

GETTING CORRECT RATINGS

STEPS

1. Review medical report. Determine if AMA rating(s) is correct.

- a. Review yourself or have your Def Attorney Review
- b. Check against Recipes and Checklists for Accuracy
- c. Have reviewed by outside Review Company.
 - 1) Askphilwalker.com (7 day turn-around; \$350 per 29 pages): Send rpt, DOB, and Occup to phil@askphilwalker.com
 - a) Rating review
 - b) Letter to doctor for your signature
 - c) Medical articles
 - 2) Luis Perez Cordero
 - 3) Speed PD Ratings
 - 4) Bradford & Barthel
 - 5) iratings

2. Write Doctor to correct errors in ratings. (approx 30% will correct; 70% will not change opinion)

3. Have doctor deposed by your Def. Attorney (approx 30% will correct; 70% will not change opinion)

- a. Have Def Attorney use outline in Rating Review to question doctor

4. **File:**
 - a. **Motion to Strike Medical Report as not Substantial Medical Evidence under *Escobedo* for not correctly applying *AMA Guides* (sample Motion to Strike included)**
 - b. **Trial Brief on Correct Rating.**
5. **Then, propose Settlement based on correct rating.**
6. **If Applicant's attorney will not accept correct rating for settlement purposes, then proceed to Trial and use Trial Brief to have WCJ rule on correct rating.**
 - a. If WCJ says record needs to be developed further, have your Attorney file Petition for Removal. [Joe Truce of Kegel, Tobin & Truce in Los Angeles is expert at this.]