

# Regional Medical Panel Packet

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## STATEMENT FROM THE EXECUTIVE DIRECTOR

Pursuant to Massachusetts General Laws, Chapter 32, sections 6 and 7, the Public Employee Retirement Administration Commission (PERAC) is responsible for appointing a regional medical panel to evaluate the physical and/or mental condition of a member seeking a Disability Retirement allowance. With PERAC's prior approval, the regional medical panel may conduct non-invasive tests, before rendering a final determination.

The medical panel's certificate and narrative report are to be considered as evidence by the retirement board. Therefore, in order to allow the board to understand your responses to the questions, the report should conform to the PERAC format and fully support the certificate responses. It should be clear, concise, and consistent.

Please take the time to review this packet of forms and instructions thoroughly. The packet contains the Regional Medical Panel Certificate. This certificate is used for applicants for both Ordinary and Accidental Disability Retirement. If the applicant is applying for Accidental Disability, the certificates related to the heart, lung, or cancer presumptions may also be enclosed along with guides to the application of these presumptions. Instructions for formatting your narrative are also included.

PERAC's Medical Panel Unit staff members are available to respond to your questions. You may reach this unit by calling 617-591-8956.

  
Joseph E. Connarton, *Executive Director*

### Ordinary Disability

For an application for Ordinary Disability Retirement (a disability not alleged to be the result of a job related incident or injury), medical panel physicians are responsible for answering Questions #1 and #2 of the **Regional Medical Panel Certificate**. If the medical panel physicians perceive that the member's claimed disability is related to a job-related incident or injury, the medical panel physicians should address causality in their narrative report.

The **Certification of Medical Panel Findings** must be signed by the panel physicians, as well as the applicant's and/or employer's physician, if present at the examination.

A physician who dissents from a joint medical panel must complete a **Medical Panel Certificate Minority Report** and file a separate narrative report.

### Accidental Disability

For an application for Accidental Disability Retirement (a disability alleged by the member to be the result of a job-related incident or injury, including those covered by the so-called Heart, Lung, and Cancer laws), the panel is responsible for answering Questions #1, #2 and #3 of the **Regional Medical Panel Certificate**.

The **Certification of Medical Panel Findings** must be signed by the panel physicians, as well as the applicant's and/or employer's physician, if they are present at the examination. In the event that a member's treating physician attends the examination, please contact the Disability Unit for direction regarding his/her participation and report.

A physician who dissents from a joint medical panel must complete a **Medical Panel Certificate Minority Report** and file a separate narrative report.

There are a variety of **Certificates for Accidental Disability**: Accidental Disability Certificate (no presumption), Accidental Heart Presumption Certificate, Accidental Lung Presumption Certificate, or Accidental Cancer Presumption Certificate. One of these certificates will be included in your packet. A color-coded sheet is attached to each presumption certificate that explains the presumption and delineates the steps that must be used to properly apply the presumption.

If your response to Question #1 on the Regional Medical Panel Certificate is yes, you must respond to Question #2 and #3 on the Certificate for Accidental Disability.

### Documents Provided for Your Review

1. Applicant Information
2. Regional Medical Panel Certificate and Certification of Medical Panel Findings
3. Accidental Disability Presumption Certificate, if appropriate.
4. The member's medical records \*
5. The current job description, including essential duties, for the position from which the member is seeking to retire \*
6. Payment Invoice

\* Furnished by the applicant's retirement board

## Representation at a Regional Medical Panel Examination

The member may be accompanied by his/her attorney and personal physician. The member's employer, and the employer's physician and attorney may also be present. The member may permit the presence of the other individuals provided their presence does not disrupt the examination.

## Photo Identification

Before evaluating the member, please obtain a copy of his/her photo identification (driver's license). Please retain a copy of the photo for your records.

## Submission of Materials to PERAC

Please submit the completed Medical Panel Certificate, narrative report, voucher, and a copy of the member's photo identification to PERAC within 60 days of examining the member so that payment can be rendered promptly.

## Confidentiality of Medical Panel Results

An applicant's medical information is considered to be confidential. There are no circumstances under which the completed certificate and narrative report should be sent to any party other than PERAC.

## Documents Submitted to the Medical Panel

840 CMR 10.10 (8) Any documents that are submitted to the medical panel by anyone other than the retirement board will be transmitted to the Commission by the panel. The Commission will provide copies of the documents to the retirement board.

A written report that supports the medical basis for the conclusions that you reach must be furnished. **When a joint medical panel has been conducted, all three physicians must sign this report.** A physician who dissents from a joint medical panel must complete and file a separate narrative report. Narrative reports must be organized in the manner described below.

## Report Introduction

### 1. At the beginning of your Report, it is important to include:

- A. The name of the applicant who was examined, and the applicant's PERAC Number
- B. The date upon which the examination was conducted
- C. The time the examination began and ended
- D. Names of all individuals in attendance at the examination

## Report Main Text

Your examination of the applicant should cover all body systems, and your report should reflect a discussion of each of the following categories in the order indicated:

### 1. History of the applicant's illness or condition

Include a description of injury or hazard undergone.

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**2. Current symptoms**

Describe the applicant's current symptoms.

**3. Applicant's past medical history**

Include operative procedures, hospitalization, medications, allergies, etc.

**4. Medical record review**

When conducting your examination and reporting your findings, consider all of the following:

- A. Physician Reports/Office Notes/Consultations
- B. Hospital Records/Laboratory Reports
- C. Imaging Studies/Stress Tests

**5. Physical examination**

- A. Weight, height, blood pressure, pulse, etc.
- B. Review body systems related to injury or hazard undergone.

**6. Relevant personal and family history**

**7. Diagnoses**

In addition to your diagnosis, you may comment upon diagnoses included in the member's medical records.

**8. Prognosis**

**9. Conclusion**

Your findings should be supported by objective evidence such as laboratory results, x-rays, etc. The more complete a discussion, the more beneficial your report will be. Your discussion must support responses to Certificate Questions:

- A. Inability to perform essential duties of job.
- B. Permanence (consider Permanency Standard on Regional Medical Panel Certificate).
- C. Causality (consider Aggravation Standard on Accidental Certificate).
- D. Risk of Re-injury: Please note that the Contributory Retirement Appeal Board (CRAB) has found, "even if a member is physically capable of performing all of the essential duties of his or her position, he or she may be disqualified if a return to work would pose an unreasonable risk to serious harm to the member or third parties." This risk of re-injury has to reasonably be expected to involve a substantial harm.
- E. Member in Service: Please note that the Contributory Retirement Appeal Board (CRAB) has found, an "employee who has left government service without established disability may not, after termination of government service, claim accidental disability retirement status on basis of subsequently matured disability."

You are asked to address whether the member was disabled at the time he or she was last employed by a governmental unit.