



PHYSICIAN LEGAL CONSULTANTS OF NEBRASKA

Physicians Helping Attorneys Helping People

(402) 617-6103

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NEWSLETTER

June 2024

This Month's Question:

[How Does a Diagnosis of Somatiform Disorder by an IME Doctor Affect the Case?](#)

Physician Legal Consultants Response:

We are often asked to review IME reports and then give our response concerning the opinions of the IME doctors. Recently we have reviewed a number of IME reports in which the examining doctor has diagnosed the client as having Somatiform Disorder. The doctor then opines that because the client carries this diagnosis that there is essentially “nothing wrong” with the client and all of their symptoms can be written off as being related to psychiatric issues.

Somatoform disorders are a class of mental health disorders recognized by the DSM-IV (Diagnostic and Statistical Manual, 4th Ed.). They are characterized by physical symptoms that cannot be explained by a medical condition.

For a somatoform disorder to be diagnosed, physical symptoms must be present. Somatoform disorders are felt to be an unconscious manifestation of emotional conflict expressed as physical complaints. It is important to note that

Somatoform Disorders have nothing to do with malingering or fictitious disorders in which the patient is purposefully trying to deceive the treating doctors and others.

Just like a herniated disc or a fractured forearm, somatoform disorder is a medical condition. Freeman et al. in medical journal articles in 2007 and 2009 gave conditions that must be met to assign causation to medical conditions arising from accidents. Freeman et al. report that there are three criteria that must be met. First, there must be a biologically plausible or possible link between the exposure and the outcome. Second, there must be a temporal relationship between the exposure and the outcome. The third criteria states there must not be a more likely or probable alternative explanation for the symptoms.

If the client has no previously diagnosed psychiatric condition and develops somatoform disorder after an accident it is our opinion that the disorder is the direct result of the accident based on these conditions being met. We do not believe having a psychiatric condition that is a direct result of an accident gives defense-oriented doctors and insurance companies a “pass” allowing them to write off somatoform disorder as “just being in the person’s head.”

Let Us Know How We Can Help You

We Offer:

- * Medical Summary Report: comprehensive medical review of client's injuries with medical opinions regarding mechanism of injury and causation
- * Review of case validity and value
- * Determination of future medical care and costs
- * Independent Medical Exam observation and rebuttal
- * Evaluating/developing medical theories
- * Answer Standard of Care questions
- * Answer specific medical questions
- * Medical research
- * Develop deposition and trial questions for experts
- * Attendance at deposition and trial if needed
- * Finding expert witnesses

- * Attorney liaison to treating physicians and family members
- * **We do not provide expert testimony**
- * Fee: \$270/hr. payable upon work completion

As you know, **we have purposefully kept our fees exceptionally low**, allowing you the opportunity to have us review your cases early in your representation while controlling your expenses.

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