



### Who is William Green?

Medical Services at the Columbus District office of the Ohio Industrial Commission is located in the William Green Building. This 530 foot granite structure is the tallest building completed in Columbus in the 1990s. At the Spring Street entrance is the bust of William Green (1873-1952), "Founding Father of Ohio's Workers' Compensation System."

William Green was born in Coshocton, Ohio, to a family of Welsh immigrant coal-miners. He began working underground in the mines at the age of 16. Two years later he was elected secretary of the Coshocton Progressive Miners Union, starting a career which culminated in election as President of the American Federation of Labor, a post he held from 1924, until his death in 1952.

In 1910, he was elected to the Ohio Senate, where he served as both Senate president pro tempore and Democratic floor leader. As state senator, Green wrote and won passage of a model Workmen's Compensation Act in 1911.

Green is described in his biography as being "at his best when seeking public support for legislation that would benefit all workers and preaching cooperation with employers in the name of mutual self-interest and the common good."

### Did you Know?

## Examining the Issues: Impairment Rating For Disability?

The injured worker before you has applied to the Industrial Commission for permanent total disability. You've been asked to provide an expert medical opinion estimating the degree of whole person impairment. What does disability have to do with impairment?

The Ohio Supreme Court has defined impairment as "the amount of the injured workers' anatomical and/or mental loss of function caused by the allowed condition." The court defines disability as "the effect the impairment has on the claimant's ability to work."

The *AMA Guides to the Evaluation of Permanent Impairment, 5th Edition*, helps clarify the medical experts' role regarding this issue. It states "impairment ratings are not intended for use as direct

determinants of work disability." Rather, a specialist examiner is in a position to provide an expert, impartial, and unbiased account of the injured workers' medical condition. *The Guides* provides a standardized, objective, and well-established approach for this evaluation.

Your medical impairment evaluation report serves as an important starting point in the evaluation of disability. Other factors, including age, education, training, and experience should be left to the experts- Industrial Commission hearing officers who are specially trained in the legal aspects of disability determination.

Understanding your role in this process- and sticking to it- will make you a more effective specialist examiner in the case of permanent total disability determination.



## Improving the Process: Getting the Information You Need

The prudent medical examiner reviews pertinent medical records prior to formulating a report. Medical information sent by the Industrial Commission to examining doctors performing impairment evaluations dates back three years.

As an examiner, if you feel there may be

additional medical information (such as an operative report, radiographic report, psychological testing, audiometry report, or pulmonary function test) that would be essential to your estimation of permanent impairment, then please call us at the Medical Section (1-800-574-6559). We will provide pertinent information to you.

Our mission at the Industrial Commission is to serve injured workers and Ohio employers through expeditious and impartial resolution of issues arising from workers' compensation claims and through establishment of adjudication policy.

Continuing education questions MediScene Mar. 08

1. William Green
  - A. Has been described as “the founding father of Ohio’s workers’ compensation system.”
  - B. Has a building named after him in Columbus, which houses the Columbus regional offices for BWC and the Industrial Commission.
  - C. Worked in the mines near Coshocton, was president of the American Federation of Labor, and served as president pro tempore of the Ohio Senate.
  - D. All of the above.
2. Which of the following is true about medical information reviewed in preparation of a report to assist the Industrial Commission in its determination of permanent total disability?
  - A. The specialist packet always contains all information needed to formulate your opinion.
  - B. The IC Medical section (1-800-574-6559) will provide any additional information available that you feel might be necessary in formulating your opinion, at you request.
  - C. If you don’t have information you feel is important to the formulation of your opinion, it is best to simply state that in your report.
  - D. All of the above.
3. Which of the following is true regarding impairment and disability?
  - A. AMA impairment ratings are meant to be used as direct determinants of work disability.
  - B. The examining physician should take into account age, education, training, experience, and unrelated medical conditions when formulating his or her opinions regarding impairment evaluation for Industrial Commission examinations.
  - C. In Ohio, impairment is the amount of the injured workers’ anatomical and/or mental loss of function caused by the allowed condition.
  - D. All of the above.
4. The Industrial Commission mission emphasizes
  - A. Timeliness.
  - B. Impartiality.
  - C. Resolution of issues.
  - D. All of the above.

(Answers: 1. D.; 2. B.; 3. C.; 4. D.)



