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## NARROW/LIMITED ANNUAL REPORT OF 05/19/2026

**BY: SCOTT A. O'MARA**

The Department of Industrial Relations (DIR) and the Division of Workers' Compensation (DWC) have released the annual report (05/19/2026) on the Independent Medical Review (IMR) program. As stated in the released information, IMR is a Medical Dispute Resolution Process for the California workers' compensation systems when there are disputes regarding medical treatment for the injured worker. The report summarizes IMR activity for 2025 and from 2013 since the program was implemented. The report further reflects that the administrator of the program is Maximus Federal Services, Inc., and has received 201,037 IMR applications and issued 152,351 filed determination letters each addressing one or more medical necessity disputes.

In my article, *Proposed Changes to the Labor Code, 2019 Issue #3* at *Law1199.com Newsletter*, I reviewed the changes that were made in the workers' compensation system and identified challenges that will exist, and the structure of the system is such that it benefits the employer and may harm the worker relative to access of medical care. One of the significant factors is that the element of the IMR, that the IMR doctors' are protected by a cloak of secrecy, as their identities are never revealed (GHOST DOCTORS). This has not changed this hiding of the identity restricted the ability of the worker to evaluate the IMR doctor's ability to make medical determinations. Further, there is a discussion in the article that the IMR/UR doctors have a cloak of protection. One of the cases at that time was a patient that had gone through the Utilization Process that was mandated suffered a stroke because the treatment that was received abruptly stopped and as a result suffered seizures. The economic responsibility of the seizures were not placed upon the IMR/UR doctor, he was protected even though he should not have allowed the abrupt stoppage of the medication. These failures of the system continue and the DIR current system is not a full picture as to what goes on and failures.

The knowledge the worker must have is that the IMR process uses (to protect the employer) a Ghost Doctor and that has limited accountability. There are certain things that the worker can do, and that is a balanced communication to the treating doctor. The treating doctor has the right and the opportunity to provide supplemental information to the UR doctor. UR doctors are the ones that review the examinations, review and disclosure of who they are. They examine the treating doctor's reports and supplemental information.

If the worker receives proper preparation, before speaking to his/her treating doctor, this will provide a full balanced communication as set forth in *Article 2022, Issue #11, Balanced Communication with the Doctor*, this establishes a foundation as to the necessity of the treatment and provides the UR doctor with strong information in reports and/or a phone call or written communication from the treating doctor, which is allowed only with the UR doctor.

The proposed changes still need to be considered, and that is set forth in *Proposed Changes to the Labor Code, Article 2019, Issue #3*. In the meantime, the worker must be in a state of protection by communicating fully and completely with the treating doctor. With the library of information that the worker provides to the treating doctor set forth in, *Article 2025, Issue #2*, this creates an opportunity of security.

Therefore, you as the injured worker in reviewing, *Article 2025, Issue #2, The Library Of Information That Provides You Protection* and awareness as to the Ghost Doctors and the role as a judge and lack of accountability in *Article 2023, Issue #1*, and the highest point is *Article 2022, Issue #11 Balanced Communication with the Doctor* this creates an opportunity to access the medical care to cure and relieve the effects of the injury.

The current study of 05/19/2026 that has been released is only a brief summary and does not go under the continuation of failures of the system; need to recognize this is the system that we are currently stuck need some changes.

Your communication to the doctor has to be balanced and that creates an opportunity to protect yourself and it limits the ability of the employer to question your veracity because your communication is covering all areas, it is just not a focus on the bad days.

The release of the report of 05/19/2026 does not take into account the failures that exist in the current system. You as the worker with this knowledge, there are steps that you can take to protect yourself by a balanced communication and a preparation before you see your treating doctor. This will provide you more medical care to cure or relieve you from your job injury.



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**NOTICE:** *Making a false or fraudulent Workers' Compensation claim is a felony subject to up to 5 years in prison or a fine of up to \$50,000 or double the value of the fraud, whichever is greater, or by both imprisonment and fine.*

