



BRIEFLY...

OWCP DESIGNED PROCEDURES TO PROVIDE REASONABLE ASSURANCE SECOND OPINION AND REFEREE PHYSICIANS WERE QUALIFIED AND IMPARTIAL

December 21, 2018

WHY OIG CONDUCTED THE REVIEW

Second opinion and impartial medical (referee) examinations provide Federal Employee Compensation Act (FECA) claimants and the federal government the checks and balances to ensure claimants are getting the appropriate care for an injury incurred while performing official duties. Due to their significance in deciding the claim, FECA and Office of Workers' Compensation Programs (OWCP) regulations put in place procedures to ensure these examinations are fair and accurate for OWCP and the claimant.

WHAT OIG DID

We performed a review to determine whether OWCP had designed procedures that provided reasonable assurance physicians performing FECA second opinion and referee medical examinations were qualified and impartial.

READ THE FULL REPORT

<http://www.oig.dol.gov/public/reports/oa/2019/03-19-001-04-431.pdf>

WHAT OIG FOUND

We found OWCP's procedures for second opinion and referee medical examinations were designed to provide reasonable assurance that the agency used qualified and impartial second opinion and referee physicians.

Second Opinion Physicians – OWCP contracted with medical referral groups to obtain second opinion physicians. OWCP's contracts required second opinion physicians to have advanced medical degrees, the appropriate state license to practice medicine, and Medical Board certifications in their respective specialties. We found OWCP performed sufficient contract reviews to ensure the contracted medical referral groups complied with required procedures.

Similarly, OWCP's contracts with medical referral groups specified procedures to help ensure second opinion reports were unbiased. Our review of the contractors' quality review reports and contract reviews performed by OWCP did not identify any bias issues related to second opinion physicians.

Referee Physicians – To obtain referee physicians, OWCP contracted for current listings of physicians certified by the American Board of Medical Specialties. OWCP uploaded this listing to its Medical Management Application. OWCP's medical examination schedulers were required to use this application to select Board-certified physicians for referee medical examinations.

To eliminate any inference of lack of impartiality in referee medical examinations, OWCP procedures required the services of all Board-certified specialists to be used as far as possible. To accomplish this, OWCP selected physicians (in the designated specialty in the appropriate geographic area) from the Medical Management Application in alphabetical order as listed in the roster and repeated this process until the list was exhausted. Physicians with any prior connection to the claim were excluded from selection. During our review, we found no instances where OWCP did not adhere to its procedures for selecting referee physicians.

WHAT OIG RECOMMENDED

We made no recommendations in this report.