

QME EVALS - A NEW DWC Newsline AND THE FFCRA - the what?

It is an understatement to say these are unprecedented times. Those of us of a certain age remember polio and the Salk vaccine, lived the acrimony of Vietnam and the Cold War, the ugliness of segregation, the Cuban missile crisis and much more. Without lessening the continuing impact of our past, this pandemic may top that list.

Regarding the discussion surrounding tele-evaluations, attached is the DWCNewsline published moments ago on the subject. While it appears to provide a path, that path has several caveats or landmines that ought to require written agreement. Perhaps too many to give one the assurance that somehow the result - including being paid - will be any different than its ever been. The Newsline encourages the parties to agree. Hardly a mandate.

[Read the Newsline here.](#)

Some are quoting a recent survey by CWCI about such evaluations, stating the employer community is in support. The underlying assumption is that both the I/W and the payor will “like” or abide by the outcome of the tele-evaluation and payment will be quick and in full. Notwithstanding the survey what compelling reason has arisen to change present conduct? The DWCNewsline?

One would hope that both sides in these disputes favor quick and fair resolution. It is easy to appear that way on an anonymous survey. What has not been as well discussed are the myriad of “concerns” written by survey respondents. Attached to this email is the survey and those comments. You will read the employer comments and may come to the same conclusion - “support” is not without its caveats and therein is the problem.

Two weeks ago, the advice was to read and follow current regulations and use them to assure you, the injured worker and your staff are safe. That remains sound advice up to and until you find the DWC's emergency declaration works.

Some of you are employers and owner/partners in small businesses besides your medical practice. You had (have) employees who are anxious, hurting and need help. You are equally anxious, hurting and need help. The Dept. of Labor (DOL) provides guidance for both.

The DOL's guidance through the Family First Coronavirus Response Act (FFCRA) is [available here](#). The DOL also published a Spanish version of Fact Sheets for employers and employees about the rights and obligations under the Act. Those Fact Sheets, along with all additional guidance posted, are [available here](#). The DOL provides the most recent guidance for employers and employees.

In addition, [here is a link](#) to the US Chamber of Commerce web page that provides much needed information about Federal Small Business Stimulus Aid Programs. These provisions of the FFCRA give employers choices for survival and a chance to start again at the first opportunity.