

Health Care Provider Quarterly Meeting

Jan. 10, 2024 – 10 to 11:30 a.m.

TDI Division of Workers'
Compensation

Agenda items

- Welcome.
- Compliance and Investigations update.
- Business Process update.
- Health and Safety update.
- Operations and External Relations update.
- Claims and Customer Services update.
- Q&A.
- Closing remarks.

An aerial view of a city, likely Denver, Colorado, featuring a large central park area with a grid of paths and green spaces. In the foreground, a large, classical-style building with a prominent dome is visible. The background shows a dense urban skyline with various skyscrapers. The entire image is overlaid with a semi-transparent blue filter.

Welcome

Jeff Nelson, Commissioner of Workers' Compensation

New deputy commissioners



Dan LaBruyere



Matthew Posey



Compliance and Investigation update

Dan LaBruyere, Deputy Commissioner of Compliance and Investigation

CY2023 complaints

2,018 complaints received

27	attendance
622	communications
543	indemnity benefit delivery
573	medical benefit delivery
153	other
100	quality of care

2,112 complaints closed

833	confirmed
387	DWC education letter (low risk)
892	not confirmed

Based on complaint data as of 11/30/2023.

CY2023 – complaints received by respondent type

Type of complaint	Injured employee	Insurance carrier	Health care provider	Employer	Attorney	Other
Attendance	7	9	3	0	8	0
Communications	1	282	150	125	64	1
Indemnity benefits	0	527	4	10	2	0
Medical benefits	0	482	92	0	0	0
Quality of care	N/A	2	98	N/A	N/A	0
Other	1	60	16	68	1	5

Based on complaint data as of 11/30/2023.

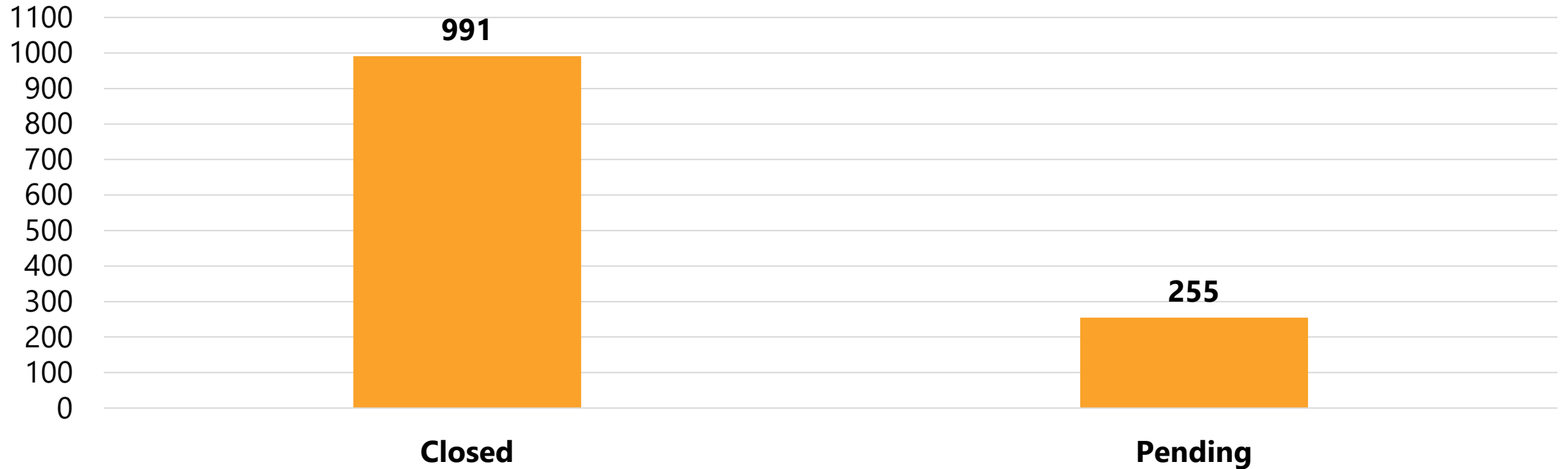
CY2023 DWC Fraud Unit

1,325 fraud referrals received

- 49** fraud cases open
- 58** fraud cases closed
- 3** fraud referrals for prosecution

Based on complaint data as of 8/31/2023.

