

Texas Department of Insurance  
Division of Workers' Compensation

# *FastFacts*

For Designated Doctors

## **Appointment Coordination, Refusals, Cancellations, Rescheduling, and Resignations**

This *FastFacts* explains the process for designated doctors to accept appointments, time frames for designated doctors to respond to appointment requests from the Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC), and the time frames for rescheduling and cancelling appointments

### **Appointment Coordination**

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Upon selection for an appointment, the designated doctor scheduling group at TDI-DWC will fax an appointment coordination sheet indicating the appointment(s) being offered to the designated doctor. The designated doctor must respond to the appointment coordination sheet within 24 hours of receipt. If the appointment coordination sheet is received on a Friday, the designated doctor must respond by close of the next business day. The response must indicate whether the designated doctor accepts or refuses each appointment offered, and it must verify that no disqualifying association exists. If the injured employee is in a workers' compensation network, the designated doctor must indicate if he or she is a treating doctor in same network. If the designated doctor is in the same network as the injured employee, TDI-DWC will select another designated doctor.

### **Appointment Refusals and Reexamination Refusals**

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Designated doctors should carefully select the counties that they will provide service because they must accept initial appointments and reexaminations when selected, regardless of location or number of appointments offered. Designated doctors must file all reports associated with the exam timely, such as the Form DWC-69 *Report of Medical Evaluation*, narratives, or requests for clarification from TDI-DWC. Failure to comply with reporting time frames is an administrative violation and may result in referral to the TDI-DWC Enforcement section.

Otherwise qualified designated doctors who refuse four exam requests within a 90-day period, or who have four consecutive refusals to perform examinations within the required time frames, are subject to removal from the Designated Doctor List.

Designated doctors who do not comply with TDI-DWC rules regarding:

- refusal of appointments because of unavailability;
- refusal of reexamination orders;
- missed appointments; or,
- responsiveness to appointment requests in counties they serve,

will be forwarded to the TDI-DWC Office of the Medical Advisor for review. The Office of the Medical Advisor has the authority to suspend appointments for particular designated doctors and can remove them from counties the designated doctor lists as counties served, or remove them from the designated doctor list.

When a designated doctor is not available to accept any appointments, he or she must contact the Office of the Medical Advisor by fax, mail or phone, to suspend their availability in the TXCOMP Provider System. This suspends the designated doctor's availability for the entire state during the time indicated

## **Cancellations and Rescheduling of Appointments**

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Designated doctor appointments must occur no sooner than 14 days and no later than 21 days from the date of written notice. Rescheduled examinations must be set to occur within 21 days of the originally scheduled examination.

Within 24 hours of rescheduling, the designated doctor shall contact the TDI-DWC field office and the insurance carrier with the date and time of new examination. If the rescheduling is coordinated on a Friday, the designated doctor must contact the TDI-DWC field office and the insurance carrier by close of the next business day. If the examination cannot be rescheduled within 21 days, the designated doctor must notify TDI-DWC so a new designated doctor may be selected.

Parties with scheduling conflicts must contact the other party at least 24 hours prior to the appointment. The 24 hours requirement is waived for an emergency, such as death in the family or a medical emergency.

An injured employee who, without good cause as determined by TDI-DWC, fails or refuses to appear at the time scheduled for a designated doctor examination commits an administrative violation. Penalties for a violation may be a warning letter or possibly a monetary fine.

Injured employees who miss a designated doctor appointment for a good cause will be given a reasonable opportunity to reschedule the examination; but until the examination occurs, the insurance carrier may discontinue paying temporary income benefits.

For examinations that are cancelled by any party, the designated doctor must maintain records that document the circumstances of the cancellation, no-show, or other situation where the examination did not occur as initially scheduled or rescheduled.

## **Redesignations**

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Designated doctors who do not believe they are qualified (by their education, training or experience) to address the particular medical condition of an injured employee, may request that another doctor be designated to conduct the examination. The newly selected designated doctor must perform all subsequent designated doctor requests for the claim, so long as the new designated doctor is qualified to address the particular issue in question and is available. If the new designated doctor is not qualified to address a subsequent exam issue for an injured employee, or if he or she is no longer available, the designated doctor may request a redesignation for that exam.

## **Relevant Statutes and Rules**

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Texas Workers' Compensation Act:

§408.0041, Designated Doctor Examination

§408.1225, Designated Doctor

TDI-DWC Rules:

§126.7, Designated Doctor Examinations: Requests and General Procedures

§180.21, Division Designated Doctor List

## **Other Related FastFacts for Designated Doctors**

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Doctor Selection Criteria

Distributing Appointment Requests