

STATEMENT OF PURPOSE

RS32159 / H0115

The purpose of this legislation is to protect the integrity and validity of psychological and neuropsychological independent medical examinations (IMEs) in workers' compensation cases. Current Idaho law allows for third-party observers (TPOs) and audio recording of IMEs, including neuropsychological testing. However, research and industry standards indicate that the presence of TPOs and unrestricted recordings can compromise the accuracy and reliability of such evaluations.

This bill amends Section 72-433, Idaho Code, to clarify that while an injured employee retains the right to have an audio recording of their examination, this provision **shall not apply to the testing portion of psychological, neuropsychological, or psychiatric evaluations.** The presence of TPOs or unrestricted recordings during these testing procedures can undermine the scientific integrity of assessments, allow for test security breaches, and introduce variability that renders results unreliable.

By implementing these changes, this legislation aligns Idaho law with nationally recognized best practices in psychology and neuropsychology while maintaining fairness in workers' compensation cases.

FISCAL NOTE

This legislation is expected to have no fiscal impact on the state or local government. The bill does not impose new regulatory requirements or require additional state funding. Instead, it clarifies existing law to ensure that independent medical exams remain valid and scientifically sound, ultimately benefiting Idaho's workers' compensation system by reducing disputes over compromised evaluations.

Contact:

Representative Ben G. Fuhriman
(208) 332-1000

DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).