CY2023 – Enforcement case status



2023	Closed cases	Pending cases
Cases	991	255

Based on enforcement data as of 12/18/2023.

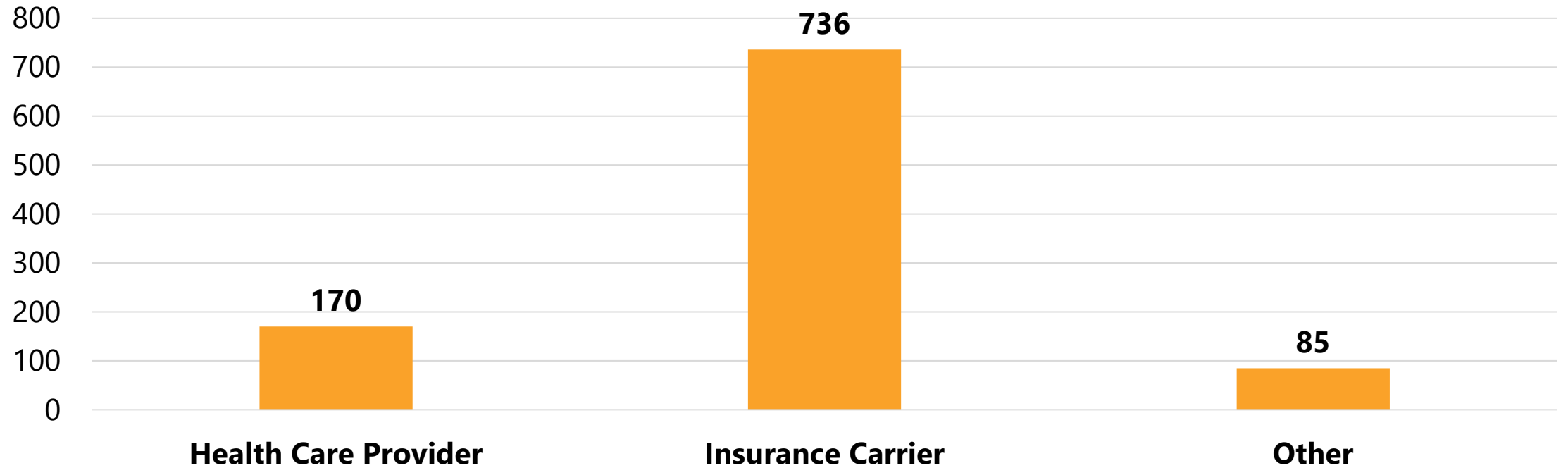
CY2023 DWC Fraud & Prosecution Units

2 convictions

- 1 claimant
- 1 attorney

Based on complaint data as of 8/31/2023.

