



ADMINISTRATIVE RULES OF MONTANA



2.43.2703 PERIODIC REVIEW OF MEDICAL EVIDENCE – NOTICE OF ADDITIONAL EVIDENCE REQUIRED

- (1) The board's medical consultant and disability claims examiner will review all medical records previously submitted and those requested for the current period and submit interpretations and recommendations as to the current disability status of the member.
- (2) If MPERA determines the records submitted by the member's treating physician in response to the initial notice of review are not current or are otherwise inadequate to complete a review, MPERA will send written notice to the member of the specific examinations, diagnoses, or tests necessary for adequate review of the disabling condition. When appropriate, the type of medical authority to conduct the necessary tests or examination will be specified or a particular physician may be appointed to conduct the required examinations or tests.
- (3) Any medical tests requested under this rule will be paid for by MPERA.
- (4) Members will be reimbursed for travel necessary to obtain the MPERA-required examinations or tests. Reimbursement for lodging, meals, and mileage will be at the rates established for state employees in Title 2, chapter 18, MCA.
- (5) The member will be allowed 60 days from the date of notification to complete the required examinations or tests and have the results sent directly to MPERA by the examining physician.
- (6) If the member chooses not to provide additional medical evidence administratively determined as necessary, the previous medical evidence filed will be presented to the board along with staff recommendations regarding continuing disability of the member.

Authorizing statute(s): 19-2-403, 19-3-2104, 19-3-2141, MCA

Implementing statute(s): 19-2-406, 19-3-1015, 19-3-2141, 19-5-612, 19-6-612, 19-7-612, 19-8-712, 19-9-904, 19-13-804, MCA

History: NEW, 1994 MAR p. 2106, Eff. 7/8/94; AMD, 2002 MAR p. 1884, Eff. 7/12/02; AMD & TRANS, from ARM 2.43.510, 2008 MAR p. 2467, Eff. 12/1/08; AMD, 2011 p. 1678, Eff. 8/26/11.