

U.S. Department of Labor

Office of Workers' Compensation Programs
Division of Energy Employees Occupational
Illness Compensation
Washington, DC 20210



Date: December 18, 2019

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. ARMSTRONG, MD, MPH, FACPM, FAsMA
Medical Director
Division of Energy Employees Occupational Illness Compensation
Office of Workers' Compensation Programs

A handwritten signature in dark ink, appearing to be "C. Armstrong", written over the typed name.

SUBJECT: Audit of Second Quarter (CY 2019) Contract Medical Consultant (CMC) Reports

I conducted an audit of contract medical consultant (CMC) reports completed during the second quarter of Calendar Year 2019 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 50 randomly selected CMC reports for four distinct services: causation file reviews, impairment ratings, referee file reviews, 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 *Physician's Reference Manual*. The audit included 20 causation file reviews, 19 impairment ratings, 5 referee file reviews, and 6 supplemental file reviews.

Six of the 50 reports clearly exceeded expectations, 39 met expectations, and five did not meet requirements. The reports by [REDACTED] and [REDACTED] were thorough, well-reasoned, informative, and helpful. [REDACTED] prepared three and [REDACTED] prepared two of the five reports that did not meet requirements.

Two of the reports were not consistent with the evidence in the file. Two of the reports demonstrated the use of inappropriate tables in *AMA Guides™ to the Evaluation of Permanent*

Impairment, Fifth Edition, and two demonstrated inaccurate application of appropriate tables in *AMA Guides*™. Several of the reports demonstrated more than one deficiency. All five of the reports not meeting requirements may have resulted in an inappropriate disability determination.

Follow-Up Action Plan

Charles Bogino, the Contracting Officer's Technical Representative (COR), will notify QTC of the reports exceeding expectations and the deficiencies in the reports that did not meet requirements. QTC will be given the opportunity to respond, in writing, to each deficiency.