



Gallagher Bassett Services, Inc

December 10 2013

RE Employer Southwest Water Company
 Employee
 Insured By XL Specialty Ins Admin by Gallagher Bassett Services
 Date of Injury 08/23/2013
 Claim Number 004376 000085 WC 01

**NOTICE OF DENIAL OF CLAIM
FOR WORKERS COMPENSATION BENEFITS**

Gallagher Bassett Services Inc is handling your workers compensation claim on behalf of Southwest Water Company This notice is to advise you of the status of your workers compensation claim for your injury of 08/23/2013

Denying all liability because you have failed to cooperate with our investigation by providing a signed medical release with doctors list and schedule the required Panel Qualified Medical Evaluation thus hindering our discovery We will reconsider our decision on review of complete records factual information definitive medical evidence and completion of the Panel Qualified Medical Evaluation

Enclosed for your review with this notice is an informative fact sheet addressing questions about qualified medical evaluators and agreed medical evaluators (QME/AME)

For claims reported on or after April 19 2004 regardless of the date of injury if you submitted a claim form to your employer or claims administrator Labor Code section 5402(c) provides that within one working day after you file the claim form the employer shall authorize the provision of all treatment consistent with the applicable treatment guidelines for the alleged injury and shall continue to provide such medical treatment until the claims administrator accepts or denies liability for the claim Until the date the claim is accepted or rejected liability for medical treatment under this Labor Code section shall be limited to a maximum of ten thousand dollars (\$10 000) Unless you have done so already you should send me all medical treatment bills for consideration

The State of California requires that you be given the following information

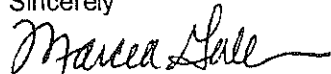
You have the right to disagree with the decisions affecting your claim If you have any questions regarding the information provided to you in this notice please call your attorney However if you are represented by an attorney you should call your attorney You may consult with a State Information and Assistance Officer at 1 800 736 7401 You may also consult with and be represented by an attorney and/or apply to have your case heard by the Workers Compensation Appeals Board

PO Box 255397
Sacramento CA 95865
916 929 7581
866 910 1730 fax
800 262 0810

You may also consult an attorney of your choice. Should you decide to be represented by an attorney you may or may not receive a larger award but unless you are determined to be ineligible for an award the attorney's fee will be deducted from any award you might receive for disability benefits. The decision to be represented by an attorney is yours to make but it is voluntary and may not be necessary for you to receive your benefits.

If you have any questions please call your attorney

Sincerely



Marcea Gerlach
Sr Claims Adjuster



Mark Garcia
Claims Supervisor

MG rs

CC
Southwest Water
Attn Jocelyn Padilla
2235 Garvey Ave North
West Covina CA 91791

Gordon Edelstein Los Angeles ✓
Adam Dombchik
3580 Wilshire Blvd Ste 1800
Los Angeles CA 90010

File

Enc QME/ AME Fact Sheet
PQME forms
Proof of service

DWC 500 E

11/08

DIVISION OF WORKERS' COMPENSATION

Minimizing the impact of work-related injuries and illnesses. Helping resolve disputes over workers' compensation benefits. Monitoring the administration of claims.

FACT SHEET E

ANSWERS TO YOUR QUESTIONS ABOUT QUALIFIED MEDICAL EVALUATORS AND AGREED MEDICAL EVALUATORS

Qualified medical evaluators (QMEs) or agreed medical evaluators (AMEs) examine injured workers to determine the benefits they will receive if there is a disagreement over the treating physician's opinions.

QMEs are physicians licensed to practice in California as medical doctors, osteopaths, chiropractors, psychologists, dentists, optometrists, podiatrists or acupuncturists and are certified by the Division of Workers' Compensation Medical Unit to perform medical/legal evaluations.

AMEs are physicians selected by agreement between the defense and applicant's attorneys to perform medical/legal evaluations in a workers' compensation case. AMEs are only used if the injured worker is represented by an attorney.

What's the difference between a QME and an AME?

If you have an attorney, your attorney and the claims administrator may agree on a doctor without using the state system for getting a QME. The doctor they agree on is called an AME. If they cannot agree, they must ask for a QME.

I've been to the doctor. Why do I need to see a QME?

You and/or the claims administrator might disagree with what the treating doctor says. There could also be other disagreements over medical issues in your claim. A different doctor -- an AME or QME -- has to address these disagreements, which might include:

- Whether or not your injury was caused by your work
- Whether or not you need treatment for your injury (only if date of injury is before Jan 1, 2013)
- Whether or not you need to stay home from work to recover
- Whether your condition is permanent and stationary
- Whether you have new and further disability
- A permanent disability rating

Who makes the decision about going to a QME?

You, your attorney or the claims administrator can request a QME exam.

The DWC Medical Unit will provide whomever makes the request with a list (called a panel) of three QMEs. Each QME panel is randomly generated and the physicians listed are specialists of the type requested. One physician from the list is chosen to examine you and make a report on your condition. Once a QME is chosen for your claim, most disputes must go to that QME.

How do I request a QME exam?

Complete the Request for QME panel form and submit it to the DWC Medical Unit. See Information & Assistance (I&A) [guide 2](#) for help with this form.

NOTE If your employer or claims administrator says there's a problem with your claim and sends you a Request for QME panel form, you have 10 days to complete the form, select the QME medical specialty and send the form to the DWC Medical Unit. If you do not submit the form within 10 days, the claims administrator will do it and will get to choose the kind of doctor you'll see.

What difference does it make who submits the form to request the QME?

Whoever submits the request form picks the specialty of the doctor for the exam. See [I&A guide 2](#) for more information. When you receive the panel, you will also receive a letter that explains how to set up the QME appointment and how to provide the QME with important information about yourself. Within 10 days of the date on the list, you must pick a QME from the list, make an appointment and tell the claims administrator. If you do not do this, the claims administrator may select the doctor and make the appointment for you.

Is there anything I can do if I disagree with what the QME says?

Yes, you have 30 days from the receipt of the report to decide if you agree with the QME's report or if you need more information. When you receive the report, read it right away and decide if you think it is accurate. If not, and you have an attorney, you should talk to him or her about your options.

If you don't have an attorney, first call the claims administrator. If that doesn't help, contact an [I&A](#) officer at your local Workers' Compensation Appeals Board (WCAB) district office. The I&A officer can help you figure out what's best in your case.

If you are in a union, you may be able to see an ombudsperson or mediator under the terms of your collective bargaining agreement or labor-management agreement.

I'm in a medical provider network (MPN). Does the QME process apply to me?

Yes, the QME process may still be utilized if you are part of a MPN.

I still have questions. Who do I contact?

If you have questions about requesting a QME panel, contact the [DWC Medical Unit](#) by phone at 1-800-794-6900 or by writing to: DWC Medical Unit, P O Box 71010, Oakland, CA 94612.

For more information, call 1-800-736-7401 or visit the DWC Web site at www.dwc.ca.gov to find a local I&A office. You may also download [I&A guides](#) and get information on workshops for injured workers.