

GA Workers' Compensation Update

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Georgia State Board Responds to Demands of Claimant's Bar for Quicker Medical Authorization

On July 1, 2017, the State Board implemented a new section of Georgia State Board Rule 205 to address authorization of medical treatment. This section was added to the pre-existing Rule 205 in response to demands from the Claimants' bar for a mechanism for more prompt authorization of treatment recommended by the authorized treating physician. The new rule will allow an injured worker or his/her attorney to file and serve a petition to show cause (i.e. on Board Form WC-PMT) when an Employer/Insurer has failed to authorize treatment recommended by the authorized treating physician. The Employer/Insurer must have been provided the referral at least 5 business days before a petition can be filed. No more than five (5) business days after the petition is filed, the State Board will schedule a telephonic conference for the parties with an Administrative Law Judge so that the Employer/Insurer can "show cause" as to why the recommended treatment has not been or should not be authorized.

Once an Employer/Insurer receives the petition, the treatment can either be authorized or controverted by completing the applicable section on the Form WC-PMT and notifying the medical provider accordingly. In doing so, the conference call will be cancelled.

If the treatment is not authorized or controverted, the parties must participate in the conference call with the Administrative Law Judge to address the issue. After the conference call, the Judge will issued an order. If the Employer/Insurer disagrees with the order, a hearing request to appeal the decision must be filed within 20 days. Failure to request a hearing to appeal the order is considered consent to payment for the requested treatment.

Look for the WC-PMT form and promptly respond, as the failure to respond or participate in the conference call will not preclude the Administrative Law Judge from issuing an order authorizing the treatment and could result in the assessment attorney's fees.

For questions or more information, please contact one of [MGC's attorneys](#).

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