

**U.S. Department of Labor**

Office of Workers' Compensation Programs  
Division of Energy Employees Occupational  
Illness Compensation  
Washington, D.C. 20210



Date: August 29, 2017

MEMORANDUM FOR: RACHEL P. LEITON  
Director  
Division of Energy Employees Occupational Illness Compensation  
Office of Workers' Compensation Programs

THROUGH: JOHN VANCE  
Chief, Branch of Policy  
Division of Energy Employees Occupational Illness Compensation  
Office of Workers' Compensation Programs

FROM: CHRISTOPHER R. ARMS'TRONG, MD, MPH, FACPM, FAsMA   
Medical Director  
Division of Energy Employees Occupational Illness Compensation  
Office of Workers' Compensation Programs

SUBJECT: Audit of Fourth Quarter (FY 2016) Contract Medical Consultant  
(CMC) Reports

I conducted an audit of contract medical consultant (CMC) reports completed during the fourth quarter of Fiscal Year 2016 to ensure that appropriate medical specialists are being assigned to advise the Government, and that the reports we receive are well-reasoned, complete, and responsive to the needs of our claims examiners. My audit included a review of 40 randomly selected CMC reports for four distinct services: causation file reviews, impairment ratings, second opinions, and supplemental file reviews. I used a checklist to assess the reports for adherence to contract requirements and program policies promulgated in the *Procedure Manual* and the *Medical Consultant Handbook*. The audit included 19 causation file reviews, 15 impairment ratings, 3 second opinions, and 3 supplemental file reviews (clarification of diagnosis, treatment, or test results).

Three of the 40 reports clearly exceeded expectations, 32 met expectations, and 5 need improvement. The reports by Drs. [REDACTED], [REDACTED], and [REDACTED] were thorough, well-reasoned, informative, and helpful. Those authored by Dr. [REDACTED] contained the most egregious errors.

Three of the reports that need improvement demonstrated inappropriate use of the tables in *AMA Guides™ to the Evaluation of Permanent Impairment, Fifth Edition*. One of the reports

demonstrated a lack of understanding of our policy on apportionment, one was notable for its numerous scribal errors, one did not include the required conflict of interest statement, and one lacked any indication of the examiner's specialty. Some of the reports that need improvement contain more than one deficiency. Four of the five reports might have resulted in an impairment rating, which was adverse to the claimant.

#### **Follow-Up Action Plan**

Dionne Perry, the Contracting Officer's Representative, will notify QTC of the reports assessed as exceeding expectations and the deficiencies in the reports assessed as needing improvement. QTC will be given the opportunity to respond, in writing, to each deficiency.