

1. **Reasons you can get an IME:** Claim allowance, reopening, new medical issue, an appeal, case progress, PPD, or work restrictions ([RCW 51.36.070](#)).
 - a. **Claim allowance:** Not defined in new rules, but subject to time/timing requirements of [WAC 296-23-309](#) (see #2, below).
 - b. **Reopening:** Not defined in new rules, but subject to time/timing requirements of [WAC 296-23-309](#) (see #2, below).
 - c. **New medical issue:** A medical issue not covered by a previous Department/SIE-requested medical examination, e.g., medical causation, treatment, work restrictions, or PPD ([RCW 51.08.121](#)).
 - d. **Appeal:** After an appeal, LNI can resume jurisdiction and order an IME, or a SIE can schedule an IME regarding an appeal, if LNI approves ([WAC 296-23-401](#)).
 - e. **Case progress:** An IME for *an accepted condition* because there is no proper/necessary treatment plan, or the treatment plan is stalled or completed without objective/clinically meaningful improvement ([WAC 296-23-302](#)). The AP can request a case progress IME; but, if the AP does not request the IME, you must:
 - i. **Time:** Schedule the case progress IME least 120 days after the later of: (1) receipt of the claim, or (2) receipt of the last case progress IME report and additional treatment, if requested, has been authorized ([WAC 296-23-308](#)); and
 - ii. **Substance:** Ask the AP to explain the treatment plan per the case progress definition ([WAC 296-23-302](#)) or “a referral” to a consultation with the relevant specialist(s) within 15 business days. You can schedule the case progress IME if the AP/consultant: (1) does not reply in 15 business days or the consult could not be done in 90 days; (2) omitted requested info; (3) did not have treatment recommendations; (4) recommended treatment that was not proper/necessary or did not meet LNI medical treatment guidelines; or (5) wrote a report that does not comply with [WAC 296-20-06101](#) ([WAC 296-23-308](#)).
 - f. **PPD:** Not defined in new rules, but subject to time/timing requirements of [WAC 296-23-309](#) (see #2, below).
 - g. **Work restrictions:** Not defined in new rules, and not mentioned in time/timing requirements of [WAC 296-23-309](#).

2. **Numerical limits on IMEs** ([WAC 296-23-309](#)):

IME type	Number	Per specialty?	Can LNI authorize another?	Other exception or rule?
(1) Claim allowance	1	No	Yes	IME must be before claim allow/deny order.
(2) PPD rating	1	Yes	No	Limit applies unless the “prior rating examination” found rating premature and/or treatment needed and authorized.
(3) Reopening	1	Yes	Yes	IME is before final allow/deny reopening order. Can get another PPD IME after reopening.
(4) New medical issue	1	No	Yes	IME is after issue contended & before final accept/deny order “of the condition.”
(5) Case progress/appeals	No numerical limits here; this rule refers to WAC 296-23-401 and WAC 296-23-308 (summarized in #1, above).			

3. **IME notice letter requirements:**

- a. Mailed 28 or more days before the IME, unless IME is for claim allowance or worker waives ([WAC 296-15-440](#)).
- b. Sent from the employer, to the worker and the worker’s representative ([WAC 296-15-440](#); [Policy 13.05](#)).
- c. Scheduled in a “reasonably convenient” location. ([Policy 13.05](#); [RCW 51.36.070](#); [RCL tool](#)).
- d. Use LNI form [F207-238-000](#) (or substantially similar per [WAC 296-15-001](#)), which addresses various IME notice requirements from old and new rules, including the IME reason and dispute rights ([WAC 296-15-440](#)).

4. **IME disputes:**

- a. If you receive an IME dispute, send it to LNI within 5 working days of receipt ([WAC 296-15-440](#)).
- b. LNI can only tell you to postpone the IME if it receives the dispute at least 15 calendar days before the IME ([WAC 296-15-440](#)).
- c. LNI will consider the IME notice and dispute reasons. Consider sending LNI further explanation upon receipt of a dispute ([WAC 296-15-440](#)).
- d. If LNI determines the IME violates [RCW 51.36.070](#), the report “may not be considered in the administration of the claim” ([WAC 296-15-440](#)).