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DWCNewsline

Division of Workers' Compensation
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Physician pre-designation rules amended effective Jan. 1, 2007

The Division of Workers' Compensation (DWC) reminds employers, injured workers and claims administrators that Labor Code section 4600 was amended effective Jan.1, 2007. AB 2068 amended Labor Code section 4600 to define "personal physician" to include a "medical group, if the medical group is a single corporation or partnership composed of licensed doctors of medicine or osteopathy, which operates an integrated multispecialty medical group providing comprehensive medical services predominantly for nonoccupational illnesses and injuries." The amended statute also provides that the pre-designation subdivision will remain in effect until Dec. 31, 2009.

The DWC has filed a revision to its current pre-designation regulations (Title 8, California Code of Regulations, sections 9780 et seq.) to comply with this change in the statute and has requested a Mar. 1, 2007 effective date for the revision. However, as of Jan. 1, 2007, the amended statute took precedence over the regulations, and employees must be allowed to pre-designate a medical group if it falls within the meaning provided in the statute and the employee meets the other regulatory requirements to pre-designate.

Employees may pre-designate their personal doctor of medicine (M.D.), doctor of osteopathic medicine (D.O.), or a medical group to treat them for a workplace injury or illness if: the employer offers group health coverage; the doctor has treated the employee in the past and has their medical records; prior to the injury the doctor agreed to treat the employee for work injuries or illnesses and; prior to the injury the employee provided the employer with notice of the pre-designation in writing, along with the personal physician's name and business address.

The statute does not require the pre-designated personal physician to be within the employer's group health plan - just that the above conditions be met.

As soon as the DWC's regulatory amendments, which include the pre-designation form, are approved by the Office of Administrative Law, they will be posted on the division's Web site at: http://www.dir.ca.gov/dwc/DWCPropRegs/predesignation_Regulations/Predesignation_regulations.htm. The division's forms page is located at <http://www.dir.ca.gov/dwc/forms.html>. In the meantime, employees may still use [DWC form 9783](#) to pre-designate a personal physician, including a medical group.

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