

Section 8

THE PATIENT-DOCTOR RELATIONSHIP AND INDEPENDENT EXAMINATIONS

Independent and second opinion examinations are isolated chiropractic evaluations of an individual's health performed by a physician not involved in that person's care.^{94,95} When performed by a chiropractic physician, these may be referred to as IMEs (independent medical examinations) or ICEs (independent chiropractic examinations). All independent examinations performed by a chiropractor to determine the need for chiropractic care shall include a functional chiropractic analysis.⁹⁶ Some combination of the following of the PARTS exam constitutes a functional chiropractic analysis:

- P** Location, quality, and intensity of pain or tenderness produced by palpation and pressure over specific structures and soft tissues;
- A** Asymmetry of sectional or segmental components identified by static palpation;
- R** The decrease or loss of specific movements (active, passive, and accessory);
- T** Tone, texture, and temperature change in specific soft tissues identified through palpation;
- S** Use of special tests or procedures.⁹⁷

In the context of independent examinations the use of an investigational procedure is considered inappropriate.

These types of evaluations may be ordered by treating physicians, employers, patients and their attorneys, insurers, disability management companies and managed care organizations, workers compensation boards, and other entities that make determinations about disability and impairment.⁹⁵ An independent examination may be performed at various stages of an injury or illness and is generally utilized to clarify health and/or job issues.⁹⁵

At the outset of the examination, prior to gathering health information, the examining physician should ensure to the extent possible that the patient understands the ethical obligations of the physician to perform an impartial evaluation. The examiner also explains the differences between the role of independent examiner and the traditional fiduciary role of the physician. The examiner should explain who has requested the examination.

In an independent examination, the patient-doctor relationship is limited because the examiner does not monitor the patient's health over time, provide treatment or fulfill many duties traditionally performed by physicians.⁹⁴ Despite the limited relationship, important health information, diagnosis and treatment recommendations shall be made available to the patient, treating doctor, and patient's legal counsel or guardian via the independent report.^{98,99} Upon request, a copy of the independent report shall be made available to the patient, the treating doctor, and/or the patient's legal guardian.^{98,99}