



Texas Department of Insurance

Division of Workers' Compensation

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MEMORANDUM

DATE: August 19, 2009

TO: Workers' Compensation System Participants

FROM: Christopher Bean, Workers' Compensation Counsel

RE: Division Accepting Comments on Informal Working Draft of eBill Rules

The Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) has prepared a working draft of rules and is accepting informal comments on amendments to 28 Texas Administrative Code (TAC) §§133.2, 133.10, 133.210, 133.500, 133.501 and 134.120 and the addition of 28 TAC §133.502, concerning paper medical billing, medical documentation, and electronic medical billing requirements.

These draft changes are suggested in order to more fully implement the provisions of House Bill 7, 79th Legislature, Regular Session (2005), which added Texas Labor Code (TLC) §408.0251, requiring the TDI-DWC to adopt rules related to electronic billing requirements, and which modified TLC §413.011, requiring the TWC-DWC to adopt rules aligned with Centers for Medicare and Medicaid Services coding and billing policies (with modifications to documentation requirements as needed for workers' compensation purposes).

The informal working draft rules are posted on the TDI website at <http://www.tdi.state.tx.us/wc/rules/drafts.html>. Comments to the informal working draft may be submitted to TDI-DWC via e-mail to InformalRuleComments@tdi.state.tx.us. The deadline for submitting informal comments is 5 p.m. on Tuesday, September 15, 2009.

Any informal comments received will not be treated as a formal public comment for the purposes of the Administrative Procedures Act. There will be an opportunity for workers' compensation system participants to make formal comments after the rules are formally posted and officially published in the *Texas Register*. TDI-DWC anticipates proposed publication of the rules in November or December 2009.