



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 28, 1993

This is being mailed to you and the person(s) listed below:

ATTORNEY DANIEL KELLEY  
SCHOONE FORTUNE & LEUCK SC  
P O BOX 97  
RACINE WI 53401-0097

RECEIVED

DEC 29 1993

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

WC CLAIM NO: 91026679  
INJURY DATE: 04/05/91  
EMPLOYEE: [REDACTED]  
EMPLOYER: MT CARMEL CARE CENTER  
INSURER NO: 20646273

I received your letter of December 10, 1993. A determination of what constitutes a reasonable examination is one for us to make. Why are you not scheduling the follow-up examination with the same examiner who examined the applicant in the first place. Unless there is a good reason for changing examiners, you are authorized a follow-up examination with the same medical examiner. The determination of what is reasonable is made on a case by case basis. While in one case a decision to switch medical examiners may be reasonable, this does not mean it is reasonable in all cases. The department policy and law have not changed since Judge Endter and Judge Clarke wrote their letters and my statement correctly embodies the long-standing department policy. Although the law does not absolutely require the same examiner, it is the policy to find unreasonable a switch in examiners without some justification. Please have your examination conducted promptly. This matter is set for hearing in due course.

Sincerely,

Roy L. Sass  
Administrative Law Judge

(Dictated but not read)

RLS:jl

Person(s) to whom this letter is being addressed:

ATTORNEY PATRICK RUSSELL, OTJEN VAN ERT STANGLE LIEB & WEIR S C,  
FIRST FINANCIAL CENTRE, 700 N WATER ST STE 800, MILWAUKEE WI 53202-4206

cc: (For informational purposes only)

CRAWFORD & COMPANY, P O BOX 747, KENOSHA WI 53141-0747