

“Hostile to Physicians, Harmful to Patients”

A Survey of Physicians by the California Medical Association

October 31, 2005

Below are excerpts from statements made by physicians and CMA officials

“Doctors treating injured workers are locked in a system that is hostile to physicians and often harmful to the patients they serve,” said Dr. Jack Lewin, CEO of the CMA. “Utilization reviews are so cumbersome and misused that patients are not getting the treatment they obviously need. The bottom line is that law is not being followed, and we not only worry that the reforms are endangered, but we worry that the health of working Californians is at risk.”

- Patients go months without any treatment
- Authorizations for needed surgery take up to a year
- Authorizations for physical therapy or imaging may take six months or more
- Requests for treatment authorizations are not being made within the 14 days required by law, leaving injured patients without timely treatment and often in pain.
- Numerous workers are refused care unnecessarily, leaving patients in pain and without appropriate treatment for months
- Insurance carriers and the Division of Workers’ Compensation are not paying sufficient attention to quality of care. The DWC and Governor Arnold Schwarzenegger should look critically at why **the reforms have failed to achieve the ultimate goal of getting injured workers back on the job.**”

Access to care for workers is doubly in jeopardy – first, because needed care is being denied, and second, because physicians will quit the program rather than face persistent, unnecessary hassles and second-guessing in obtaining appropriate care for injured workers.

- 63% of physicians surveyed say they intend to leave or reduce participation in the program despite these reforms. Of these, a third said they would quit entirely, raising questions as to who will treat workers injured on the job.

Lack of auditing and enforcement by the Division of Workers’ Compensation.

The result is that **insurers and employers operate outside the law.**

Medical decision-making is being done by non-physicians and out-of-state physicians outside the reach of California law

An employer or insurer who failed to comply would be fined less than it would cost to provide the care mandated under law.