



National Border Patrol Council

Jon Anfinson, Vice President at Large
Local President, Local 2366
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August 6, 2019

Managed Care Advisors
7700 Old Georgetown Rd., Suite 750
Bethesda, Maryland 20814

To Whom It May Concern:

I am the local president of Local 2366 of the National Border Patrol Council (NBPC) and also a national vice president with the NBPC, representing approximately 16,500 agents and support staff of the U.S. Border Patrol (USBP). In these roles, I have recently received evidence that employees of your company, on behalf of Customs and Border Protection (CBP), have contacted USBP employees' doctors without sending a copy of that correspondence to the injured employee, followed by a copy of the doctors' responses when received.

In the Del Rio Sector, two of your employees violated 20 CFR § 10.506 when they contacted two doctors who were treating Border Patrol Agent (BPA) [REDACTED] and subsequently failed to forward to BPA [REDACTED] copies of the correspondence sent to the doctors and any responses received from the doctors.

On February 8, 2019, Dr. [REDACTED], an employee of Managed Care Advisors (MCA), sent a letter to Dr. [REDACTED] requesting medical information about BPA [REDACTED] and provided Dr. [REDACTED] with a blank Form OWCP-5c, a form which is supposed to be issued by the Department of Labor – not CBP or its contractors. BPA [REDACTED] was not notified by Dr. [REDACTED], your company, or CBP of the existence of this letter until it inadvertently came to light in discussions with the agency when they attempted to force BPA [REDACTED] to return to work despite the orders of her other doctor. We're told this wasn't the only letter sent to Dr. [REDACTED].

On March 6, 2019, [REDACTED], RN, an employee of MCA, sent a letter to Dr. [REDACTED] requesting medical information about BPA [REDACTED] – BPA [REDACTED] was again not provided with a copy of this letter or the doctor's response. Instead, BPA [REDACTED]'s doctor's office called her to tell her that they had received the letter. We're told this isn't the only letter sent to Dr. [REDACTED].

The NBPC has heard of other similar instances involving employees of MCA, but rather than belabor the point, we are hereby insisting that you cease and desist from violating 20 CFR §

10.506 and instead forward to injured employees of the USBP copies of all correspondence sent to their respective medical providers, followed by copies of any responses received by MCA.

Respectfully,

A handwritten signature in black ink, appearing to read "J. Anfinen". The signature is stylized with a large, looped "A" and "n".

Jon Anfinen
National Vice President
Local President, Local 2366
National Border Patrol Council

cc: Secretary of Labor, Department of Labor
[REDACTED], Branch Chief, CBP Workers' Compensation Branch
[REDACTED], Division Chief, Del Rio Sector, U.S. Border Patrol