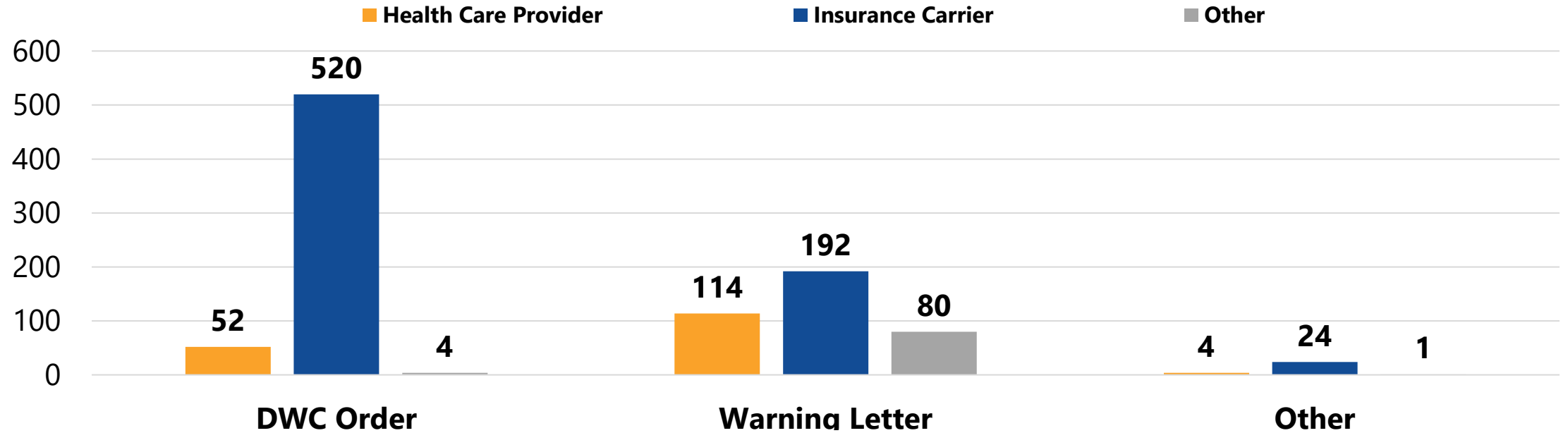
CY2023 – cases closed by subject type



2023	Health Care Provider	Insurance Carrier	Other
Cases	170	736	85

Based on enforcement data as of 12/18/2023.

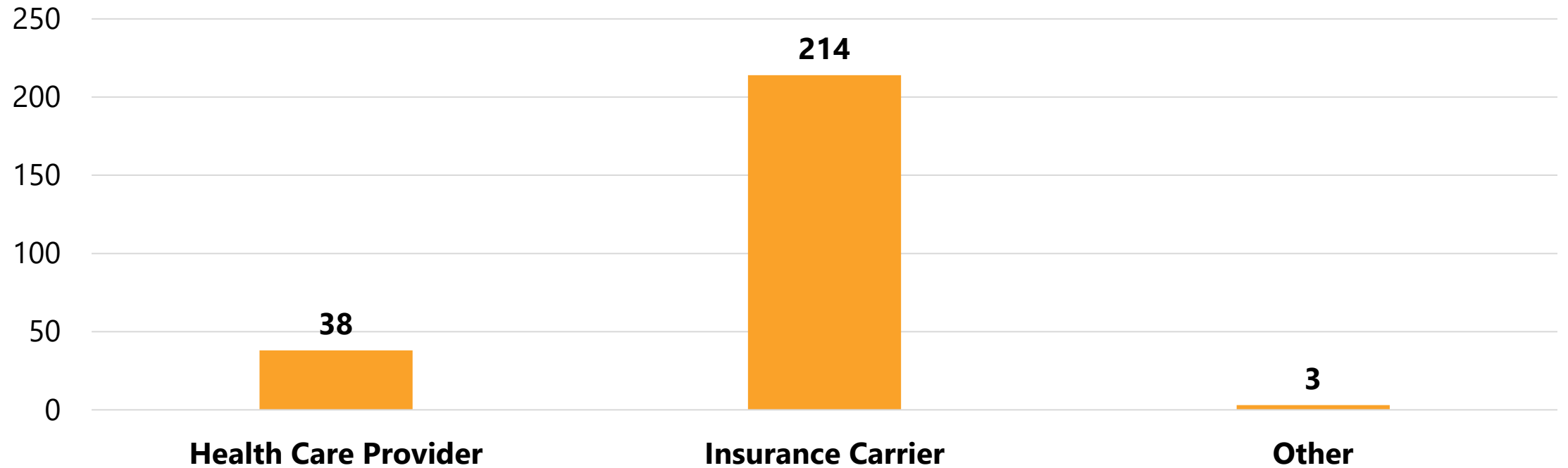
CY2023 – cases closed by disposition type



2023	Health Care Provider	Insurance Carrier	Other
DWC Order	52	520	4
Warning Letter	114	192	80
Other	4	24	1

Based on enforcement data as of 12/18/2023.

