

Senate Bill 899 requires that providers incorporate descriptions and measurements of physical impairment when reporting an injured worker's Permanent and Stationary Status

What are they?

Permanent and Stationary (P&S) Status is the point when the employee has reached maximum medical improvement (MMI), meaning his or her condition is well stabilized, and unlikely to change substantially in the next year with or without medical treatment.

When the Primary Treating Physician (PTP) determines that the employee's condition is P&S, he/she must report within 20 days from the date of examination any findings concerning the existence and extent of permanent impairment and limitations, any need for continuing and/or future medical care resulting from the injury and address the issue of apportionment.

What Guidelines am I required to use?

The PTP report shall describe the impairment in accordance with the American Medical Association (AMA) Guides to the Evaluation on Permanent Impairment, 5th Edition.

Use of these guidelines applies to:

- Injuries on or after January 1, 2005 or
- Injuries prior to January 1, 2005 where there has been no comprehensive medical-legal report or no report by a treating physician indicating the existence of permanent disability, or if temporary disability has been provided, there has been no termination of temporary disability benefits before January 1, 2005

What forms do I use?

For injuries requiring the use of the AMA Guidelines, use the Primary Treating Physician's Permanent and Stationary Report DWC Form PR-4.

For all other injuries, use the Physician's Guide: Medical Practice In The Workers' Compensation System, 2001, Third Edition and the Primary Treating Physician's Permanent and Stationary Report DWC Form PR-3.

What's new or different?

When obtaining history from an injured worker regarding their current injury, consider the following:

1. Apportionment of permanent disability shall be based on causation
2. Reports addressing permanent disability shall address the issue of causation of the permanent disability. Causation may be pathologic, systemic, or idiopathic, and need not be labor-disabling prior to injury.
3. A report is complete when it includes an apportionment determination, and a permanent disability rating, which per AMA guidelines, details the methodology utilized to reach the rating (i.e., range of motion, diagnostic related evaluation)
4. Employees who claim an industrial injury shall, upon request, disclose all previous permanent disabilities or physical impairments

Where can I get more information:

- The Division of Workers' Compensation Web Site: <http://www.dir.ca.gov/dwc/wcreformindex.html>
- The American Medical Association: www.ama-assn.org