



Pennsylvania Self-Insurers' Association
WORKERS' COMPENSATION
Professionals Sharing Workers' Compensation Information

OBTAINING THE NECESSARY MEDICAL RECORDS TO EVALUATE A WORKERS' COMPENSATION CLAIM

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In order to fully investigate an illness or injury of an employee-claimant you must obtain all of the relevant medical records. Medical records are more than handwritten notes of our physicians. This can be a daunting task that leaves the evaluator swimming in piles of undecipherable paper. It is the goal to obtain all the relevant medical information, without obtaining extraneous information.

The definition of medical records includes not only records from hospitals, physicians and dentists, but also long-term care facilities, inpatient rehabilitation facilities, out-patient facilities, emergency rooms, chiropractors and ophthalmologists to name a few. Medical records, in addition to treatment notes, include x-rays, pathology slides, tissue specimens, neurological testing and functional

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assessments. When requesting medical records from a facility or provider, broaden your requests to include any or all of these items. Additionally, request notes kept by separate departments such as social work, discharge planning, utilization review, physical therapy or any department you suspect may have had contact with the claimant. This rule of thumb is also true of requesting records from doctor's offices. Some physician's offices have separate teaching or services that are provided in their offices, but would not be included in a record's request unless specifically requested. It is not uncommon for a physician's office to offer massage therapy, physical therapy, health teaching by nurses, diet teaching, or diabetic care.

The **first step** in determining what medical records you need to obtain begins with a close examination of the claimant's complaint. Evaluate the claim of injury against any business records that may be available to you such as, incident reports, supervisory reports and occupational medicine evaluations. Check these reports for consistency; see if the claimant's complaints are consistent in each record. If they are not, it gives you an idea of areas that need further

investigation. If at all possible, after you have received the claim and had an opportunity to evaluate your own records, interview the claimant. Find out what physician, treatments and medications the claimant had prior to the claimed work injury. Focus in on information related to prior pain treatments or injuries.

Determining exactly which medical records you should obtain and from what health care providers can be a daunting task. It is understood that you must obtain records of all treatment the claimant received regarding the claimed injury or illness. However, is it necessary to request records from every physician or health care provider that ever treated or evaluated your claimant? Not necessarily, this is a determination that you will have to make on a case-by-case basis. The best place to start is the records of the family physician or internal medicine provider. Typically, it is the role of the family physician or the internal medicine provider to coordinate all of the care received by an individual. In this role, the family physician or primary care provider will receive copies of all laboratory and diagnostic tests, even if other physicians order them. Further, specialty physicians typically send a letter to the primary physician summarizing the care provided to an individual. It is important to compare the type of treatment the individual is receiving from each physician. Look for inconsistencies in the treatment plans of physicians. Records from family physicians

typically have a face sheet or a summary sheet. This sheet should include all of the diagnoses the individual has had during the history of the individual's relationship with the physician. This list will include the original onset dates of the diagnosis. A typical face sheet will also include all medications ordered for the individual and medical history.

By closely evaluating the records of the family physician, it will become apparent; just what records must be obtained and analyzed. Requesting and obtaining more records than necessary will only cloud the issues and confuse the evaluator. However, on the other hand, what if you believe that you have not received all the necessary information? When sending a request for records to a physician's office, hospital or other facility/provider, be very complete in your requests. It is not uncommon for documents relating to the care of an individual, to be kept in other departments than just medical records. However, a general request for medical records will not cause them to be released to you. ***Include in your request copies of all documentation related to the claimant including but not limited, social work notes, patient advocacy notes, incident reports, communication from the claimant, the claimant's family or claimant's attorney.***

If you suspect that a claimant has been treated previously for an injury, but all of the medical records come

in showing a negative history of treatment, what can you do? Look at local clinics and emergency rooms in the direct vicinity of the claimant's home, but also look to clinics and emergency rooms in neighboring towns.

By following a few steps, you can obtain all of the medical records necessary to fully investigate a workers' compensation claim. Begin by evaluating the complaint of the individual, compare it to the business records available to you, then interview your claimant. You want to conduct this interview to look for information regarding not only the injury, but all care they were engaged in prior to the claimed illness or injury. Following the interview, obtain records related to the treatment of the claimed illness or injury and the records of the family physician. From the records of the family physician determine if it is necessary to obtain the records of all previous treating physicians and facilities. Be sure to include in your records request documentation from all hospital departments. Finally, if you believe that more treatment has been procured than has been documented include in your search nearby clinics or emergency rooms.

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