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):**

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

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).