

**Texas Department of Insurance
Division of Workers' Compensation
Electronic Billing Waiver Information**

Provisions of Texas Labor Code §408.0251 and Rule133.501, allow for exceptions to the Texas Department of Insurance, Division of Workers' Compensation (Division) electronic billing and reimbursement requirements based on small practice status or an unreasonable financial burden.

Health care providers that employ ten or fewer employees and workers' compensation accounts for less than 10% of their practice meet the criteria for a small practice waiver.

Health care providers and insurance carriers that can substantiate that implementing electronic billing and reimbursement presents an unreasonable financial burden meet the criteria for an unreasonable financial burden waiver.

Healthcare Provider or Billing Entity/Group Small Practice Waivers

Health care providers (or billing entities/groups filing on behalf of a Health care provider) may submit a request for a small practice waiver in writing to the Texas Department of the Insurance, Division of Workers' Compensation (Division). A waiver request checklist with instructions can be downloaded from the TDI website at <http://www.tdi.state.tx.us/wc/ebill/documents/ebwaivercklist.pdf>. The deadline to submit a request to the Division for a waiver to be exempt from the January 1, 2008 implementation is October 31, 2007.

Small practice waivers granted before January 1, 2008 will expire on January 1, 2010, two calendar years after the implementation of the electronic billing and reimbursement requirements. Requests for waivers and renewals approved by the Division after January 1, 2008, will expire two calendar years after the date of approval.

Healthcare Provider, Billing Entity/Group or Insurance Carrier Unreasonable Financial Burden Waiver Request Process

Health care providers (or billing entities/groups filing on behalf of a Health care provider) or Insurance Carriers may submit a request for a unreasonable financial burden waiver in writing to the Texas Department of the Insurance, Division of Workers' Compensation (Division). A waiver request checklist with instructions can be downloaded from the TDI website at <http://www.tdi.state.tx.us/wc/ebill/documents/ebwaivercklist.pdf>. The deadline to submit a request to the Division for a waiver to be exempt from the January 1, 2008 implementation is October 31, 2007.

Unreasonable financial burden waivers granted before January 1, 2008 will expire on January 1, 2009, one calendar year after the implementation of the electronic billing and reimbursement requirements.

Health care providers, billing entities/groups or insurance carriers may request renewal of their unreasonable financial burden waiver. Renewals of waivers expire one calendar year after the date of approval.

Temporary waivers may be requested if an entity is unable implement electronic billing and reimbursement on January 1, 2008 due to technical or business issues. These requests for a waiver should be submitted as unreasonable financial burden waivers. The requestor should provide the steps taken to prepare for the implementation; the technical or business issues that prevent implementation on January 1, 2008; any mitigating circumstances the requestor chooses to submit for consideration; and a plan, which includes time frames and dates, for the requestor to become compliant with electronic billing and reimbursement requirements. These waivers may be granted for a specific period of time; such as 60 days, 90 days or six months; to allow for circumstances that might delay, but not prevent implementation of electronic billing and reimbursement requirements.