

Attestations in Service Area Expansions (SAEs)

In an effort to expedite the review process, a workers' compensation applicant may provide a signed attestation. An attestation is a document attesting that the documents submitted with the SAE are the same as the previously approved documents submitted by the certified workers compensation network with which the applicant is contracting and/or conducting business and must be signed by an officer of the company.

For example: ABC network certifies and/or attests that the documents submitted are the same as the documents previously submitted by XYZ network and were approved by TDI on {approved date}.

In the absence of a signed attestation a more lengthy review may be conducted.

Did You Know?

A network must file a modification request and receive approval from the Texas Department of Insurance (TDI) before the network can expand, eliminate, or reduce an existing service area, add a new service area or make a material modification to its network configuration.

For more information please see the Power Point Presentation at <http://www.tdi.state.tx.us/wc/wcnet/documents/3networkconfigurat.ppt>.

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Certified Workers' Compensation Health Care Networks

The list of Certified Workers' Compensation Health Care Networks is available on the TDI Web page. This list is updated as additional networks are certified and as service areas are modified. Currently the following workers' compensation health care networks have been certified:

- Aetna Workers' Comp Access (AWCA)
- Argus Provider Network
- Bunch and Associates Inc, Texas HCN
- CMI Barron Risk Management, Inc./ Southwest Medical Provider Network
- Coventry Workers' Comp Network
- Corvel Healthcare Corporation/Corcare
- First Health/AIGCS TX HCN
- First Health HCN
- First Health/Travelers HCN
- Forte Inc./Compekey/First Health
- Genex Services, Inc./Genex Care for Texas' Comp Access (AWCA)
- Genex Services Inc./Genex Health Care Network
- The Hartford Workers' Compensation Health Care Network – FH
- IMO Med-Select Network/Injury Management Organization, Inc.
- International Rehabilitation Associates Inc./IntraCorp.
- Interplan Health Group, Inc./Zenith Health Care Network (ZHCN)
- Intracorp/Lockheed Martin Aero Employee Select Network
- Liberty Health Care Network
- Memorial Hermann Health Network Providers, Inc./Worklink
- National ChoiceCare, NCC ChoiceNet
- North Texas Innovative Health Care Network, Inc.
- Physician's Cooperative of Texas
- SHA, LLC./FirstCare Network
- Specialty Risk Services Texas Workers' Compensation Health Care Network (First Health)
- Texas Star Network/Coventry
- Zurich Services Corporation Health Care Network
- Zurich Services Corporation Health Care Network/Corvel

WCNet News Moving to Quarterly Publication Schedule

The WCNet News will be published quarterly beginning with the October, 2007 edition. Following the October, 2007 edition the next publication is scheduled for January of 2008.

Workers' Compensation Network Examinations

Certified Workers' Compensation Networks (Networks) may be examined as often as the commissioner considers necessary to determine compliance with §1305.251, Texas Insurance Code (TIC). The examination will include requests for documents to be submitted to the Department for desk review and may include on-site visits to the network's premises. Initial examinations will occur approximately one year after certification. After a successful initial exam, examinations will be conducted on a less frequent basis, although the Department reserves the right to do a complaint or target exam at any time if the need arises. If the initial examination shows major deficiencies that require extensive corrective actions, the Department may schedule a follow up examination to verify compliance.

The Department will initially perform on-site examinations for Networks located in Texas. Examinations for Networks located outside of Texas are currently planned to be performed at the Department's office. Other avenues such as teleconferencing are being considered as well.

The Network must make available to the department all records relating to the Network's operations. At a minimum, the Department will examine the following functions of the Network:

- Quality of Care
- Credentialing
- Complaints
- Network Access and Availability
- Delegated Entities and the oversight of Delegated Entities

At the end of the examination, the network will receive a written report of deficiencies. A schedule for corrective actions will be developed, and verification of corrections will be made by the Department. If a follow up examination is required, it will be scheduled. Billing for examination costs will occur on a monthly basis from the time that activities by the Department staff begins until review and approval of all corrective actions are complete. Enforcement action may be initiated if indicated.