CY2023 – cases pending by subject type



2023	Health Care Provider	Insurance Carrier	Other
Cases	38	214	3

Based on enforcement data as of 12/18/2023.

Violations to watch

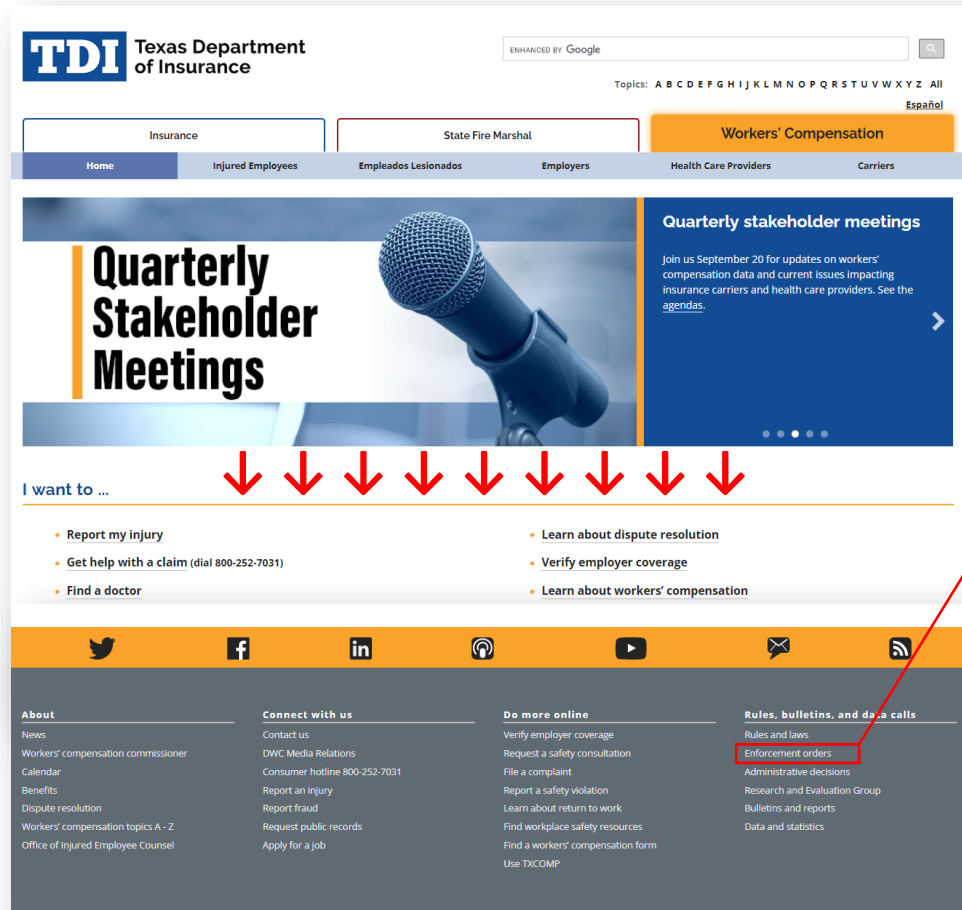
Texas Labor Code § 413.019(a) and 28 Texas Administrative Code (TAC) § 134.130(a)

An insurance carrier must pay interest on medical bills paid on or after the 60th day after the insurance carrier originally received the complete medical bill.

Labor Code § 408.064 and 28 TAC § 126.12(b)

Accrued but unpaid income benefits and interest shall be paid in a lump sum.

