

Further Limitations *"If the shoe fits..."*

Strict definitions are not always adequate to describe an injured worker's work capacity. They do not always "fit". Imagine shopping for shoes. You find a pair with (almost) all the characteristics you're looking for (color, type, style, materials), but they're the wrong size. They may be too wide, or too narrow. They may be too short, or too long. You simply can't wear them. They don't fit.

For instance, an individual with a unilateral shoulder injury may be able to perform all of the activities listed in the Department of Labor's "Light" category, but also have a further limitation of not being able to work overhead. Likewise, an individual with a brain injury which impacts cognitive function might be able to return to employment which does not require complex decision-making.

To account for this, for musculoskeletal reports, the Physical Strength Rating form (under the Sedentary and Light work categories) has a line to indicate "Further limitations, if indicated". For Mental and Behavioral reports, the Occupational Activity Assessment form has a category which indicates "This Injured Worker is capable of work with the limitation(s)/modifications(s) noted below".

Reporting these further limitations is important to creating an accurate, yet individualized description of an injured worker's capacity. To optimize your report, consider the following:

1. Are the limitations supported by the history and examination findings?
2. Is it your opinion the limitations are due to the allowed conditions?
3. Are the limitations listed on the form inconsistent with any other statements in your report?
4. Are there so many limitations or exceptions to the category chosen that perhaps another category should be considered?

"SUB" SEDENTARY?

Considering the discussion on "further limitations", is it reasonable to assume an individual could be physically capable of some work activities which would be considered "less than sedentary"? Yes. In some cases, it may be appropriate for the examiner to conclude the injured is capable of sedentary work with further limitations. For example, "The injured worker is capable of sedentary work, with further limitations of lifting 5 pounds occasionally, and no walking more than 10 minutes every hour."

Check it out! Take a look at our new report templates at <https://www.ic.ohio.gov>. These are designed to help our independent specialist examiners know exactly what elements are needed for a complete and comprehensive report, in a less cumbersome format. Feel free to download and use them! More on this later!

Reporting ADLs *"There are no shortcuts to any place worth going."* - Beverly Sills, American operatic soprano

One of the things we're asked – as expert independent medical specialists when assisting the Industrial Commission in its consideration of permanent total disability – is to describe the impact of the claim allowances on the injured worker's activities of daily living (ADL). Below is a discussion which includes why this is important, and how specialists can best obtain and report this information.

Describing the impact of the allowed condition on ADL is fundamental to the philosophy, purpose, and appropriate use of the *Guides to the Evaluation of Permanent Impairment, Fifth Edition*. Understanding this is requisite to a well-supported opinion. Page 4 of the *Guides* states: "Impairment percentages or ratings developed by medical specialists are consensus-derived estimates that reflect the severity of the medical condition and the degree to which the impairment decreases an individual's ability to perform common activities ADL, *excluding work*."

Best practice while taking a history of the perceived impact of an injury or condition on ADLs is to have the injured worker quantify their responses. Qualitative phrases such as "it's difficult", "I have trouble with", "I get help with" or "not very often" mean different things to different people. These responses beg for follow up to ascertain "how much", "how often", and "how long".

Additionally, a comprehensive history will survey a broad range of activities, as found in Tables 1-2 and 1-3 of the *Guides*; [the April 2012 MediScene newsletter](#) and in [the IC Mental and Behavioral Health and Musculoskeletal templates](#).

Finally, a complete and unambiguous report will clearly distinguish your expert opinion as to which limitations have resulted from the allowed condition(s).

Following these guidelines will lead you down the path to a well-supported expert opinion.

MediScene Review Questions

You have read the content, now earn some credit!*

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, subject line "MediScene Review Questions".

1. It is always inappropriate for an IC PTD independent specialist examiner to report an opinion an injured worker who does not have the capacity to lift 10 lbs. occasionally is capable of sedentary work.

A. True

B. False

2. An IC PTD independent specialist examiner should consider which of the following when considering an injured worker's residual capacity:

A. Are the limitations due to the allowed condition(s)?

B. Are there historical and examination findings to support the limitations?

C. Are there excessive exceptions to the work capacity category chosen?

D. Do the stated limitations create any inconsistencies in the report?

E. All of the above.

3. Best practice for reporting a history of the perceived impact of an injury or condition on ADL requires the specialist examiner to:

A. Demonstrate an understanding of the philosophy, purpose, and appropriate use of the *AMA Guides* in the assessment of impairment.

