

Panel of Physicians Quick Tips

The Basics of a Valid Panel

Under O.C.G.A. § 34-9-201(b)(1), a “valid traditional panel of physicians” must include:

1. at least six physicians or professional associations or corporations of physicians who are reasonably accessible to employee;
2. at least one physician that is an orthopaedic surgeon;
3. no more than two industrial clinics; and
4. where feasible, at least one minority physician.

Pursuant to Board Rule 201, should a physician on the panel of physicians refuse to provide treatment to an employee who previously has received treatment from another panel physician, the employer/insurer, as soon as practicable, shall increase the panel for that employee by one physician for each such refusal.

Under O.C.G.A. § 34-9-208 and Board Rule 208, a self-insured employer or insurer of an employer may contract with a managed care organization (MCO) provided that the employees who are subject to the contract receive medical services in a manner described in the contract, and that each contract complies with the certification standards provided under O.C.G.A. § 34-9-208.

The requirement that physicians, professional associations or corporations on a panel be “non-associated” has been removed.

What Employers Should Know

Employers are involved in the procedural requirements that must be followed in maintaining the validity and integrity of a valid panel of physicians. O.C.G.A. § 34-9-201(f) provides that if an employer fails to provide any procedures set forth under this section, the employee may select any physician to render services at the expense of the employer. Employers are required to:

1. post the panel of physicians in a prominent place upon the business premises;
2. take all reasonable measures to ensure that the employees understand the function of the panel;
3. take reasonable measures to ensure that the employees understand their rights to select a physician from the panel in case of injury; and
4. assure that the employees are given appropriate assistance in contacting panel physicians.

TIPS FOR EMPLOYERS

- Provide a copy of and explain the purpose of the panel of physicians to employees at the time of hire and again at the time an on-the-job injury occurs.
- Post a copy of the panel of physicians in more than one location reasonably accessible to employees.
- At the time of an injury, allow the employee to select a physician from the panel and document this selection by having the employee circle his choice and sign a copy of the panel.

What Insurers Should Know

Insurers should work with employers in maintaining the validity of the panel of physicians. In conjunction with employers, insurers should regularly review the panel to be sure all physicians listed are currently valid and are practicing at their listed locations. If possible, insurers should know as much as possible about all physicians listed on their employer's panel and ensure those physicians are within a reasonable distance from the workplace.

TIPS FOR INSURERS

- Consider having more than six providers listed on a panel, if possible, as long as the panel meets the requirements under O.C.G.A. § 34-9-201(b)(1).
- Establish an open dialogue and relationship with the physicians on your employer's panel.
- At the time an injury is reported by an employer, take that time to coach your employer about the status, validity and function of their panel.

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