

## Medical Issues

### Joint Resolution R03-1-01

#### **Reports of Professional Clinical Counselors or Independent Social Workers as Support for Requests for Allowance of Psychiatric or Psychological Conditions February 10, 2003**

WHEREAS, Ohio Administrative Code Rules 4121-3-09(A)(1) and 4123-3-09(C)(1) provide that evidentiary proof shall be of sufficient quantum and probative value to establish the jurisdiction of the Industrial Commission or Bureau of Workers' Compensation to determine the rights of an applicant to an award; and

WHEREAS, Ohio Administrative Code Rules 4121-3-16(D) and 4123-3-16(D) provide that all motions shall be accompanied by substantial competent proof conforming to the standards established by Ohio Administrative Code Rules 4121-3-09(A), 4123-3-09(C); and

WHEREAS, Ohio Administrative Code Rule 4121-3-16(H) provides for the dismissal of a motion for failure to conform to the provisions of Ohio Administrative Code Rule 4121-3-16(D), and Ohio Administrative Code Rule 4123-3-16(H) provides for the dismissal of a motion for failure to conform to the provisions of Ohio Administrative Code Rule 4123-3-16; and

WHEREAS, under Section 4121.39(A) Ohio Revised Code, the Administrator is to review and process all applications for claims; and

WHEREAS, the Industrial Commission issued Resolution No. R92-1-1 dated April 9, 1992, and the Industrial Commission and the Bureau of Workers' Compensation issued Joint Resolution No. R94-1-12 dated July 1, 1994; and

WHEREAS, pursuant to Section 4121.03(E) Ohio Revised Code, the Industrial Commission is responsible for the establishment of the overall adjudicatory policy of the Commission; and

WHEREAS, the Administrator of Workers' Compensation and the Industrial Commission believe that injured workers and employers, are best served by establishing a uniform standard for the type of evidence that shall be acceptable to initiate the processing of an application or motion that is filed for the recognition of a condition of a psychiatric or psychological nature; and

WHEREAS, the Industrial Commission and Administrator of Workers' Compensation find that substantial competent proof to support a application or motion requesting the recognition of a condition of a psychiatric or psychological nature should be supported by evidence consisting of a medical report from either a licensed psychiatric specialist or a clinical psychologist, or a report by a licensed professional clinical counselor, or a licensed independent social worker.

THEREFORE BE IT RESOLVED that all motions or applications requesting the recognition of a condition of a psychiatric or psychological nature shall be accompanied by supporting evidence consisting of a medical report by either a licensed psychiatric specialist or a clinical psychologist, or a report by a licensed professional clinical counselor, or a licensed independent social worker.

BE IT FURTHER RESOLVED that Resolution No. R94-1-12 is modified consistent with the provisions of the instant resolution.

BE IT FURTHER RESOLVED that the provisions within the instant resolution shall apply to all applications or motions for the recognition of a condition of a psychiatric or psychological nature filed on or after March 1, 2003.

***Other Medical Issues Resolutions***

R82-7-3

Communication with Industrial Commission Physicians  
January 25, 1982

R92-1-1

IC-MED-5 not Required  
April 9, 1992

R94-1-12

Form IC-MED-5 not required  
July 1, 1994

R96-1-01

Referral of Occupational Disease Claimants for Medical Specialists Examination  
February 26, 1996

R03-1-02

Modification of R96-1-1 related to medical evidence necessary to support a claim for an asbestos-related condition.  
March 5, 2003