B. Demonstrate an understanding that qualitative descriptors can mean different things to different people.

C. Demonstrate an understanding of which limitations in ADL are reasonably related to the allowed condition(s).

D. Demonstrate an understanding that ADL include a broad range of activities.

E. All of the above.

Your Name:

Date:

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

Just a reminder:

It is possible the Injured Worker may hand carry documentation into the examination. Do not accept and/or review these documents. ([Medical Examination Manual](#), page 7)

4. Bonus question: Which of the following are true of the incredible Beverly Sills?

A. She was a child of Jewish immigrants from Ukraine (then part of Russia).

B. She first performed professionally on radio at age four.

C. She was awarded four honorary doctorates in music, including one from Harvard.

D. She won one Grammy, and two Emmy awards, and was nominated for several more.

E. She competed with Miss Piggy singing on *The Muppet Show*, and Carol Burnett on the *Carol Burnett Show*, helping to "popularize" opera. She also appeared on numerous talk shows of the 1970's.

F. All of the above.

Look What's New!

Take a look at our new report templates and instructions! These are designed to help our independent specialist examiners know exactly what elements are needed for a complete and comprehensive report, in a less cumbersome format. Please download these to use for your future examinations!

How to Get There

Thanks to our recent website redesign, these are easy to find! Enter in your browser: ic.ohio.gov. Click on "I'm a Specialist Examiner", then "Exam Forms and Templates". This will take you to a list of specialty-specific templates and instructions. Click on your specialty, then the document you'd like to download or view.

Exam Forms and Templates

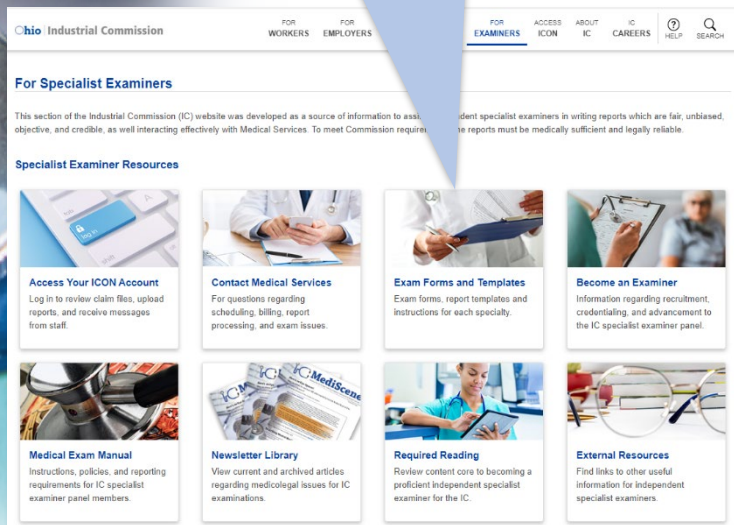
Exam forms, report templates and instructions for each specialty.

Features

- The templates are Word documents, which can be saved to your device. From there, you may choose to type your examination findings into the template, have a transcriptionist do so, or dictate your findings via voice-recognition.
- You'll find some information pre-populated, such as a summary of the purpose and nature of the examination; an acknowledgement of review of the medical records; section headers; and the definition of maximum medical improvement. Your signature at the conclusion of the report will attest to your agreement with this content.
- Each template has corresponding step-by-step instructions (PowerPoint in PDF format). This will help guide you through by providing brief descriptions of the required content for each section.
- For your convenience, there is also a printable, specialty-specific form to indicate your assessment of residual work capacity.

Helpful hints

- All fields should be filled.
- As you begin to use the new template, keep the instructions handy. Pay special attention to the "check points for consistency" for question #3, as you tie together your opinion.
- In some sections, brief phrases may serve as suitable responses, whereas others lend themselves to full sentences or a narrative. Whichever way the responses are expressed, the report still needs to "make sense", and not read like a checklist.
- Examiners may choose to develop a questionnaire for the injured worker, to assist in gathering elements of the history. This, however, is not a suitable substitute for the specialist examiner verbally reviewing and verifying the history (including current symptoms and impact on activities) with the injured worker.



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Your Name:

Date:

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

Did You Know?

All of our specialist examiners are now receiving examination information electronically, and transmitting reports via a secure portal. The feedback has been fantastic! Thank you and congratulations for helping us take this step forward!

1. After going to the Ohio Industrial Commission website (ohio.ic.gov), which "button" will take you to the new report templates?

- A. "I Have Questions"
- B. "I Need a Form"
- C. "I'm a Specialist Examiner"
- D. All of the above.

2. After arriving at the area selected above, which button would you choose to view the new report templates and instructions?

- A. "Access Your ICON Account"
- B. "Exam Forms and Templates"
- C. "External Resources"
- D. Any of the above.

3. The new templates are specialty-specific.

- A. True
- B. False

4. The new templates clearly indicate for the examiner elements needed for a complete and comprehensive report.

- A. True
- B. False

5. The new templates:

- A. Are in a downloadable Word format, which can be saved to your device.
- B. Have some sections pre-populated.
- C. Have step-by-step PowerPoint PDF instructions included.
- D. Include a printable PDF specialty-specific residual work capacity form.
- E. All of the above.

