

Texas Department of Insurance
Division of Workers' Compensation

FastFacts

For Designated Doctors

Doctor Selection Criteria

This *FastFacts* explains the criteria by which Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) staff select an appropriate designated doctor for a particular examination request. It also explains the reasons a particular doctor may not be selected to perform the examination, even if the designated doctor has the requisite education, training and experience to conduct the exam. TDI-DWC may order a medical examination by a designated doctor at the request of the insurance carrier, an injured employee, the employee's representative, if any, the TDI-DWC medical advisor, or on its own motion. The approval or denial of these requests is an official action of TDI-DWC.

Selection Criteria

TDI-DWC selects designated doctors for each approved request based upon:

- the injured employee's county of residence;
- the best possible match between the designated doctor's self-reported education, training, and experience and the medical care the injured employee is receiving; and,
- no conflict of interest or disqualifying association as reported by the designated doctor at the time the appointment is scheduled. Examples of these conflicts or disqualifying associations may include receipt of income, compensation, or payment of any kind not related to health care provided by the doctor, or shared investment or ownership interest. More detail can be found in TDI-DWC Rule §180.21(a)(2).

To select a designated doctor, TDI-DWC chooses from a list of qualified designated doctors in the injured employee's county of residence. The next available designated doctor with the experience matrix that meets the needs for a particular injured employee is selected and requested to conduct the examination. The selected designated doctor must perform all subsequent designated doctor requests for the claim, as long as the designated doctor is qualified to address the particular issue and is available.

Disqualifying Criteria

The next available doctor may not be offered the exam due to one or more of the following conditions. As provided by Rule §126.7(h), the designated doctor must not have:

- previously treated or examined the employee within the past 12 months and has not examined or treated the employee with regard to a medical condition being evaluated in the designated doctor examination; or,
- any disqualifying associations that may reasonably be perceived as having potential to influence the conduct or decision of a doctor, as described in TDI-DWC Rule §180.21(a), which may include receipt of income, compensation, or payment of any kind not related to health care provided by the doctor or shared investment or ownership interest.

A Doctor must have credentials appropriate to the issue in question and the employee's medical condition.

These criteria apply at any time up until the injured employee attends the appointment with the designated doctor, which may cause TDI-DWC to select another designated doctor.

Accepting the Designated Doctor Appointment

After TDI-DWC selects a designated doctor to perform an exam, the designated doctor is notified of the selection, provided a copy of the request for appointment, and given the time frame for conducting the examination. The designated doctor reviews the request, and responds to TDI-DWC. In the response, the designated doctor indicates whether he or she will accept an appointment or the reason for refusing the appointment. If the designated doctor determines he or she is not qualified to conduct the exam based on education, training, and experience, or discovers a disqualifying association with the particular injured employee, the designated doctor shall contact TDI-DWC so that a different doctor can be selected.

Relevant Statutes and Rules

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

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