

Subsequent Notice of Network Requirements

After the initial notice of network requirements is given to the employee, [Texas Insurance Code §1305.005\(g\)](#), requires that the employer notify an injured employee of the network requirements at the time the employer receives actual or constructive notice of an injury. During discussions in the Workers' Compensation Working Group of the feasibility of issuing network identification cards to injured employees, this notification was identified as a logical time for the issuance of such a card. Employers and carriers may wish to give thought to this issue, as it will be included on the agenda of the Workers' Compensation Working Group when it resumes meetings later this year.

Network Applicant and Provider/Office Manager Open Conference Calls

TDI holds monthly conference calls with network applicants (second Thursday of each month) and providers/office managers (second Tuesday of each month) to discuss issues related to Certified Workers' Compensation Health Care Networks. Please see the calendar of events at the end of this newsletter for specific details.

The minutes and agenda of previous Network Applicant Conference Calls and Provider/ Office Manager Conference Call can be accessed on the [TDI website](#).

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Certified Workers' Compensation Health Care Networks

The list of Certified Workers' Compensation Health Care Networks is available on the [TDI Web page](#). This list is updated as additional networks are certified and as service areas are modified. Currently the following workers' compensation health care networks have been certified:

- Aetna Workers' Comp Access (AWCA)
- Argus Provider Network
- Bunch and Associates Inc, Texas HCN
- CMI Barron Risk Management, Inc./ Southwest Medical Provider Network
- Concentra HCN
- Corvel Healthcare Corporation/Corcare
- First Health/AIGCS TX HCN
- First Health HCN
- First Health/Travelers HCN
- Forte Inc./Compkey/First Health
- Genex Services, Inc./Genex Care for Texas' Comp Access (AWCA)
- Genex Services Inc./Genex Health Care Network
- The Hartford Workers' Compensation Health Care Network – FH
- IMO Med-Select Network/Injury Management Organization, Inc.
- International Rehabilitation Associates Inc./IntraCorp.
- Interplan Health Group, Inc./Zenith Health Care Network (ZHCN)
- Intracorp/Lockheed Martin Aero Employee Select Network
- Liberty Health Care Network
- Memorial Hermann Health Network Providers, Inc./Worklink
- National ChoiceCare, NCC ChoiceNet
- North Texas Innovative Health Care Network, Inc.
- Physician's Cooperative of Texas
- SHA, LLC./FirstCare Network
- Specialty Risk Services Texas Workers' Compensation Health Care Network (First Health)
- Texas Star Network/Concentra
- Zurich Services Corporation Health Care Network
- Zurich Services Corporation Health Care Network/Corvel

Provider Workshop

The Texas Department of Insurance (TDI) Health and Workers' Compensation Network Certification and Quality Assurance Division (HWCN) formally invites you to attend the Workers' Compensation Health Care Networks - Provider Workshop. The intent of the Provider Workshop is to provide a format for providers to engage, network, and gain a better understanding of workers' compensation coverage in the State of Texas. Staff from TDI's HWCN Division and Division of Worker's Compensation (DWC) will cover a wide range of topics:

- How to join a network
- Required Contract Provisions
- Treating Doctors-Who can be one?
- What are the roles and responsibilities of a treating doctor?
- Treatment Guidelines-compare to non-network
- Preauthorization Requirements
- and much much more...

Date: Saturday, August 25, 2007

Location: Bill J. Priest Campus of El Centro College in the Hobitzelle Auditorium

Address: 1402 Corinth Street, Dallas, Texas 75215

Time: 9:00am-4:00pm

The Department is planning a Provider workshop for the Houston area and will provide the date and location when it is available.

Registration

Cost: Free

How: Register online at www.tdi.state.tx.us beginning on July 2, 2007.

Seating is limited to the first 150 respondents and available on a first-come first-served basis.

If you need additional information regarding workshop content, please contact Angelia Johnson, Deputy Commissioner of Filings and Operations at angelia.johnson@tdi.state.tx.us. If you need information regarding registration please contact Nedia Robinson at nedia.robinson@tdi.state.tx.us or (512) 322-3575. We look forward to seeing you.

Please note that this workshop is separate and distinct from the DWC Education Conferences to be held September 24-26 in Austin and October 24-26 in Dallas.

