



Memorandum 26 /2005

Commonwealth of Massachusetts | Public Employee Retirement Administration Commission
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Joseph E. Connarton, *Executive Director*

MEMORANDUM

TO: All Retirement Boards, Examining Physicians, and Medical Service Vendors

FROM: Joseph E. Connarton, Executive Director PERAC

RE: Medical Panel and Restoration to Service Examinations

DATE: August 29, 2005

The Public Employee Retirement Administration Commission (PERAC) has recently received several complaints about persons attending Medical Panel and Restoration to Service examinations. The complaints include:

- (1) Members, attorneys, and employee representatives providing additional information to a PERAC examining physician at the time of the examination or after the examination.
- (2) Members, attorneys, and employee representatives sharing reports of other panel physicians.
- (3) Persons (other than the member) attending the examination and initiating discussions with the PERAC examining physician during the examination or after the examination.

ATTENDANCE AND PARTICIPATION:

This memo is being issued to assure that all parties are aware of the procedure that must be followed by those conducting or attending a Medical Panel or Restoration to Service examination.

Physicians conducting medical examinations for PERAC have been informed and understand the statutory provisions that various persons may attend a scheduled PERAC medical examination; such individuals however, are not allowed to participate in the process. Also, no one may bring information for the examining physician (except for the member who may bring x-ray films, CT reports, other hospital testing, etc.) unless specifically authorized to do so by PERAC.

The Medical Panel Examination Process:

- The retirement board is required to gather and submit medical information and other necessary information regarding a member to each Medical Panel physician.
- Any other person who wishes for the physician to have additional information or documents must submit that information to the retirement board. The retirement board may provide the

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information to the Medical Panel physician. If the retirement board has questions regarding the appropriateness of the materials submitted to them, they may contact PERAC for assistance.

- If a person presents information directly to a Medical Panel physician at the time of the examination or after the examination has been completed, the physician will not review the information and must advise the person to submit the information directly to the retirement board.
- No person attending the examination (except for the member) may participate in the process and are limited in their responses to questions posed by the physicians.

PERAC will be forced to eliminate the findings of a Medical Panel if it becomes evident that a person intentionally obstructs or circumvents the Medical Panel process. The offending party will be billed for the cost of the Medical Panel.

The Restoration to Service Examination (RTS) Process:

- PERAC is required to gather and submit medical information and other necessary information regarding a member to each RTS physician.
- Any other person who wishes for the physicians to have additional information or documents must submit the information to PERAC. If a person presents information directly to a RTS physician at the time of the examination or after the examination has been completed, the physician will not review the information and must advise the person to submit the information directly to PERAC.
- No person attending the examination (except for the member) may participate in the process and are limited in their responses to questions posed by the physicians.

PERAC will be forced to eliminate the findings of a RTS Physician if it becomes evident that a person intentionally obstructs or circumvents the RTS process. The offending party will be billed for the cost of the RTS examination(s).

We trust the foregoing is of assistance to you. If you have any questions concerning this memorandum please contact Barbara Lagorio, Disability Unit Director, at 617-666-4446 extension 952.