Definitions of Examination Types

Initial – First examination after network has been certified and in operation for one year.

Target – Examination performed for a specific network function at the discretion of the Department.

Complaint – Examination performed due to complaints received at the Department

Employer Workshop

The TDI Health and Workers' Compensation Network Certification and Q&A Division (HWCN) formally invites you to attend the Workers' Compensation Health Care Networks - Employer Workshop. The intent of the Employer Workshop is to provide a format for the employers to engage, network, as well as, gain a better understanding of workers' compensation coverage in the State of Texas. Staff from the TDI HWCN Division and Division of Worker's Compensation (DWC) will present multiple topics which entail extremely beneficial information, such as:

- How to choose and locate a network – Pros and Cons
- Return to work and safety – Best practices (Small Employer Pilot Program)
- and much, much, more...

Date: Friday, August 24, 2007

Location: Bill J. Priest Campus of El Centro College in the Hobitzelle Auditorium

Address: 1402 Corinth Street, Dallas, Texas 75215

Time: 1:00pm-5:00pm

TDI is planning a Provider workshop for the Houston area and will provide the date and location when it is available.

Registration

Cost: Free

How: Register online at www.tdi.state.tx.us.

Seating is limited to the first 150 respondents and available on a first come first serve basis.

If you need additional information regarding workshop content, please contact Angelia Johnson, Deputy Commissioner of Filings and Operations at **angelia.johnson@tdi.state.tx.us**. If you need information regarding registration please contact Nedia Robinson at **nedia.robinson@tdi.state.tx.us** or (512) 322-3575. We look forward to seeing you.

Please note that this workshop is separate and distinct from the DWC Education Conferences to be held September 24-26 in Austin and October 24-26 in Dallas.

Provider Workshop

The TDI HWCN Division formally invites you to attend the Workers' Compensation Health Care Networks - Provider Workshop. The intent of the Provider Workshop is to provide a format for the providers to engage, network, as well as, gain a better understanding of workers' compensation coverage in the State of Texas. Staff from the TDI HWCN Division and Division of Worker's Compensation (DWC) will present multiple topics that entail extremely beneficial information, such as:

- How to join a network,
- Required Contract Provisions,
- Treating Doctors-Who can be one?
- What are the roles and responsibilities of a treating doctor? Treatment Guidelines-compare to non-network
- Preauthorization Requirements
- and much much more...

Provider Workshop *continued from page 3*

Date: Saturday, August 25, 2007
Location: Bill J. Priest Campus of El Centro College in the Hobitzelle Auditorium
Address: 1402 Corinth Street, Dallas, Texas 75215
Time: 9:00am-4:00pm

TDI is planning a Provider workshop for the Houston area and will provide the date and location when it is available.

Registration

Cost: Free

How: Register online at www.tdi.state.tx.us.

Seating is limited to the first 150 respondents and available on a first come first serve basis.

If you need additional information regarding workshop content, please contact Angelia Johnson, Deputy Commissioner of Filings and Operations at **angelia.johnson@tdi.state.tx.us**. If you need information regarding registration please contact Nedia Robinson at **nedia.robinson@tdi.state.tx.us** or (512) 322-3575. We look forward to seeing you.

Please note that this workshop is separate and distinct from the DWC Education Conferences to be held September 24-26 in Austin and October 24-26 in Dallas.

Meet Your Workers' Compensation Network Application Coordinator

Elizabeth Wollet has been the WC Application Coordinator since August, 2006. The coordinator oversees all incoming and outgoing correspondence pertaining to network applications, schedules requested conference calls, processes applications, disseminates updated materials to reviewing staff, and keeps track of application due dates. As the primary contact between applicants and the HWCN Division, Elizabeth can be contacted via email at **WCAppCoordinator@tdi.state.tx.us** or by phone through the Division's toll-free number, 1-866-554-4926. Feel free to contact her with any question pertaining to your application or certified network.