Employer Workshop

TDI's HWCN Division formally invites you to attend the Workers' Compensation Health Care Networks - Employer Workshop. The intent of the Employer Workshop is to provide a format for employers to engage, network and gain a better understanding of workers' compensation coverage in the State of Texas. Staff from TDI's HWCN Division and Division of Worker's Compensation (DWC) will present multiple topics, such as:

- How to choose and locate a network – Pros and Cons
- Return-to-work and safety – Best practices (Small Employer Pilot Program)
- and much, much, more...

Date: Friday, August 24, 2007

Location: Bill J. Priest Campus of El Centro College in the Hobitzelle Auditorium

Address: 1402 Corinth Street, Dallas, Texas 75215

Time: 1:00pm-5:00pm

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Employer Workshop *continued from page 2*

The Department is planning a Employer workshop for the Houston area and will provide the date and location when it is available.

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If you need additional information regarding workshop content, please contact Angelia Johnson, Deputy Commissioner of Filings and Operations at **angelia.johnson@tdi.state.tx.us**. If you need information regarding registration please contact Nedia Robinson at **nedia.robinson@tdi.state.tx.us** or (512) 322-3575. We look forward to seeing you.

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Disability Management Information and Training

New disability management rules are now in effect for health care providers in the Texas workers' compensation system. These rules require non-network system participants to use the Division of Workers' Compensation (Division) treatment and return-to-work guidelines for care provided to injured employees on or after May 1, 2007.

Official Disability Guidelines (ODG) vendor-provided training opportunities are available from the Work Loss Data Institute. Please visit their website at <http://www.work-lossdata.com/texasform.htm>.

Disability management training and educational information for health care providers is also available on the Division website at <http://www.tdi.state.tx.us/wc/dm/index.html>. The online information includes:

- [Health Care Provider Slide Show](#) (TMA CME is available)
- [Local "Brown Bag" Educational Presentations](#) by Division staff – In Progress Now
- [Frequently Asked Questions](#)
- [FastFacts](#) on the following topics:
 - [Disability Management Overview](#)
 - [Disability Management for Health Care Providers](#)
 - [Treatment Planning](#)
 - [Steps for Determining When a Treatment Plan is Needed](#)

Free Brown Bag Educational Seminars. The Division is providing Brown Bag Educational Seminars at various DWC field offices. These sessions acquaint health care providers and insurance carriers with the treatment and return-to-work guidelines. The <http://www.tdi.state.tx.us/wc/dm/dmsched.html>.

Update Regarding Submission of Requests for Independent Review by Certified Independent Review Organizations (IROs)

In the case of a non-life threatening condition, an employee, the employee's representative, or requesting provider may request review by an IRO not later than the 45th calendar day after receipt of a denial of reconsideration (see [28 TAC §133.308\(g\)](#)). The request for review by an IRO must be submitted to the carrier or the carrier's utilization review agent (URA) on IRO request form [LHL009](#).

What if a carrier or URA receives an IRO request before reconsideration has been performed? The carrier or URA may:

- Accept form [LHL009](#) as the request for reconsideration, initiate the process (if the time frame for requesting reconsideration has not lapsed)* and inform the requestor that receipt of a denial of reconsideration is required before the request will be assigned to an IRO;
- Submit the IRO request to the HWCN Division for processing if the reconsideration is denied; or
- Inform the requestor and the employee that the case is not eligible for IRO assignment and the reason why it is not eligible. If reconsideration has not been requested and the time frame for requesting reconsideration has lapsed, DO NOT SUBMIT THE IRO REQUEST TO THE DEPARTMENT.

* *The time frame for requesting reconsideration: 30 calendar days after issuance of an adverse determination ([28 TAC §10.103\(a\)\(2\)](#)) for Workers' Compensation Network cases. The time frame for requesting reconsideration for Workers' Compensation Non-Network cases is 15 working days after receipt of an initial denial ([28 TAC §134.600\(o\)\(1\)](#)).*

The carrier or URA should initially evaluate the request to determine if it is eligible. If the carrier or URA has documented proof that a case is not eligible for IRO for any of the reasons listed in [28 TAC §133.308\(h\)](#), the Department does not expect the carrier or URA to submit the request for IRO to the Department. The carrier or URA must however, inform all of the involved parties of the reason for not submitting the IRO request to the Department.

The Department will monitor and investigate any complaints received regarding the IRO process as appropriate.

