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LEGAL BRIEFS

CASES & COMMENTS ON WORKERS' COMPENSATION

October 2006

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October 2006

Hy's Hot Links: How To Find Out All Kinds of Useful Information

Very often critical information may be available to help in the proper handling of disability claims and liens. But finding out where to obtain that information may not always be so easy. You may become aware that, during an alleged continuous trauma period an individual worked for XYZ corporation and also for your employer. But in order to join them, you need to find out where they are located. Or perhaps you are having doubts about a medical professional who is treating your claimant. Where do you turn to investigate further?

Hy Bates, Technical Supervisor in the Orange Office, is an expert at ferreting out information on the Internet. In one case where we were having trouble getting reports, we discovered the doctor was already under discipline for various problems and had a suspended license. In another case, we were able to defend against transportation liens by discovering the lien claimant did not possess the proper license for the county in which they operated (see the July

2006 **Legal Briefs** on our website at www.McDermott-Clawson.com). Hy has put together the following list of suggested websites which you may find of assistance:

Attorneys

Who is your legal opposition? To look up attorney information from the State Bar, go to: http://www.calbar.ca.gov/state/calbar/calbar_home.jsp

Interpreters

You have an interpreter lien. Was the interpreter certified? Visit: <http://www.cps.ca.gov/SPB/Interpreter/>

Employers

Looking for a missing employer? If it is a corporation or LLP, check here: <http://kepler.ss.ca.gov/list.html>

Los Angeles
5990 Sepulveda Blvd. Suite 600
Van Nuys, CA 91411
(818) 997-2100

Orange
1700 West Katella Ave.
Orange, CA 92867
(714) 288-1700

Inland Empire
268 West Hospitality Lane, Suite 210
San Bernardino, CA 92408
(909) 890-4386

Code Sections

Want a quick text-based way to search obscure California Code sections (including the Labor Code, which is occasionally obscure)?
<http://www.leginfo.ca.gov/calaw.html>

Medical Professionals

Looking for a suitable QME? Check here:
<http://www.dir.ca.gov/databases/imc/imcstartnew.asp>

Want to know if the doctor is under investigation, had his license pulled or where to find him if he moved?
<http://www.medbd.ca.gov/>

What about acupuncturists?
[http://www2.dca.ca.gov/pls/wllpub/wllqryna\\$lc ev2.startup?p_qte_code=AC&p_qte_pgm_code=6500](http://www2.dca.ca.gov/pls/wllpub/wllqryna$lc ev2.startup?p_qte_code=AC&p_qte_pgm_code=6500)

Chiropractors?
[http://www2.dca.ca.gov/pls/wllpub/wllqryna\\$lc ev2.startup?p_qte_code=DC&p_qte_pgm_code=8500](http://www2.dca.ca.gov/pls/wllpub/wllqryna$lc ev2.startup?p_qte_code=DC&p_qte_pgm_code=8500)

Is the clinic with the fictitious name licensed?
[http://www2.dca.ca.gov/pls/wllpub/wllqryna\\$lc ev2.startup?p_qte_code=FNP&p_qte_pgm_code=6301](http://www2.dca.ca.gov/pls/wllpub/wllqryna$lc ev2.startup?p_qte_code=FNP&p_qte_pgm_code=6301)

Those who administer occupational therapy must be licensed to do so. You can confirm license status of an occupational therapist at:
[http://www2.dca.ca.gov/pls/wllpub/wllqryna\\$lc ev2.startup?p_qte_code=OT&p_qte_pgm_code=1475](http://www2.dca.ca.gov/pls/wllpub/wllqryna$lc ev2.startup?p_qte_code=OT&p_qte_pgm_code=1475)

Osteopaths must also be licensed:
[http://www2.dca.ca.gov/pls/wllpub/wllqryna\\$lc ev2.startup?p_qte_code=GEN&p_qte_pgm_code=8510](http://www2.dca.ca.gov/pls/wllpub/wllqryna$lc ev2.startup?p_qte_code=GEN&p_qte_pgm_code=8510)

Confirm the license status of a Physical Therapist at:

[http://www2.dca.ca.gov/pls/wllpub/wllqryna\\$lc ev2.startup?p_qte_code=PT&p_qte_pgm_code=6800](http://www2.dca.ca.gov/pls/wllpub/wllqryna$lc ev2.startup?p_qte_code=PT&p_qte_pgm_code=6800)

Is the psychologist licensed?

