



State of Wisconsin \ Department of Industry, Labor and Human Relations

WORKER'S COMPENSATION DIVISION

201 East Washington Avenue
P. O. Box 7901
Madison, Wisconsin 53707
Madison: (608) 266-1340
Milwaukee: (414) 227-4382

December 16, 1992

RECEIVED

DEC 18 1992

SCHOCNE, FORTUNE
& LEUCK, S.C.

Mailed to:

ATTORNEY DANIEL KELLEY
PO BOX 97
RACINE WI 53401-0097

WC CLAIM NO: 88009693
INJURY DATE: 01/15/88
EMPLOYEE: [REDACTED]
EMPLOYER: AMERICAN MOTORS CORP
INSURER NO:

IF YOU CALL OR WRITE US
PLEASE USE WC CLAIM NO.

Our department is in receipt of your December 7, 1992 and December 9, 1992 correspondence regarding the scheduled independent medical examination. The application indicates there is a two component claim of physical (bilateral carpal tunnel) and mental injuries. On July 25, 1989 a psychiatric independent medical examination was performed by Dr. Biehl. Apparently, no independent medical examination has been performed on the physical component.

With respect to the psychiatric component, it has long been department practice that an additional independent medical examination may be performed by the same doctor when at least six months have passed. That is the situation here. The respondent and insurance carrier are entitled to another examination for psychiatric purposes by Dr. Biehl. (However, Attorney Rohe indicates Dr. Biehl became a treating physician for Ms. Papp. If Dr. Biehl acted as a treating physician--not just that the applicant treated at the same hospital with which Dr. Biehl is associated, then a psychiatric examination by another psychologist or psychiatrist is appropriate.) After reviewing the file, I do not find a 2-3 day in-patient examination at a hospital is now warranted.

The respondent and insurance carrier are also entitled to an independent medical examination by another doctor for the physical component of the claim. The file also reflects that an in-patient 2-3 day examination is unreasonable at this time for such purposes.

I further note the injured worker is entitled to mileage at 24 cents per mile and temporary total disability for each examination day, to be tendered before the exam(s). (If an injured worker is working at the time of the examination, he/she is entitled to lost wages for each day(s) of the examination.)

Sincerely,

Andrew M. Roberts
Administrative Law Judge
AMR:mj

Additional person(s) to whom this letter is being addressed:
ATTORNEY THOMAS ROHE, 700 NORTH WATER ST STE 800, MILWAUKEE WI 53202-4206