To review the IRO request process and to locate the required forms, please see the PowerPoint presentation and other links on the TDI website at http://www.tdi.state.tx.us/company/iro_requests.html.

Telephone Access

Prompt, clear and efficient means of communication are critical to the success of any business endeavor and workers' compensation health care networks are no exception. Networks are required by [§1305.107, TIC](#) to have a toll-free telephone service with appropriate staff reasonably available to discuss an injured employee's care and to allow responses to requests for information, including information regarding adverse determinations. Such staff must be available at least 40 hours per week during normal business hours in both time zones in Texas (Central and Mountain Standard), if applicable.

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Telephone Access *continued from page 4*

At all other times, a network must have a telephone system that is capable of accepting or recording incoming calls or providing instructions to callers. The network must respond to these calls not later than two business days after the date the network received the call or two business days after the caller provided the network with the details it needed to respond. Networks are required to establish and maintain telephone access logs for these calls that accurately record the date the network received the call, detailed information needed for the network to respond, the date of the network's response and identifying information for the telephone call, per [28 TAC §10.86](#). A properly maintained telephone access log will enable a network to document its compliance with [Texas Insurance Code §1305.107](#).

Accessibility and Availability Requirements for Networks

Each network shall ensure that its provider panel is sufficiently accessible and available to the injured employee. These requirements are outlined in [28 TAC §10.80](#).

- 1** The network shall ensure that the network's provider panel includes:
 - a** an adequate number of providers, both treating doctors and specialists, who must be available and accessible to injured employees 24 hours a day, seven days a week, within the network's approved service area;
 - b** sufficient numbers and types of health care providers that will ensure not only choice, but access and quality of care to injured employees;
 - c** an adequate number of the treating doctors and specialists who have admitting privileges to one or more network hospitals located within the network's approved service area, in order to make any necessary hospital admissions;
 - d** hospital services that are available and accessible 24 hours a day, seven days a week, within the network's approved service area. The network shall provide for the necessary hospital services by contracting with not only general acute care hospitals, but special and psychiatric hospitals;
 - e** physical and occupational therapy services and chiropractic services that are available and accessible within the network's approved service area;
 - f** emergency care services that are available and accessible 24 hours a day, seven days a week, without restrictions as to where the services are rendered; and
 - g** an adequate number of doctors who are qualified to provide maximum medical improvement and impairment rating services as required under [Labor Code §408.023](#) and have been certified with DWC.
- 2 a** The distance from the location of a treating doctor or general hospital to any point in the network's service area is not greater than:
 - 30 miles in non-rural areas; and
 - 60 miles in rural areas.
- b** The distance from the location of a specialist or specialty hospital to any point in the network's service area is not greater than 75 miles for both non-rural and rural areas.

Network applicants provide access maps and provider listings to the Department during the certification process to show that their networks meet the requirements. After certification, the Department monitors complaints received about access to care as well as data reviewed during examinations of the network to ascertain whether the network continues to meet the requirements.

Frequently Asked Questions Update (FAQs)

Below are several questions and answers from the TDI Workers' Compensation Health Care Network Workshop held in Austin on January 31, 2007. For a complete list of questions and answers from this workshop please visit the [HWCN Division Web page](#).

Q. Who completes the online Independent Review Organization (IRO) form if the claim involves regular healthcare insurance? Who completes the IRO form for workers' compensation?

A. In all instances the online IRO assignment request form must be completed by the URA or the carrier. This had been the process for health, and pursuant to [House Bill 7](#), IROs for workers' compensation must follow the same process. The URA or carrier is asked to complete the online request for IRO assignment because pursuant to [Chapter 4201 of the Texas Insurance Code](#) the request for an IRO goes to the URA or carrier and pursuant to [28 TAC§133.308](#) of the Texas Administrative Code the URA or carrier must notify the Department of the request for IRO and request IRO assignment. Use of the online request form is the most expeditious way for a URA or carrier to provide the required information to the Department.

Q. How often are networks required to re-certify?

A. Currently, networks are not required to re-certify. Pursuant to [Insurance Code §1305.054\(e\)](#), a certificate issued under [Chapter 1305, Subchapter B](#) is valid until revoked or suspended. However, a network must receive Department approval when it plans to make changes to management contracts or information regarding fidelity bonds; change the physical location of books and records; make a material modification of network configuration; or implement an expansion, elimination, or reduction of existing service areas or an addition of new service areas. Request for approval must be made a minimum of 30 days before the planned change. A network must also give the Department 30 days notice before it makes any changes to any other information required as part of the information originally submitted in the network's application for certification.

