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## The Company is sending me to their doctor! Do I have to go?!

September 6th, 2011 by [jliace](#)

The short answer in Illinois is yes. Under the Illinois Workers' Compensation Act, the Employee has the right to treat with a doctor of their choice. However, the Employer can have the injured worker evaluated by a doctor of their choice. This evaluation is not for treatment and is often called an Independent Medical Examination (IME). However, it is important to remember, that even though it is called an IME it is anything but independent. This doctor was chosen by the insurance company to determine whether your injury is causally related to your employment, whether you are still in need of treatment and whether you can go back to work. This portion of the Act is still part of the [recently amended Workers' Compensation Act](#).

An employee who fails to attend this examination can have their benefits terminated by the insurance company for failing to cooperate. However, there are certain requirements that have to be met by the employer before the employee has to go. First, there has to be adequate notice before the examination. Adequate notice is not a definite term but one that is determined by the circumstances. If you are unable to attend for reasons that are unavoidable you must contact the insurance company, or whoever scheduled the examination, immediately.

Secondly, the Respondent has to provide PRIOR to the examination reasonable [travel expenses](#). In most cases this means mileage costs. However in cases of flight attendants or other out-of-state employees, this may include flight costs, hotel expenses, and reasonable food costs. This all must be provided before the exam is to take place or the employee does not have to attend. The Commission recently confirmed in the case of Wright v. Alpha School Bus that if the Employer refuses or fails to provide pre paid travel expenses then the injured worker can rightfully refuse to attend the examination.

This is part of the Workers' Compensation system in the state of Illinois and the workers' rights in regard to these examinations is important to know. An experienced attorney can help you navigate this system.