Potential Limits to Physicians' Fees in Workers' Compensation Cases



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New Jersey Senate Bill 2822, introduced on February 27, 2024, seeks to amend the workers' compensation law and, if enacted, would impact the fees allowable for witnesses, particularly evaluating and treating physicians. Evaluating physicians could receive up to $1,000 for providing a written opinion on medical treatment necessity or disability estimation. An additional $400 fee would be permitted if the evaluating physician appears in court to testify. Treating physicians could receive up to $450 for preparing and submitting comprehensive reports, including medical history, diagnosis, prognosis, and treatment recommendations. Furthermore, they could earn up to $300 per hour for testimony or deposition, with total fees capped at $2,500 for testimony and $1,500 for deposition. The Bill would prohibit evaluating physicians from charging contingent fees based on judgment outcomes and would restrict both evaluating and treating physicians from charging fees for reports, testimony, or depositions exceeding these specified limits.

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