

FREQUENTLY ASKED QUESTIONS

Hurricane Dolly Bulletin

INTRODUCTION

- On **July 22 & 23, 2008** Governor Perry issued proclamations declaring a disaster due to the effects of **Tropical Storm Dolly**.
- The proclamations certify that beginning **July 22, 2008**, Dolly posed a threat of imminent disaster to the following counties:
 - Aransas
 - Bexar
 - Brooks
 - Calhoun
 - Cameron
 - Hidalgo
 - Jim Wells
 - Kenedy
 - Kleberg
 - Nueces
 - Refugio
 - San Patricio
 - Starr
 - Victoria
 - Willacy
- The proclamation also states that all state rules and state regulations that may inhibit or prevent prompt response to this threat are suspended for 30 days (July 22 – August 20, 2008).

INJURED EMPLOYEES

Q. I had to leave my home. Can I get help from the DWC Field Office closest to me?

A. Yes, contact the Division's local field office or, for calls outside of the area code for that office, call the toll free telephone number 1-800-252-7031.

Q. Will I continue to get my income benefit checks? I had to leave my residence, how will I get my checks?

A. Yes, income benefit checks should continue to be issued. Injured employees should contact their insurance carrier adjustor as soon as possible and provide the insurance carrier with updated contact information to ensure their income benefit checks reach them. The Division expects insurance carriers to provide all injured employees impacted by the hurricane with methods for reporting a change of address.

Q. Can I have my income benefit checks sent to a different address or my attorney's office?

A. Yes, contact the insurance carrier adjustor as soon as possible and give them your alternate mailing address. The Division expects insurance carriers to provide all injured employees impacted by the hurricane with methods for reporting a change of address.

Q. The insurance carrier said it sent my checks but I have not received them. What can I do?

A. Contact the Division's local field office or, for calls outside of the area code for that office, call the toll free telephone number 1-800-252-7031, and request assistance contacting your insurance adjuster. DWC staff will contact the insurance carrier and try to help you to resolve the issue.

Q. I had a Benefit Review Conference/Benefit Contested Case Hearing (BRC/CCH) scheduled that I am unable to attend, what will happen now?

A. If the BRC/CCH has not yet occurred and you can't physically attend, you may attend by telephone. If the BRC/CCH scheduled date has already occurred you may reschedule; or, you

FREQUENTLY ASKED QUESTIONS

Hurricane Dolly Bulletin

may change the place of appointment to the DWC Field Office nearest you. For any of these options, you may contact the Division's local field office or, for calls outside of the area code for that office, call the toll free telephone number 1-800-252-7031.

Q. I missed my designated doctor (or RME doctor) appointment. What do I do now?

A. You need to reschedule your DD/RME appointment as soon as possible by contacting the DD/RME doctor. If you are unable to contact the doctor, then contact the Division's local field office for assistance (or, for calls outside of the area code for that office, call the toll free telephone number 1-800-252-7031). The effects of Hurricane Dolly are considered valid reasons for missing a scheduled DD/RME appointment.

Q. Will the insurance carrier stop my income benefit checks because I missed my DD/ RME appointment?

A. No, the insurance carrier should not stop any income benefit checks if your place of residence is in one of the counties proclaimed by the governor as being disaster impacted by Hurricane Dolly. However, you should reschedule your appointment as soon as possible.

Q. I had to leave my home and I've lost my prescription. Can I get my prescription refilled? How can I get my prescriptions refilled?

A. Yes, injured employees should go to a pharmacy to obtain any necessary medical prescriptions. Injured employees should contact their insurance carrier adjustor as soon as possible to inform the insurance carrier of their situation. This will help to eliminate any problems that may come up when going to a pharmacy to get a prescription refilled. The Division is encouraging insurance carriers to use all available means to provide injured employees necessary prompt and immediate relief, including the continuation of necessary medical care and prescriptions.

Q. I had to leave my home so I wasn't in my network area when I needed to see a doctor. Do I have to pay for this out of my own pocket?

A. No, not if your place of residence is in one of the counties proclaimed by the governor as being disaster impacted by Hurricane Dolly and you had to leave to an area outside your network. Insurance carriers should waive penalties and restrictions on injured employees when the injured employee is subject to a certified network and obtains necessary emergency and non-emergency health care out-of-network as a result of the disaster through the duration of the Governor's disaster proclamation.

HEALTH CARE PROVIDERS

Q. I'm trying to get health care services preauthorized but I can't contact anyone at the insurance carrier's office. What do I do?

A. If the injured employee's residence is in one of the counties proclaimed by the governor as being disaster impacted by Hurricane Dolly, preauthorization is not required for the duration of the Governor's disaster proclamation for circumstances where the injured employee or that employee's health care provider cannot reasonably communicate with the appropriate insurance carrier as required. However, health care providers should keep in mind that the insurance carrier will still be able to retrospectively review these types of services for medical necessity.

FREQUENTLY ASKED QUESTIONS

Hurricane Dolly Bulletin

Q. The storm has destroyed our computer network. We're not sure we will be able to send out all our outstanding medical bills on time. What can I do?

A. The DWC filing deadlines should be extended as necessary through the duration of the Governor's disaster proclamation for the residents of the affected counties. This means that if your office is located in one of the affected counties the days during the duration of the proclamation will not count against any DWC filing deadline days if an extension is necessary.

Q. Because of the hurricane some of my medical bills are past the 95 day deadline. What can I do?

A. The DWC medical billing filing deadlines should be extended as necessary through the duration of the Governor's disaster proclamation for the residents of the affected counties. This means that if your office is located in one of the affected counties the days during the duration of the proclamation will not count against the medical billing filing deadline days if an extension is necessary.