6. The new format:

- A. Is more efficient, because it allows Injured Workers to fill out sections for the examiner, in place of the examiner needing to take a comprehensive history.
- B. No longer requires examiners to distinguish between subjective and objective information considered in their opinions.
- C. Makes the examiner's opinion regarding residual work capacity self-explanatory.
- D. Clarifies necessary components of the history of the allowed conditions, as well as reported residual symptoms and impact on daily activities.
- E. D only.
- F. None of the above.

Please provide us with your feedback on the new templates:

Working Your Way Through Head Injury

It's not that I m so smart, it's just that I stay with problems longer.

Albert Einstein

The following is meant to serve as a summary of the *AMA Guides to Evaluation of Permanent Impairment, 5th Edition*, (the *Guides*) process of evaluation for those specialist examiners who examine injured workers with head injuries, excluding neuropsychological evaluation.

Head injuries may present with a wide variety of clinical manifestations which impact function, primarily affecting the central and peripheral nervous systems. The *Guides*, Chapter 13, outlines the examination components necessary to provide an adequate impairment estimate for these types of injuries.

The first step is to evaluate cerebral function in four categories: 1) consciousness and awareness; 2) mental status and integrative function; 3) use of language, and; 4) emotional and behavioral disturbances. This information is obtained primarily by review of the history, review of systems, a solid [mental status examination](#), and observation.

The report should specify if the impairment due to head injury involves any, all, or none of these areas of function. The information gathered is then applied to the appropriate tables in Chapter 13, which provide ranges of percentage of impairment. The examiner chooses the most impactful of these, and combines the percentage of impairment from that area of function with the percentage of impairment due to other potential clinical manifestations, discussed below.

- [Cranial nerves impairment](#) due to head injury – each nerve needs to be examined, as each has its own potential contribution to the percentage of impairment.
- Gait, station, and movement impairment due to head injury – impairment is estimated based upon reported function and verified by observation.
- Upper extremity impairment due to head injury – this impairment is also estimated based upon reported function and verified by observation.

Specialists performing Permanent Total Disability independent medical examinations for the Ohio Industrial Commission are required to document references to the *Guides*, including citations to specific tables, figures and/or page numbers, to assist reviewers in understanding the justification for the impairment rating. Adherence to the guidance in Chapter 13, as outlined above, will assure confidence in a fair, unbiased, objective, and credible evaluation of impairment due to head injury.

Heads up!

Medical Services' scheduling section began uploading referral packets for examinations to examiners' ICON accounts in January 2023. This packet includes the referral letter, assessment form, and fee bill.

We updated this process in response to panel member feedback requesting the ability to access claim documents electronically from multiple locations. Please be sure you have access to these documents before each examination. Hard copies will no longer be sent by mail.

All claim file documents, the Medical Scheduling Work Sheet (MEWS), and the Permanent Total Disability Statement of Facts (PTD SOF) will continue to be available in your ICON account. To view these, go to "Find a Claim", then "All Documents View".

Did you know?

Fees for services performed by independent specialist examiners for the Ohio Industrial Commission are set by Commission resolution: [Fee Bill Resolution R19-01-01.pdf](#) (state.oh.us). For clarification, the fee for completing a file review shall be \$300.00 an hour, prorated per fifteen minutes, with a maximum fee of \$900.00.

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Your Name:

Date:

Time Spent on

CME Activity:

(Maximum 30 minutes)

1. According to the *Guides*, an adequate evaluation of a head injury would include documentation of inquiry regarding which of the following?
 - A. seizure
 - B. alertness
 - C. ability for self-care
 - D. communication abilities
 - E. emotional or behavioral disturbances
 - F. vision
 - G. all of the above
2. According to the *Guides*, an adequate evaluation of a head injury would include documentation of examination of:
 - A. mental status
 - B. balance
 - C. the cranial nerves
 - D. A. and C.
 - E. all of the above
3. Which of the following are essential components of the information required by the *Guides* when estimating impairment due to head injury?
 - A. handedness
 - B. reported need for assistance with mobility
 - C. observation of gait, if ambulatory
 - D. A. and C.
 - E. all of the above
4. Fees for examination and review services for independent specialist examiners for the IC are set by Commission resolution.
 - A. true
 - B. false
5. Claim and examination information for independent specialist examiners for IC examinations is delivered:
 - A. as hard copies by the U.S. Postal Service, to the examiners' primary office.
 - B. electronically, to the examiners' ICON account.
 - C. both as hard copies by the U.S. Postal Service, to the examiners' primary office and electronically, to the examiners' ICON account.