

Defense Attorney Survey on IMEs

Highlights

- Annually, 53% of defense attorneys represent over 30 workers' compensation clients a year; 27% between 11 and 30, 5% between 6 and 10, 14% between 1 and 5, and 2% represent no workers' compensation clients.
- Over half (56%) of defense attorneys felt that insurers moderately prepare injured workers on what to expect in an IME. Another 22% say injured workers are slightly prepared, 15% say they are very prepared, and 7% believe they are not prepared at all.
- Sixty-eight percent of the defense attorneys believe injured workers understand IMEs moderately, slightly 17%, very 11%, and not at all 4%.
- The most frequent shortcomings defense attorneys observed in the IME process included: no consequences when the worker fails to attend the exam (20%), the exam is biased toward the insurer (16%), doctors do not receive adequate records (11%), and 9% say that doctors do not answer the questions asked. Twenty percent indicated that there were no shortcomings.
- Defense attorneys top suggestions for improving the IME process were: make the worker responsible for the costs of no shows and cancellations (23%), no suggestions – it works fine (18%), educate physicians about the process (11%), find a way to make the exams impartial (7%), provide better information for the worker (7%), and get more doctors to participate (7%).