

§ 1. Creation of Independent Medical Examiner System Pursuant to 39-A M.R.S.A. §312

1. To be eligible to participate in the Board appointed independent medical examiner program, health care providers must meet the criteria of this subsection.
 - A. The provider must be licensed/certified by the State of Maine.
 - B.
 - (1) The provider must have an active, treating practice, or have had an active treating practice within the twenty-four (24) months period preceding appointment as an examiner in an individual case;
 - (2) Be Board certified; and
 - (3) Demonstrate experience in the treatment of work-related injuries.

For purposes of this chapter, “active, treating practice” means the provider has direct involvement in evaluation, diagnosis and treatment of patients on a frequent and regular basis in their specific field of expertise.
 - C. The provider must demonstrate superior qualifications and experience in their particular fields of expertise.
2. Participation of health care providers in the independent medical examiner system is limited to those providers practicing in health care specialties most commonly used by injured employees. The Executive Director or the Executive Director’s designee may submit for the Board’s review and approval a breakdown of specialists within the 50 slots. Geography may also be a consideration for initial appointment.
3. All health care providers interested in participating in the independent medical examiner system must file an updated curriculum vitae with the Office of Medical/Rehabilitation Services, Workers’ Compensation Board, 27 State House Station, Augusta, Maine 04333. Examiner candidate applications are public information. The Board may request additional information from applicants.
4. The Executive Director or the Executive Director’s designee will annually review the performance of independent medical examiners for compliance with the criteria contained in this subsection and forward any concerns in a report to the Board. Failure by the examiner to adhere to the following criteria may result in their removal at any time from the independent medical examiner list. Affirmative

action of the Board is necessary to remove an independent medical examiner from the panel.

- A. Reports must be submitted in a timely manner.
- B. Reports must contain the examiner's findings on the medical issues raised by the case.
- C. Reports must provide a description of findings sufficient to explain the medical basis of those findings.
- D. Examiners must consider all of the medical evidence submitted by the parties.
- E. Examiners must act in compliance with the requirements of the law and these regulations.
- F. Examiners must provide independent, impartial, and objective medical findings in cases assigned to them.