

**3913**

No. \_\_\_\_\_

**OFFICIAL ORDER**  
*of the*  
**TEXAS COMMISSIONER OF WORKERS' COMPENSATION**

Date: APR 16 2015

**Subject Considered:**

**RONALD G. CORLEY, M.D.**  
Lufkin State School – Medical  
P.O. Box 1648  
Lufkin, TX 75902-1648

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 8836

**General remarks and official action taken:**

The commissioner of workers' compensation considers whether disciplinary action should be taken against Ronald G. Corley, M.D. (Dr. Corley).

**WAIVER**

Dr. Corley acknowledges that the Texas Labor Code and other applicable laws provide certain rights. Dr. Corley waives all of these rights and any other applicable procedural rights in consideration of the entry of this Consent Order.

**FINDINGS OF FACT**

The commissioner of workers' compensation makes the following findings of fact:

1. Dr. Corley holds Texas Medical License No. D8519 issued on August 21, 1971. Dr. Corley is a health care practitioner in the Texas workers' compensation system.
2. Dr. Corley is a designated doctor in the Texas workers' compensation system. Dr. Corley was certified to rate maximum medical improvement (MMI), issue impairment ratings (IR), and make recommendations regarding return to work (RTW). Dr. Corley's MMI/IR certification and certification as a designated doctor (DD) expired on February 14, 2014.
3. Dr. Corley was not classified in the 2007 or 2009 Performance Based Oversight (PBO) assessments. Dr. Corley was classified as "high" tier in the 2011 PBO assessment and as "average" tier in the 2013 PBO assessment.

**Medical Quality Review #14-1 MR**

4. The division's medical advisor (whose duties are defined under TEX. LAB. CODE ANN. § 413.0511) and Medical Quality Review Panel (MGRP) (as established pursuant to TEX. LAB. CODE ANN. § 413.0512) conducted a medical quality review of one case in which Dr. Corley conducted a designated doctor examination. The findings contained in Medical Quality Review #14-1 MR, which was previously forwarded to Dr. Corley, form the evidentiary basis for this action.
5. Dr. Corley conducted a designated doctor examination on an injured employee on May 9, 2013, to assign an impairment rating (IR) for the compensable injuries to the cervical spine, lumbar spine, right shoulder, and left wrist. Maximum medical improvement (MMI) had been established as statutory, and was not an issue.
6. Dr. Corley's examination indicated that the lumbar strain, and left wrist strain had resolved without impairment and assigned an IR to the cervical spine of 5% and to the right shoulder of 8%.
7. On January 21, 2014, pursuant to a letter of clarification, Dr. Corley conducted a second DD examination to assign an IR that now included compensable injuries to the left shoulder strain/sprain, left ankle contusion, groin strain and chest wall contusion in addition to the previously accepted diagnoses. Dr. Corley determined the IR to be 28%, but failed to incorporate the correct measurements from the May 9, 2013, examination and instead used new incorrect measurements from the January 21, 2014, examination. Dr. Corley failed to address the fact that he had already done measurements in the May 9, 2013, examination.
8. Dr. Corley substantially increased the impairment given from the first DD examination to the second without any explanation.
9. Dr. Corley denies the allegations set forth above but does not contest the findings of fact, or conclusion of law, or the entry of the order set forth below. This consent order, and the actions required hereby, is entered into in the nature of a compromise and settlement and in order to avoid the time, uncertainty, and expense of resolving this dispute through administrative or judicial proceedings.

**CONCLUSIONS OF LAW**

The commissioner of workers' compensation makes the following conclusions of law:

1. The commissioner of workers' compensation has jurisdiction over this matter pursuant to TEX. LAB. CODE ANN. §§ 401.011, 401.021, 402.001, 402.00111, 402.00114, 402.00116, 402.00128, 408.0041, 408.1225, 408.123, 408.124, 413.002, 413.044, 413.0511,


413.0512, 414.002, and 415.0215; 28 TEX. ADMIN. CODE §§ 130.1 and 180.26; and TEX. GOV'T CODE ANN. §§ 2001.051–2001.178.

2. The commissioner of workers' compensation has authority to informally dispose of this matter as set forth herein under TEX. GOV'T CODE ANN. § 2001.056, TEX. LAB. CODE ANN. §§ 401.021 and 402.00128(b)(7), and 28 TEX. ADMIN. CODE § 180.26(h).
3. Pursuant to TEX. LAB. CODE ANN. § 415.0215, the division may impose sanctions against any person regulated by the division under this subtitle.
4. Pursuant to TEX. LAB. CODE ANN. § 408.1225(b), the division may take action as necessary to restrict the participation of a designated doctor; deny renewal of a designated doctor's certification; or revoke a designated doctor's certification under Section 413.044.
5. Pursuant to 28 TEX. ADMIN. CODE § 127.210(a)(7), the commissioner may revoke or suspend a designated doctor's certification as a designated doctor or otherwise sanction a designated doctor for submission of inaccurate or inappropriate reports due to insufficient medical history or physical examination and analysis of medical records.
6. Dr. Corley violated 28 TEX. ADMIN. CODE § 127.210(a)(7) when following the second DD exam he failed to incorporate the correct measurements from the May 9, 2013, DD examination and instead based his IR on new incorrect or incomplete measurements from the second examination.

**ORDER**

It is therefore ORDERED, that as of the effective date of this consent order, Ronald G. Corley, M.D., is permanently removed from the DD list and will not re-apply for DD certification or re-apply for MMI/IR certification in the Texas workers' compensation system. Dr. Corley may certify maximum medical improvement (MMI) as a treating physician for patients he is treating, but not as part of a referral from another health care practitioner for MMI and IR determination.

It is FURTHER ORDERED that, if Ronald G. Corley, M.D., should re-apply for the DD certification, the division will not grant the DD certification, and his re-application will constitute a violation of this consent order.

  
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W. Ryan Branman  
Commissioner of Workers' Compensation

Approved as to Form and Content:

  
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John Heisler  
Staff Attorney, Compliance Division  
Texas Department of Insurance

AFFIDAVIT

STATE OF TEXAS           §  
  §  
COUNTY OF Angelina   §

Before me, the undersigned authority, personally appeared the affiant, Ronald G. Corley, M.D., who being by me duly sworn, deposed as follows:

"My name is Ronald G. Corley, M.D. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

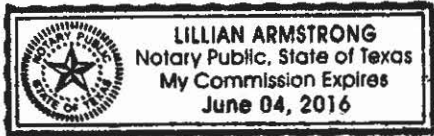
I waive rights provided by the Texas Labor Code and other applicable law and acknowledge the jurisdiction of the Texas commissioner of workers' compensation.

I voluntarily enter into this consent order and consent to the issuance and service of this consent order."

*Ronald G. Corley*  
Affiant

SWORN TO AND SUBSCRIBED before me on April 6, 2015.

(NOTARY SEAL)



*Lillian Armstrong*  
Signature of Notary Public  
Lillian Armstrong  
Printed Name of Notary Public