Enforcement orders webpage



Scroll to bottom of [DWC homepage](#) and click "Enforcement orders".

or

Visit

www.tdi.texas.gov/wc/orders/index.html.



Questions?

dan.labruyere@tdi.texas.gov

An aerial, blue-tinted photograph of a city street. A wide, paved road runs vertically through the center, flanked by green spaces and walkways. In the foreground on the right, a large, classical-style building with a prominent dome is visible. The background shows a dense urban skyline with various skyscrapers and buildings under a clear sky.

Business Process update

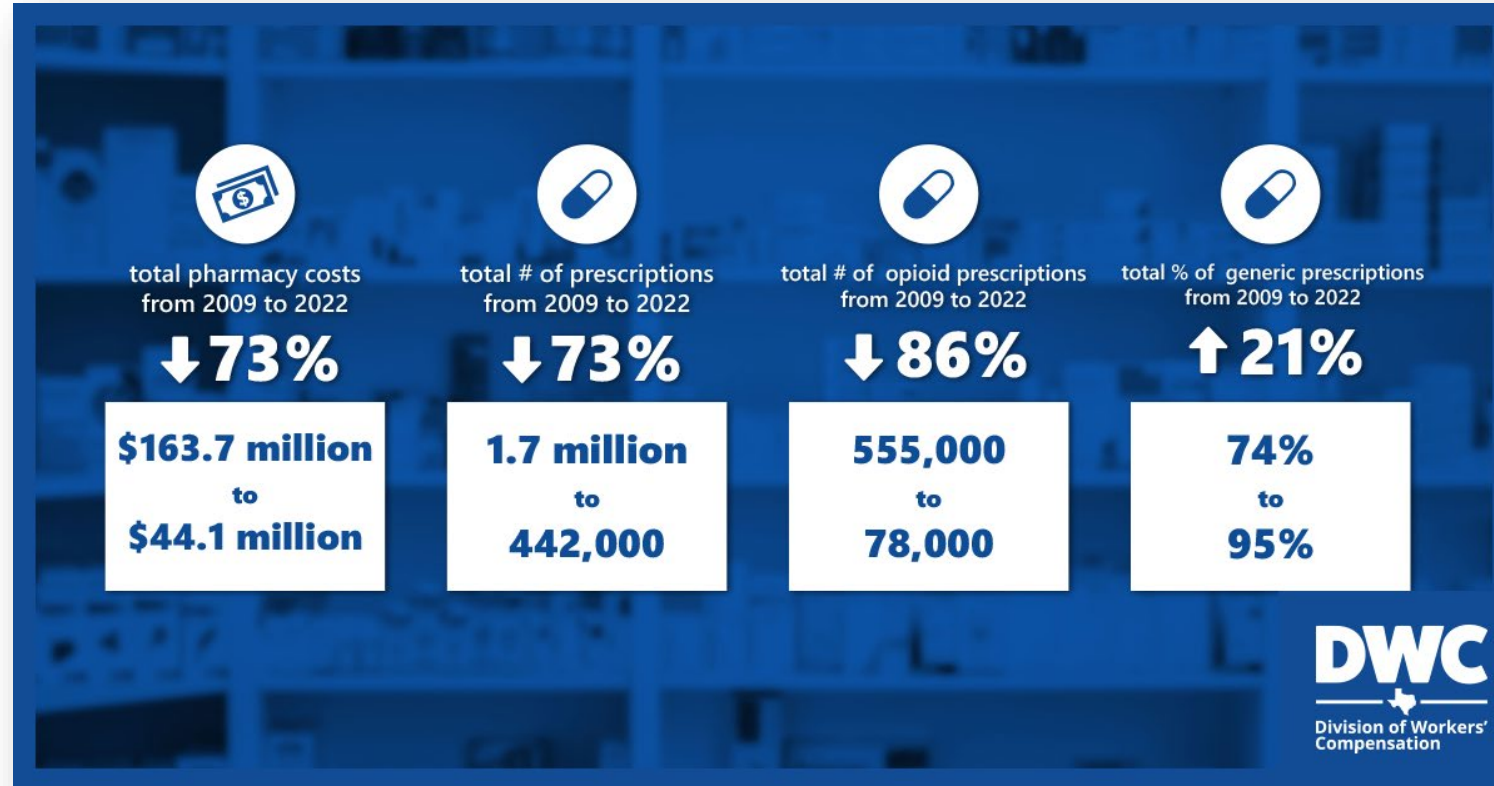
Tammy Campion, Deputy Commissioner of Business Process

