBRUARY 2024

- Not informing the IC regarding changes in your professional status or contact information could result in:
  - A. Delay in payment for your services.
  - B. An undisclosed conflict of interest for an examination.
  - C. Not receiving announcement or educational information from the IC.
  - D. All of the above.
- Injured worker questionnaires
  - A. Should never be used during an IME.
  - B. Must be disclosed in the report of the examination.
  - C. May be a good substitute for a protracted, face-to-face interview.
  - D. Offer an opportunity for clarification and quantification of Injured Worker responses.
  - E. All of the above.
  - F. None of the above.
  - G. B. and D.
- The determination of substantial aggravation of a pre-existing condition always relies on pre-injury and post-injury objective medical evidence.
  - A. True
  - B. False
- Whether a condition is "substantially" aggravated is a legal determination.
  - A. True
  - B. False
- The claim-associated fee bill and assessment form are located in the:
  - A. Claim data section on ICON.
  - B. Account profile section on ICON.
  - C. Report communications section on ICON.
  - D. IC MediScene newsletter library on the IC's public website
- The claim-associated MEDWRKSHT, PTD-SOF, and SPEC PAC are located in the:
  - A. Claim data section on ICON.
  - B. Account profile section on ICON.
  - C. Report communications section on ICON.
  - D. IC MediScene newsletter library on the IC's public website

**NOTE:** This activity is not a certified AMA category 1 activity, and so it cannot be used as credit toward medical board licensure in Ohio. However, it can be used toward the Ohio Industrial Commission requirement for continuing education credit specific to impairment rating, at the time of your five-year application for reappointment to the specialist examiners' panel.