

S O U T H C A R O L I N A  
**Workers' Comp**  
QUARTERLY **Collins & Lacy**  
ATTORNEYS AT LAW

COLUMBIA

| GREENVILLE

| MYRTLE BEACH

| [www.collinsandlacy.com](http://www.collinsandlacy.com)



**Stan Lacy, Founding Partner**

1330 Lady Street Sixth Floor,  
P.O. Box 12487 (29211)  
Columbia, SC 29201

[slacy@collinsandlacy.com](mailto:slacy@collinsandlacy.com)  
TEL: 803.255.0434  
FAX: 803.771.4484

### **COMMISSION CLARIFIES THE FORM 14B (PHYSICIAN'S STATEMENT)**

The Commission has issued an advisory notice that final release agreements with unrepresented claimants may be accompanied by a doctor's narrative instead of a Form 14B if the narrative indicates future medical needs and what those needs are. This is welcomed news.

Many of the changes made by the South Carolina General Assembly to the Workers' Compensation Act in 2007 were intended to facilitate and simplify the claims process. One of those changes led to the creation of the Form 14B, a new physician's statement. This physician's statement must be used for all accidents occurring after July 1, 2007.

The Form 14B specifically requires the doctor to articulate the diagnosis, rate the claimant in accordance with the AMA Guidelines, list all restrictions and identify future medical treatment and medications that will be needed as a result of the injury. All the information the Commission needs to resolve the case is on one sheet of paper, and it only takes a minute for the doctor to complete the form.

Some (myself included) believed the Form 14B replaced the narrative from the doctor. It appeared the Commission would not be accepting doctors notes even though they provided restrictions, ratings and additional medical needs. We feared everything had to be submitted on the Form 14B. The Commission has now set us straight.

On May 13, 2011, the Judicial Department issued an Advisory Notice, the complete text of which can be found on the Commission's website. The Commission now requires "a Form 14B OR a physician's narrative report when considering Final Agreement and Release documents where the Claimant is not represented by Counsel." I added the emphasis. The operative word is *or*.

So the Commission still accepts a physician's narrative when a case is settled with an unrepresented claimant, but the narrative must provide all of the information elicited by the Form 14B. It must give the body parts involved, the date of maximum medical improvement, the rating in accordance with the AMA Guidelines, whether claimant is able to return to work, any restrictions and any future treatment or medications. The Form 14B is certainly preferable, but using the physician's narrative to support a settlement is not fatal after all.