Q. I have some medical disputes to file and because of the storm we have missed the filing deadline. What can we do?

A. You should go ahead and submit your medical dispute. The medical dispute filing deadlines should be extended as necessary through the duration of the Governor's disaster proclamation for the residents of the affected counties. This means that if your office is located in one of the affected counties the days during the duration of the proclamation will not count against the medical dispute filing deadline days if an extension is necessary.

Q. I'm a designated doctor (or RME doctor) and we had to close the office due to Hurricane Dolly which resulted in some missed DD/RME appointments. What should I do? Will it hurt my status as a DD/RME doctor? What will happen?

A. You need to reschedule your DD/RME appointments as soon as possible. The effects of Hurricane Dolly are considered valid reasons for rescheduling DD/RME appointments. Your status as a DD/RME doctor won't be hurt and you will not be penalized in any form.

Q. I need to treat an injured employee who is in a certified workers' compensation health care network and I'm not, what do I do?

A. You should provide any necessary medical care. If the injured employee's place of residence is in one of the counties proclaimed by the governor as being disaster impacted by Hurricane Dolly, then insurance carriers should waive restrictions as necessary on injured employees subject to a certified network who need to obtain necessary emergency and non-emergency health care out-of-network as a result of the disaster through the duration of the Governor's disaster proclamation and as necessary.

Q. I treated an injured employee who is in a WC network and I'm not, will the insurance carrier pay for the health care provided?

A. If the injured employee's place of residence is in one of the counties proclaimed by the governor as being disaster impacted by Hurricane Dolly, then insurance carriers should not deny payment for necessary emergency and non-emergency health care services that were obtained out-of-network as a result of the threat of imminent disaster through the duration of the Governor's disaster proclamation and as necessary.

FREQUENTLY ASKED QUESTIONS

Hurricane Dolly Bulletin

INSURANCE CARRIERS

Q. What is the “duration of the incident”?

A. The duration of the incident is the same the Governor’s proclamation duration, which is 30 days (July 22 – August 20, 2008). If the duration of the incident is extended, it will be done so in subsequent communications.

Q. The DWC bulletin states that “Texas workers’ compensation deadlines for the following procedures should be extended as necessary through the duration of the Governor’s disaster proclamation.” For how long should the deadlines be extended?

A. The maximum amount of days the deadline may be extended is 30 days, which is the duration of the Governor’s proclamation duration. However, the extension should be for reasonable periods of time. If an extension is necessary, the days during the duration of the proclamation will not count against any DWC filing deadline days that have to be met by a system participant whose office or residence is located in one of the affected counties.

Q. Do we continue to issue income benefit checks?

A. Yes, insurance carriers are expected to provide injured employees prompt and immediate relief in processing and delivering benefit checks. Insurance carriers are also expected to provide all injured employees impacted by the hurricane with methods for reporting a change of address.

Q. Some income benefits checks have come back undeliverable and we can’t locate the injured employee. What do we do?

A. Insurance carriers should make any available effort to obtain new contact information for the injured employee. Insurance carriers are expected to provide all injured employees impacted by the hurricane with methods for reporting a change of address. Also, injured employees should contact their insurance carrier adjustor as soon as possible and provide the carrier with updated contact information to ensure their income benefit checks reach them.

Q. The storm has created problems with the company’s computer network. We’re not sure we’ll be able to send out the income benefit checks on time. What should we do? What will happen?

A. Insurance carriers should continue to attempt to resolve the issue as soon as possible. The Division expects insurance carriers to use all available means to provide injured employees prompt and immediate relief, including but not limited to processing and delivery of benefit checks.

Q. What do we do if we receive a bill from an out-of-network provider who provided non-emergency treatment to an injured employee who is covered by a network during the duration of the Hurricane Dolly incident?

A. If the injured employee’s residence is in one of the counties proclaimed by the governor as being disaster impacted by Hurricane Dolly, then insurance carriers should not deny payment for necessary emergency and non-emergency health care services that were obtained out-of-network as a result of the threat of imminent disaster through the duration of the Governor’s disaster proclamation and as necessary.

FREQUENTLY ASKED QUESTIONS

Hurricane Dolly Bulletin

Q. We're getting calls from pharmacists who want to fill prescriptions that had previously been filled for injured employees. Should we agree to have these prescriptions refilled again?

A. Yes, the Division is encouraging insurance carriers to use all available means to provide injured employees whose residence is in one of the counties proclaimed by the governor as being disaster impacted by Hurricane Dolly necessary prompt and immediate relief, including the continuation of necessary medical care and prescriptions. In addition, subject to oversight by the Texas State Board of Pharmacy, insurance carriers should as necessary, through the duration of the Governor's disaster proclamation, authorize payment to pharmacies for up to a 90 day supply of any prescription medication for injured employees regardless of the date upon which the prescription had most recently been filled. (Refer to TDI Bulletin #B-0042-08)

Q. Some injured employees are requesting supply refills for medical equipment that has recently been refilled. Should we agree to have these prescriptions refilled again?

A. Injured employees whose residence is in one of the counties proclaimed by the governor as being disaster impacted by Hurricane Dolly should not be without their necessary services, supplies and equipment to maintain their health during a disaster or threat of imminent disaster and danger. It is the opinion of the Texas Department of Insurance that insurance carriers should as necessary, throughout the duration of the Governor's disaster proclamation, authorize payment for necessary medical equipment, supplies and services regardless of the date upon which the service, equipment or supplies were most recently provided. (Refer to TDI Bulletin #B-0038-08)