

IME Bill of Rights | Disability Claims Solutions ME

Independent Medical Evaluation Bill of Rights by Linda Nee



As most of you are aware nearly all disability policies contain a provision allowing insurers to request an Independent Medical Evaluation as “as often as reasonably required.” What this means is that insureds are required to “show up” for the IME or risk having their claim denied. In recent years, insureds and claimants have been subjected to horrible treatment by IME physicians, and have been asked to attend in less than safe and suitable facilities. Therefore, DCS, Inc. has established the following IME Bill of Rights to which all insureds have the right to expect when asked to submit to an insurance-paid examination.

INDEPENDENT MEDICAL EVALUATION BILL OF RIGHTS

1. Insureds have the right to schedule the requested IME at a date and time convenient and reasonable for them.
2. Insureds have the right to recover all mileage and food expenses when traveling to and from the IME location; or, have suitable transportation provided to them.
3. Insureds have the right to attend the medical examination with a witness or audio record the session.
4. Insureds have the right to obtain a Curriculum Vitae from any IME physician.
5. Insureds have the right to bring additional proof of claim to the IME session.
6. Insureds have the right to be examined in an office that is clean, dust free, sanitized, and suitable for medical evaluation.
7. Insureds have the right to be evaluated in a medical office or facility which is in a safe and professional location of town within 40 miles of their residence, or in the same county of residence.
8. Insureds have the right to be examined by a physician with the same board certification or qualification as the insured’s treating physician, or a physician who is qualified by board certification to evaluate insured’s claimed disability.
9. Insured’s physicians have the right to have input into the selected battery of tests when neuropsychological IMEs are requested; treating neuropsychologists have the right to approve the selected battery of tests which are consistent with diagnosing a claimed disability prior to the administration of the evaluation.
10. Insureds have the right to ask questions and to have those questions answered by the IME physician.
11. Insureds have the right to be treated and examined with respect.
12. Insureds have the right to request an ambulance should an injury occur during the IME caused by the IME physician. All medical bills related to such an injury should be billed

directly to the insurance company.

13. Insureds have the right to be examined by a physician who speaks and understands English.
14. Insureds have the right to refuse contact with any physician who is not clean and presentable, smells, has not washed his hands, or proceeds with the examination in a rough, painful or unexpected way.
15. Insureds have the right to expect the IME physician to have read their file prior to the IME examination.

Insureds should never allow themselves to be treated in an in humane or disrespectful way. All IME sessions should be journalized in narrative form and forwarded to the insurance company for inclusion in the file. Insurers may have the right to require IMEs, but they do not have the right to subject you to any evaluation which is not professional, clean, and in a proper permanent facility.