

**CASE SUMMARY: Michael A. Willette vs. AU Electric Corporation; and State Compensation Insurance Fund** (WCAB No. SJO 0245781)

- (1) If an employer's utilization review physician does not approve an employee's treating physician's treatment authorization request in full, then an unrepresented employee (if he or she desires to dispute the utilization review physician's determination) must timely object, and then a panel qualified medical examiner ("QME") must be obtained to resolve the disputed treatment issue(s);
- (2) Once the panel QME's evaluation has been obtained, neither the treating physician nor the utilization review physician may issue any further reports addressing the post-utilization review treatment dispute;
- (3) The panel QME should ordinarily be provided with and consider both the reports of the treating physician and the utilization review physician regarding the disputed issues;
- (4) If a post-utilization review medical treatment dispute goes to trial after the panel QME issues his or her report, both the treating physician's and the utilization review physician's reports are admissible in evidence;
- (5) When a WCJ or the Appeals Board issues a decision on a post-utilization review medical treatment dispute, the reports of the panel QME, the treating physician, and the utilization review physician will all be considered, but none of them is necessarily determinative.