HWCN Web Page Redesign

Heads up! The HWCN Web page is in the process of being revamped, with anticipated availability in the fall season. HWCN's new Web page will contain valuable information with the intent to be an accurate resource for all users, in particular the following customer groups:

- HMO Carriers
- WC Carriers
- HMO Employers
- WC Employers
- Enrollees
- WC Injured Employees
- HMO Healthcare Providers

HWCN Web page Redesign *continued from page 4*

- WC Healthcare Providers
- Independent Review Organizations (IROs)
- Utilization Review Agents (URAs)
- Third Party Administrators (TPAs)
- WC Networks

The Web page will contain many helpful links such as definitions, frequently asked questions, hot topics, WCNet Newsletters, outline the responsibilities of HMO Carriers; WC Carriers; Enrollees; Injured Employees; Healthcare Providers and much more.

New Legislation Affecting Workers' Compensation Networks in Texas

The 80th Texas Legislature, Regular Session, enacted several bills that affect certified workers compensation networks. The bills which are briefly described below may be viewed in their entirety via the [Texas Legislature Online Web site](#).

Please note that this list is not all inclusive. Please refer to the Texas Legislature Online Web site for complete information on legislation from the 80th Texas Legislature.

Senate Bill 458 This bill amends §401.011, Texas Labor Code (TLC) to require coverage for prosthetic or orthotic devices in addition to requiring coverage for the fitting of, change or repair to, or training in the use of an appliance, brace, member or device.

House Bill 472 amends §4151, TIC to require a person or entity who adjusts or settles claims for workers' compensation benefits including a certified network that administers workers' compensation claims for an insurer to hold a certificate of authority as a third party administrator. The term "insurer" includes an insurance carrier as defined in §401.011(27), TLC except that it does not include a governmental entity or a certified self-insured group subject to regulation under §407A, TLC.

House Bill 1005 adds §408.0272, TLC. This section states that a provider does not forfeit the right to receive payment on a claim submitted more than 95 days after the date of service if the provider submits proof that the claim was:

- 1** timely filed to the injured workers' health insurer, HMO or another workers' compensation carrier or
- 2** not timely filed due to a catastrophic event, as defined, and
- 3** refiled to the correct carrier within 95 days after the provider received notice that the claim was erroneously filed.

House Bill 1006 amends §1305, TIC. This bill requires that doctors who perform reviews of health care services, including utilization, retrospective and peer reviews, be licensed in Texas.

Senate Bill 1253 amends §1305.251, TIC to require networks to pay a fee as set by the commissioner by rule to cover the expenses of an examination conducted by the department.

Frequently Asked Questions (FAQs)

Below are several questions and answers from the TDI Workers' Compensation Health Care Network Workshop held in Austin on January 31, 2007. For a complete list of questions and answers from this workshop please visit the [HWCN Division Web page](#).

Q: When will the criteria for the network report card survey be finalized?

A: A draft of the injured employee survey was posted on the Department's website. The deadline for comments on that survey expired on February 28, 2007. The Workers' Compensation Research and Evaluation Group (REG) is currently reviewing those comments and will finalize the survey instrument for the first network report card sometime in March. The REG anticipates continuously evaluating the various network report card measures and requesting public input on any major proposed changes to those measures prior to their incorporation in the network report card.

Q: Will individual physicians have a report card, and if so, will they be made public?

A: No, individual health care providers will not have their own "report card" produced in the same way as the network report card requirements of Chapter 1305, Insurance Code. However, the Division of Workers' Compensation is currently required under Labor Code §402.075, to develop and implement a performance-based oversight program, which includes a biennial assessment of individual health care providers and insurance carriers on a variety of compliance measures. The Division has already held several stakeholder meetings to discuss possible health care provider and insurance carrier measures and will be initiating rule proposals, as required by statute, to identify key regulatory goals for the performance-based oversight program sometime late Spring/early Summer 2007. Additionally, certified networks are required as part of their quality improvement programs to monitor the quality and utilization of care by their contracted providers and may produce reports as part of this monitoring.