[http://www2.dca.ca.gov/pls/wllpub/wllqryna\\$lc ev2.startup?p_qte_code=PSX&p_qte_pgm_code=7300](http://www2.dca.ca.gov/pls/wllpub/wllqryna$lc ev2.startup?p_qte_code=PSX&p_qte_pgm_code=7300)

Licensed Marriage and Family Therapists:

[http://www2.dca.ca.gov/pls/wllpub/wllqryna\\$lc ev2.startup?p_qte_code=MFC&p_qte_pgm_code=1800](http://www2.dca.ca.gov/pls/wllpub/wllqryna$lc ev2.startup?p_qte_code=MFC&p_qte_pgm_code=1800)

Licensed Clinical Social Worker:

[http://www2.dca.ca.gov/pls/wllpub/wllqryna\\$lc ev2.startup?p_qte_code=LCS&p_qte_pgm_code=1800](http://www2.dca.ca.gov/pls/wllpub/wllqryna$lc ev2.startup?p_qte_code=LCS&p_qte_pgm_code=1800)

Carriers and TPAs

Looking for the missing insurance company?
[http://interactive.web.insurance.ca.gov/webuser/idb_co_list\\$.startup](http://interactive.web.insurance.ca.gov/webuser/idb_co_list$.startup)

or try:

[http://interactive.web.insurance.ca.gov/webuser/ncdw_alpha_co_line\\$.startup](http://interactive.web.insurance.ca.gov/webuser/ncdw_alpha_co_line$.startup)

To find out if the carrier is insolvent, check here:

http://www.caclo.org/perl/site_map.pl

Looking for info on Self Insured Employers or where to contact their claims administrators? Check here:

<http://sip.dir.ca.gov/sip.html#1>

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Settlements

Need a quick way to calculate the present value of an award?

http://www.moneychimp.com/calculator/present_value_calculator.htm

Have a favorite site of your own that is not listed here? Send it to us and we will add it to our list and to our website. You can email Hy Bates at hbates@mcdermott-clawson.com or call him at the Orange office at 714-288-1700.

Medical Reports and Bills

Looking for Info about drugs? Check here:

<http://www.rxlist.com/>

Want to know what the ICD9 code means?

Look here:

<http://www.emds.com/services/icd9/index.html>

Want info on Medical Diagnosis?

<http://www.merck.com/mmhe/index.html>

Missing Applicants

Incarcerated? The Sheriff might have information:

LA County:

http://app4.lasd.org/iic/ajis_search.cfm

Orange County:

<http://www.ocsd.org/>

San Diego County:

<http://www.sdsheriff.net/wij/wij.aspx>

Riverside County:

<http://inmate1.riversidesheriff.org/iis/>

Miscellaneous

Licensed Independent Contractor? Check Here:

http://www2.cslb.ca.gov/CSLB_LIBRARY/Name+Request.asp

Need a Police Report?

<http://www.usacops.com/>

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FOCUS ON



DAVE SERRANO

Dave joined the firm in 2001 and became the Managing Attorney in the firm's Orange office (serving the Anaheim, Long Beach and Santa Ana and Pomona Boards) in 2005. He has been a Workers' Compensation Defense Attorney since 1993.

Dave is a native Californian who grew up in the San Gabriel Valley. He obtained his Bachelor of Arts degree in Business Administration from the University of La Verne. He began his career in Workers' Compensation in 1984 as an adjuster, and also gained experience as a marketing representative while attending law school. He received a Juris Doctorate degree from Western State University in 1992.

Dave, his wife Colleen, daughter Lauren and their mini Schnauzer "Mrs. Potts" make their home in Yorba Linda, California. Dave enjoys playing golf and basketball, and has recently entered the world of adult league dodge ball. Dave's favorite pastime, however, is watching his award-winning 17 year old daughter dance as she furthers her progress toward a professional dance career.

You can reach Dave at (714) 288-1700 or by email at dserrano@mcdermott-clawson.com

Check Your MPN Notices!

In *Knight v. United Parcel Service, Liberty Mutual Insurance*, AHM 127807 and 129147, United Parcel Service petitioned the WCAB to overturn a trial court's award of self-procured medical benefits to the applicant. He injured his right wrist, arm and shoulder in a slip and fall accident on Feb. 22, 2005. The applicant refused to treat within the specified MPN. The Appeals Board published an *en banc* decision on October 13th, finding that deficiencies in the MPN notification letter sent to the applicant relieved the applicant of the constraint of treating within the MPN.

Apparently the evidence showed that, although the carrier had promptly provided the applicant information as to where to go for treatment, there was no notification that the doctor was part of the employer's Medical Provider Network, and there was no notification of the employee's right to change doctors within the network, among other specified deficiencies. The WCAB concluded that UPS and its insurer, Liberty Mutual, were liable for medical treatment self-procured by applicant because "it neglected or refused to provide reasonable medical treatment by failing

to provide required notice to applicant of his rights under the MPN."

This holding is not a surprise. Although the omissions in this case were egregious, we would expect subsequent cases finding single technical deficiencies in MPN notices sufficient to pierce the MPN veil and allow the injured worker to treat with whomever he or she chooses.

New Mandatory Form for Return to Work Offers

Beginning October 21, 2006, offers to return to regular, alternate or modified work pursuant to Labor Code 4658(d) must be made on a mandatory form newly published by the Administrative Director. Form DWC-AD 10133.53 is a three page document that is required to be used in order to make the offer valid and to potentially allow future PD payments to be decreased by 15%.

Here's where you can find the new rules and the form:

http://www.dir.ca.gov/DWC/DWCPropRegs/ReturnToWork_regulations/ReturnToWork_regulations.htm

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