### Not Up Your Alley?

As injured workers apply to the Industrial Commission of Ohio for permanent total disability, oftentimes they will have multiple claims, with multiple allowed conditions, involving multiple body areas. Some have both physical and psychological allowances.

When scheduling these individuals for impairment evaluations with our specialist panel members, we do our best to select the appropriate specialist for each of the allowed conditions.

If you come across a request for an evaluation of a condition that is out of your specialty and/or beyond your level of expertise, we hope that you will let us know- as soon as possible! We want to avoid situations whereby there is a delay in processing an injured worker's application because a particular condition is not addressed. Equally as important, we would not want a specialist addressing conditions he or she is not comfortable with.

There are minor, generally self-limited conditions that we would expect that any physician familiar with impairment rating to address. These include minor abrasions, lacerations, and contusions. However, if you feel as a medical expert that any request from us is "not up your alley", please call us immediately so that we can make other arrangements for the injured worker.

### Examining the Issues: Doctor Please Explain Yourself

A seasoned clinical professor at a local medical school was explaining to a new student the process of medical decision-making. "Because I've seen these same conditions so many times in my practice over the years, it might seem to you that I'm skipping from point 'A' to point 'D' in my thought process. However, I expect you to explain to me how you arrived at point 'D' by going through points 'B' and 'C'.

A corollary can be drawn to the process of stating opinions in independent medical reports. Because of our extensive experience, we can sometimes forget our target audience and assume that our medical opinion is self-explanatory. This, of course, can be frustrating to the reader, and crippling to an otherwise excellent evaluation. We often hear "this report would have been much more useful if the doctor would have just explained how he arrived at his conclusions!"



This comes into play in PTD impairment evaluations in each of the three examination referral questions, which require opinions on maximum medical improvement, percentage of permanent impairment, and functional capacity.

A strong and sufficient report will include a brief discussion of the rationale used to arrive at an opinion of maximum medical improvement. It will include references to page and table numbers in the AMA Guides, walk the reader through the calculation of whole person impairment (WPI) for each of the allowed conditions individually, and then provide a combined WPI.

Finally, it will discuss how- in the specialist examiner's opinion- specific impairments preclude specific functional activities for that individual.

### Improving the Process: Continuing Education

Need additional CME credits for licensure? Consider taking some hours related to impairment evaluation. Both the American Academy of Disability Evaluating Physicians (AADEP) and the American Board of Independent Medical Examiners (ABIME)

offer excellent courses around the country, throughout the year.

You can find a listing of their course offerings on their websites at [www.aadep.org](http://www.aadep.org) and [www.abime.org](http://www.abime.org). Look for courses focused on impairment evaluation using the AMA Guides, 5th Edition.

**Did you Know?**

Industrial Commission medical examiners must be board-certified in their specialty.

Continuing education questions MediScene June 08

1. Medical specialty examiners for the Industrial Commission
  - A. Are board certified in their specialty.
  - B. Are employees of the Industrial Commission.
  - C. Must document continuing education in impairment evaluation for appointment and reappointment to the specialist examiners' panel.
  - D. A. and C.
2. Independent medical reports to assist the Industrial Commission in its consideration of an application for total permanent disability should
  - A. Include a discussion of the rationale for the opinion of maximum medical improvement.
  - B. Reference specific table and page numbers in the *AMA Guides* used to formulate opinions.
  - C. Include a discussion of the physical and/or mental limitations due to the allowed conditions.
  - D. All of the above
3. The most appropriate action or actions for a specialist examiner to take when she is assigned an allowed condition that she does not feel qualified to evaluate is
  - A. Indicate in the report that the condition was not evaluated because it was considered outside of the specialist's area of expertise.
  - B. Suggest in the report an appropriate specialist for the condition.
  - C. Call the Industrial Commission Medical Section in Columbus immediately upon discovering the error.
  - D. All of the above.
  - E. A. and C.
4. Medical specialty examiners for the Industrial Commission are expected to
  - A. Opine, when requested, on minor self limited conditions such as abrasions, lacerations and contusions regardless of their specialty.
  - B. Provide a discussion of the rationale for their opinions.
  - C. Continue their education in impairment evaluation.
  - D. All of the above.

(Answers: 1. D.; 2. D.; 3. E.; 4. D.)