Q: How will physician providers be compensated when they treat an employee in an emergency situation that is a member of an outlying network of which the physician is not a member? Will 125% of Medicare fees remain in effect as required compensation, and for how long?

A: Providers who are not contracted with a network, but provide emergency care to injured employees or provide care subject to a referral from an in-network provider, will be compensated at the rate assigned in the current fee schedule promulgated by the DWC. The fee schedule is currently undergoing a review process, but the current fee schedule will control until a new fee schedule, if any, is adopted by the Division. The review of the fee schedule does not change the schedule that providers are currently being paid under.

Q: What is the mandatory composition of medical specialists in a certified network and the geographic requirements (i.e. distance)? More specifically, is a pain management specialty a requirement?

A: Neither the statute (Insurance Code §1305.302) nor the rule (28 TAC§10.80) requires a specific type of provider to be included in the networks, other than requirements to have chiropractors, physical therapists, and occupational therapists. However, each network is required to have sufficient numbers and types of health care providers to ensure choice, access, and quality of care to injured employees. If a network does not have available within its network a particular specialty that would reasonably be required for injured employee care, then the network is required to approve an out-of-network referral so that the employee may receive the necessary care.

FAQs *continued from page 6*

Q: As Return-to-Work was a strong focus under HB 7, how are providers held accountable to follow Return-to-Work guidelines?

A: 28 TAC §§10.83(a) requires that each network shall adopt treatment guidelines, return-to-work guidelines, and individual treatment protocols which must be evidence-based, scientifically valid, outcome-focused, and designed to reduce inappropriate or unnecessary health care while safeguarding access to necessary care.

Additionally, §10.83(c) provides that a network, through its quality improvement program under §10.81, shall assure that all treatment guidelines, return-to-work guidelines, and individual treatment protocols are made accessible to all network providers. The network shall contractually require providers to follow its treatment guidelines, return-to-work guidelines, and individual treatment protocols pursuant to §10.42(b) (2).

Q: Is there an established rule or law regarding what is acceptable as proof of timely filing? Or is it left up to the workers' compensation carrier to determine what is acceptable?

A: There is currently not a standard devised specifically for network or non-network workers' compensation for proof of timely filing. It would be a prudent business decision to review the contract between the carrier and provider or the network and the provider to determine what acceptable proof of timely filing has been outlined in the contract.

Previous Issues of WCNet News

Previous issues of WCNet News are located on the [TDI Workers' Compensation Health Care Network Web page](#) under "Publications".

Calendar of Events

Network Applicant Conference Call – 1-888-387-8235 - passcode 5751967

Thursday, August 16, 2:00-3:00 p.m. CST
Thursday, September 13, 2:00-3:00 p.m. CST
Thursday, October 11, 2:00-3:00 p.m. CST
Thursday, November 15, 2:00-3:00 p.m. CST

Provider/Office Manager Conference Call – 1-888-387-8235 - passcode 5751967

Tuesday, August 14, 2:00-3:00 p.m. CST
Tuesday, September 11, 2:00-3:00 p.m. CST
Tuesday, October 9, 2:00-3:00 p.m. CST
Tuesday, November 13, 2:00-3:00 p.m. CST

Workshop Dates

Friday, August 24, 1:00 p.m.- 5:00 p.m. CST – Employer Workshop, Bill J. Priest Campus of El Centro College in the Hobitzelle Auditorium, 1402 Corinth Street, Dallas, Texas, 75215.

Saturday, August 25, 9:00 a.m.- 4:00 p.m. CST – Provider Workshop, Bill J. Priest Campus of El Centro College in the Hobitzelle Auditorium, 1402 Corinth Street, Dallas, Texas, 75215.