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November 15, 1972

IMPORTANT NOTICE TO INSURANCE CARRIERS  
AND SELF-INSURED EMPLOYERS

SUBJECT: Medical Care Under the Provisions of Section 7  
of the Amended Longshoremen's and Harbor Workers'  
Compensation Act, as extended, including the  
District of Columbia Workmen's Compensation Act

Section 7 of the Longshoremen's and Harbor Workers'  
Compensation Act has been amended by P.L. 92-576, enacted  
October 27, 1972, to provide:

- a. That the employee may choose his own physician  
from those authorized by the Secretary of Labor.
- b. That, when immediate treatment is needed and the  
employee is unable to choose, the employer shall select a  
physician.
- c. That the treating physician should, within 10  
days following first treatment, furnish the first report  
of examination and medical treatment to the Deputy  
Commissioner and to the employer.
- d. That the Secretary of Labor shall actively  
supervise the medical care rendered.

The Office of Workmen's Compensation Programs has been  
charged with administering the Act as extended and amended,  
for the Secretary of Labor. Until regulations are promulgated  
by publication in the Federal Register and forms are established  
under Section 7 of the amended Act, the following procedures  
for providing medical care shall apply:

*Include your address, ZIP code, and file number on all correspondence*

1. The employer continues to be responsible for furnishing complete medical care for the injury, as spelled out in Section 7(a) of the Act.

2. The employee, however, now has the right to choose an attending physician authorized by OWCP.

OWCP is designating as physicians authorized to render medical care under the amended Act all duly qualified physicians, to include surgeons and osteopathic practitioners within the scope of their practice as defined by State law.

Until OWCP prepares and distributes a new posting notice advising employees of the new medical provisions, each employer having employees covered by the Act, or any of its extensions, shall post a notice on employee bulletin boards and use other appropriate communications to notify his employees of their right to make a "free choice" of physicians and to explain the proper procedure for an employee to obtain necessary medical treatment under the Act.

3. Promptly following an injury, the employer shall ascertain the name of the physician or hospital to which the employee wishes to be referred for treatment. Then, without delay, the employer shall in writing authorize that physician or hospital to provide necessary treatment.

Any claim for medical expenses made by an employee who fails to obtain authorization for treatment may be denied.

The treating physician should, within 10 days following first treatment, submit the first report of examination and medical treatment to (a) the Deputy Commissioner, and (b) the employer (or the employer's insurance carrier).

Thereafter, the treating physician should submit reports at regular intervals on medical report form LS-204, original to the Deputy Commissioner and copy to the employer.

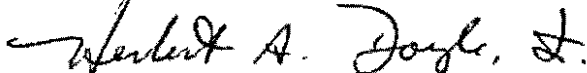
4. If an employee unreasonably fails to submit to medical treatment, or to examination by the employer's examining physician, the Deputy Commissioner may suspend compensation payments.

5. The Deputy Commissioner is responsible for actively supervising medical care rendered to injured employees. He shall: (a) Require periodic reports on medical care being rendered, and (b) Determine the necessity, character, and sufficiency of any medical aid furnished or to be furnished. He may order a change of physicians or hospitals when, in his judgment, such change is desirable or necessary in the interest of the employee.

6. Should medical questions arise, the Deputy Commissioner may arrange a "referee" medical examination as provided in Section 7(e) and (f) of the Act.

7. Medical charges shall be reasonably commensurate with charges for similar medical professional services rendered and supplies furnished in the same general area.

Your workmen's compensation departments, your field representatives who service workmen's compensation claims under the Act, as extended, and the employers whom you service should be acquainted with these procedures, which become effective immediately.



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