



Texas Department of Insurance

Division of Workers' Compensation, Office of the Commissioner

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Providing Health Care to Injured Employees in the Texas Workers' Compensation System Beginning September 1, 2007

August 10, 2007

Dear System Participant:

The purpose of this letter is to inform you of an important change affecting doctors in the Texas workers' compensation system. Effective September 1, 2007, doctors will no longer be required to be approved or trained by the Texas Department of Insurance, Division of Workers' Compensation (TDI) in order to provide treatment to injured employees in the workers' compensation system. However, doctors are encouraged to take advantage of training and other valuable system information available at <http://www.tdi.state.tx.us/wc/hcprovider/index.html#provider>.

Continuing Regulatory Requirements

Even though the Approved Doctors List (ADL) expires August 31, 2007, TDI will continue to regulate health care in the system. Participating doctors must continue to disclose financial interest in other providers, practitioners and facilities, etc. to TDI. Helpful information about financial disclosure requirements can be found at <http://www.tdi.state.tx.us/pubs/fastfacts/ff-financialdisclosure.pdf>. Training and approval requirements for Designated Doctors and/or doctors certifying Maximum Medical Improvement/Impairment Ratings are not affected by the expiration of the ADL. Training information can be found at <http://www.tdi.state.tx.us/wc/mr/irtraining.html>.

Only doctors licensed in Texas can treat injured employees in Texas. Out-of-state doctors must be licensed in the jurisdiction where care is being provided. These requirements do not apply to injured employees of non-subscribers or those covered by certified workers' compensation health care networks.

Provider Listing

TDI maintains an online listing of doctors licensed to practice in Texas through the TXCOMP Provider system <http://www.tdi.state.tx.us/wc/information/locatedoctor.html>. This listing can be used by injured employees to select treating doctors and other system participants to verify the status of providers. The system also allows providers to create and maintain a profile for reporting financial disclosure information. Although the list contains self-reported credentialing and specialization information from providers, TDI does not validate this information. Doctors on this list are not required to treat injured employees.

Excluded Providers

The agency will also publish a list of providers who have been sanctioned by TDI. This list includes doctors who have been removed, deleted or were denied admission to the ADL. These doctors may not treat injured employees.

Medical Quality Review

§413.0511 of the Labor Code requires the Medical Advisor to monitor the quality of health care for injured employees. Medical quality reviews, conducted by the Medical Quality Review Panel (MQRP), ensure that injured employees receive reasonable and medically necessary health care in a timely and cost-effective manner. MQRP is a group of independent medical experts under contract with the agency. Health care provided in the system should promote recovery and ultimately lead to appropriate return to work of the employee. Detailed information about the review process can be found at <http://www.tdi.state.tx.us/wc/dwc/medadvisor.html>.

The Medical Advisor also reviews the actions of peer review doctors, designated doctors, doctors performing required medical examinations, insurance carriers, Utilization Review Agents (URAs) and Independent Review Organizations (IROs) handling network and non-network claims.

The agency uses claim and medical bill data, complaints filed with the agency, licensing board actions or related actions and other associated reviews to monitor the performance of health care providers. Each year, the agency selects categories of workers' compensation system health care for review based on recommendations from the Medical Advisor, the agency's Research and Evaluation Group and other independent sources.

Sanctions

The criteria for imposing sanctions on providers may include anything the agency considers relevant, but are not limited to:

- Substandard medical care;
- Violation of the Texas Workers' Compensation Act or the Division's rules;
- Overcharging and/or over-utilization of medical services; and,
- Failure to practice medicine or provide healthcare, including chiropractic care, in a manner consistent with evidence-based medicine, the public health, safety, and welfare.

Some of the possible sanctions for providers include, but are not limited to:

- Increased preauthorization requirements, required treatment planning, and/or reduction of allowable reimbursement;
- Denial for inclusion or removal from the Designated Doctor List;
- Restricting the role of the particular healthcare provider; and,
- Mandatory participation in training.

The agency's full Medical Quality Review Policy is available on the agency website at <http://www.tdi.state.tx.us/wc/mr/documents/mqrppolicy.pdf>. Doctors interested in serving on the MQRP may apply by responding to the Request for Qualifications located at <http://www.tdi.state.tx.us/commish/legal/lrfaqmqrp.html>.

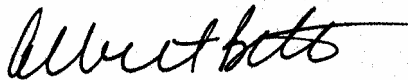
Communication with Providers

Prior to September 1, 2007 doctors on the ADL were required to create and maintain a TXCOMP Provider profile. After September 1, 2007, doctors entering the workers' compensation system are encouraged to create and update their TXCOMP Provider profile frequently, which allows the agency to contact providers regarding system issues. The profile also allows providers to update financial disclosure information. For information about creating a TXCOMP profile, use the following link:

<https://txcomp.tdi.state.tx.us/twccprovidersolution/homehtml>.

If you have any questions or need any additional information, please contact the Office of the Medical Advisor at (512) 804-4875.

Sincerely,



Albert Betts,
Commissioner of Workers' Compensation
Texas Department of Insurance