Business Process update

Workers'
Compensation
Research and
Evaluation Group (REG)

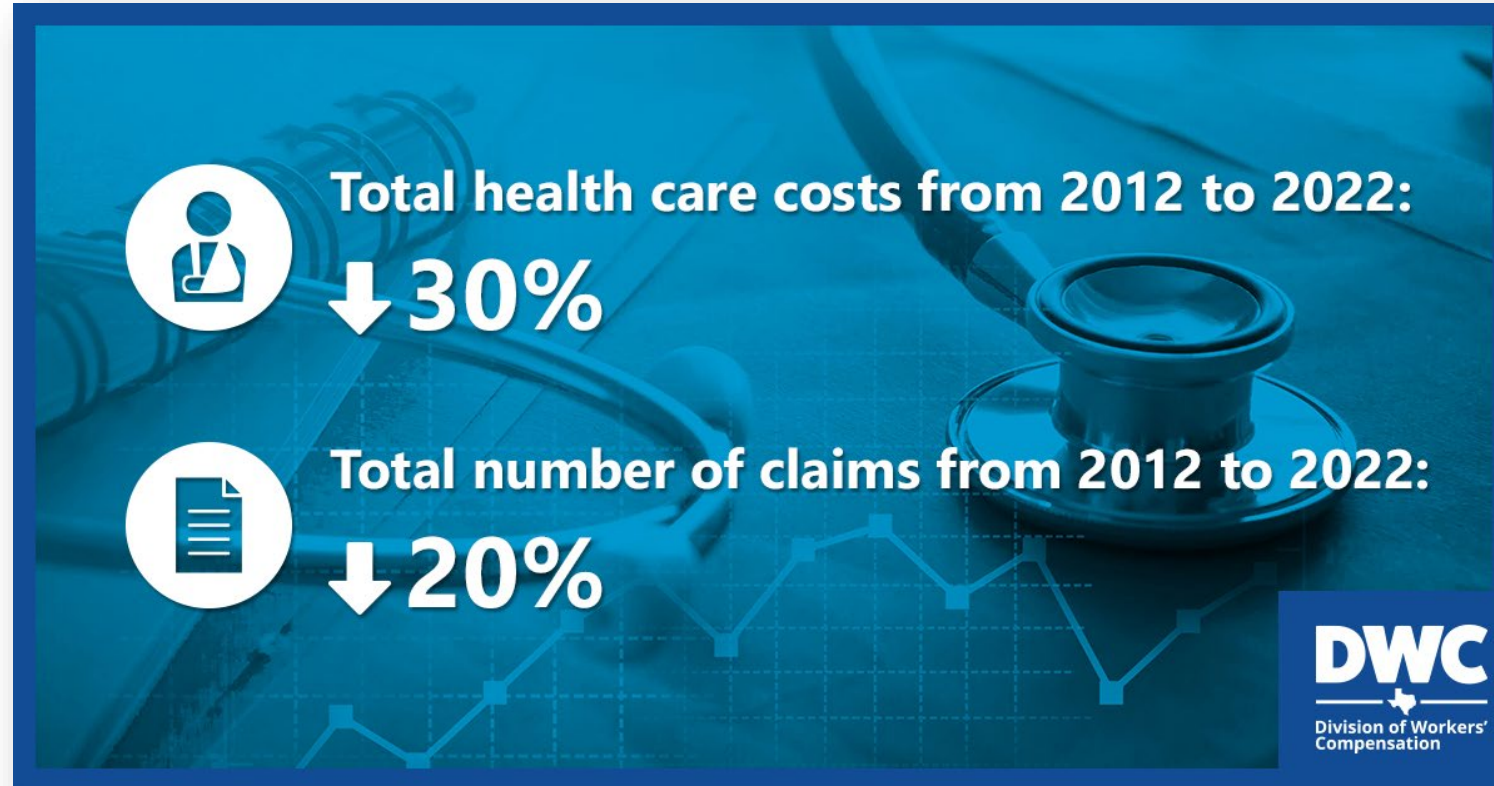
Health care provider
PBO results

Pharmacy Cost and Utilization Report