Q. Why doesn't the Department publish a current list of in-network doctors?

A. A network enters into a separate written contract with each provider or group of providers that wish to participate in the network. The networks are required to maintain current provider lists and many of them make the information available on their websites. Because of frequent changes in these lists due to the addition and removal of providers, it is not practical for the Department to maintain such a list. The Department's website does contain contact information concerning all networks to assist in obtaining information about the networks.

Q. Is there a quick and easy way for providers to locate networks in the provider's geographical location?

A. The link to workers' compensation network information on the Department's website is available at: <http://tdi.state.tx.us/wc/wcnet/index.html>. It contains a page that includes maps for each network that indicate what geographical service areas have been certified for each network. In addition, there is also a listing of corresponding counties for each network map. There is also a new search feature on the website that allows you to enter a particular county and discover all the networks that are certified in that county.

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FAQs *continued from page 6*

Q. Once an employer has elected to use a certified network, how long are they locked into that network? How often can they change?

A. Once an employer has elected a certified network, the length of time the employer is required to retain that network is determined by the contract between the employer and the carrier. If the contract contains a “cancellation provision”, the employer and/or carrier would have to request cancellation accordingly. Additionally, the employer must also comply with the provisions of [Labor Code, §406.007](#), which prescribes detailed procedures with which an employer must comply to request cancellation. [Labor Code §406.005](#) also requires the employer to give notice to employees of a cancellation or change in coverage no later than the 15th day after the effective date.

Q. In networks, do providers have a dispute resolution process through TDI or DWC?

A. For medical necessity disputes, a network provider may access the IRO process by requesting an IRO review using the [LHL009](#) form and returning it to the URA or carrier that denied the services. The URA or carrier will then submit an online form to TDI to request assignment of an IRO. For fee disputes, the provider should file a complaint with the certified network. The network should then resolve the complaint. If the provider is still unsatisfied after this process, he or she may file a complaint with TDI. The fee dispute process available through DWC does not apply to network providers. Required forms and further information regarding this issue is available on the TDI website at http://www.tdi.state.tx.us/company/iro_requests.html.

Q. Can TDI or the network do anything to help a provider get in a network if the network gets full or closes?

A. Networks are not required to contract with “any willing provider”, thus, a network or insurer may deny a provider’s application for inclusion in the network. As a state agency, TDI is not able to assist a provider in securing a contract. Networks may accept nominations from injured employees, employers, and providers to join the network. Please contact the network you wish to contract with to discuss their network participation requirements. You may locate the contact information for the carriers on the Department’s website at: <http://www.tdi.state.tx.us/wc/wcnet/wcnetworks.html>.

Previous Issues of WCNet News

Previous issues of WCNet News are located on the [TDI Workers' Compensation Health Care Network Web page](#) under "Publications".

Calendar of Events

Network Applicant Conference Call – 1-888-387-8235 - passcode 5751967

Thursday, June 14, 2:00-3:00 p.m. CST
Thursday, July 12, 2:00-3:00 p.m. CST
Thursday, August 16, 2:00-3:00 p.m. CST
Thursday, September 13, 2:00-3:00 p.m. CST

Provider/Office Manager Conference Call – 1-888-387-8235 - passcode 5751967

Tuesday, June 12, 2:00-3:00 p.m. CST
Tuesday, July 10, 2:00-3:00 p.m. CST
Tuesday, August 14, 2:00-3:00 p.m. CST
Tuesday, September 11, 2:00-3:00 p.m. CST

Workshop Registration and Dates

Monday, July 2 – Registration begins for Provider and Employer Workshops via [TDI Web site](#).

Friday, August 24, 1:00 p.m.- 5:00 p.m. CST – Employer Workshop, Bill J. Priest Campus of El Centro College in the Hobitzelle Auditorium, 1402 Corinth Street, Dallas, Texas, 75215.

Saturday, August 25, 9:00 a.m.- 4:00 p.m. CST – Provider Workshop, Bill J. Priest Campus of El Centro College in the Hobitzelle Auditorium, 1402 Corinth Street, Dallas, Texas, 75215.