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#### **USE PHYSICIAN TESTIMONY TO PROVE UP:**

- Reasonableness and Necessity
- Causation
- Future Medical Expenses and Surgical Cost Estimates
- Impairment and Disfigurement
- Challenge opinions in controverting affidavits



#### **PRACTICAL BENEFITS:**

- Lower cost than live testimony
- Does not require scheduling with physician or opposing counsel
- Quick turnaround (generally receive responses from physicians in two weeks)
- Can be completed anytime during the discovery period
- Template of sample questions provided upon request
- Easy process



### THE PROCESS:

- Serve on the physicians by uploading to ChartSwap. (See step-bystep instructions.)
- DWQ "packet" should all contain the following:
  - Subpoena naming the physician as the witness (<u>not</u> the custodian of records)
  - Notice of Intention—naming the physician as the witness (<u>not</u> the custodian of records)
  - Deposition by Written Questions—naming the physician as the witness (<u>not</u> the custodian of records); and
  - HIPAA authorization—To permit physician to discuss patient's protected health information

## CHARTSWAP REQUEST STEP-BY-STEP

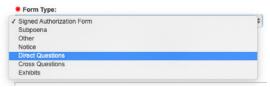
- 1) Log in to ChartSwap (<u>www.chartswap.com</u>).
  - o If you don't have a ChartSwap account, you must Register for an account.
- 2) Select HOME, then you should see CREATE NEW REQUEST.
- **3)** In the **PROVIDER NAME** field, enter the name of the physician's clinic and click **SEARCH FOR PROVIDER**. Be sure to use the physician's clinic, not a hospital or surgery center.



- 4) The clinic's name should populate on the next screen. Select the clinic. Click NEW REQUEST.
- 5) Complete the required fields under Name on Record and Record Details.
- 6) Record Type choose Physician DWQ.



- 7) Click Next.
- 8) Delivery Options, select Instant Download.
- 9) Click Next.
- **10)** Under **Form Type,** upload required documents. You may combine them as a single PDF, and then upload them as Direct Questions.



- 11) Click Submit
- **12)** Message will appear: "Your request has been successfully submitted and is pending review. This is not an invoice. Please do not send payment at this time. You will receive an email notification when your request is available for purchase."
- 13) Upon review of the request, a pre-payment invoice will be generated via ChartSwap.
- **14)** Payment must be received prior to the physician working on the DWQs.
- **15)** After the physician completes the DWQs, you will receive a notification that the responses are ready for download.