

WAC 296-23-362 ~~((May a worker bring someone with them to an independent medical examination (IME)?))~~ **Independent medical examination (IME)—Accompanying person.** (1) Workers can bring an adult ~~((friend or family member))~~ observer to the IME to provide comfort and reassurance. ~~((That accompanying person may attend the physical examination but may not attend a psychiatric examination.~~

~~(2))~~ The accompanying person ((cannot)) will not be compensated for attending the examination by ((anyone in any manner)) the department or self-insured employer. The accompanying person must be unobtrusive at all times. Obtrusive behavior includes, but is not limited to, verbally or physically interrupting, interfering, or obstructing the examination in any way.

~~((3) The worker may not bring an interpreter to the examination. If interpretive services are needed, the department or self-insurer will provide an interpreter.~~

~~(4) The purpose of the IME is to provide information to assist in the determination of the level of any permanent impairment not to conduct an adversarial procedure. Therefore, the accompanying person cannot be:~~

~~(a) The worker's attorney, paralegal, any other legal representative, or any other personnel employed by the worker's attorney or legal representative; or~~

~~(b) The worker's attending doctor, any other provider involved in the worker's care, or any other personnel employed by the attending doctor or other provider involved in the worker's care.~~

~~The department may designate other conditions under which the accompanying person is allowed to be present during the IME.)~~ (2) The accompanying person cannot be:

(a) The worker's attorney, paralegal, any other legal representative, or any other personnel employed by the worker's attorney or legal representative; or

(b) The worker's attending provider, any other provider involved in the worker's care, or any other personnel employed by the attending provider or other provider involved in the worker's care.

The department may designate other conditions under which the accompanying person is allowed to be present during the IME.

(3) The worker may not bring an interpreter to the examination. If interpretive services are needed, the department or self-insurer will provide an interpreter.

NEW SECTION

WAC 296-23-364 **Definition of notification process required for workers to record independent medical examinations (IME).** (1) After receipt of the IME appointment/assignment letter, but no less than seven calendar days before the date of the examination, the worker or their representative must provide written notice to the IME firm or an examiner not in a firm, as listed in the appointment/assignment letter, to inform of their intent to record the examination.

(2) Written notification of the workers' intent to record must be given for each IME appointment.

NEW SECTION

WAC 296-23-366 Independent medical examination (IME)—Recording notification time frame. If notice is received less than seven calendar days prior to the IME, a worker may record the examination **only if** the IME provider waives the seven calendar day notification requirement. If notification is received after 5:00 p.m., in the time zone of the examination location, the notification is considered received the next calendar day.