Snapshot: <https://ww.tdi.texas.gov/wc/reg/pharmacy2023.html>

Health Care Cost and Utilization Report

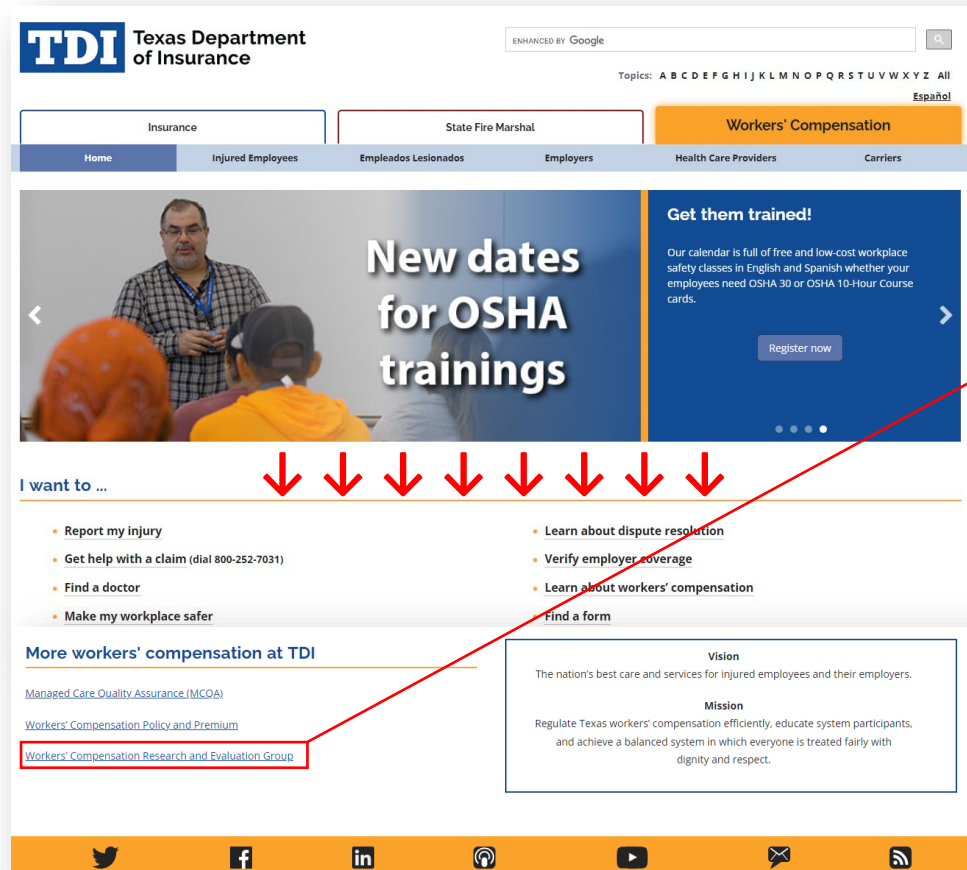


Snapshot: <https://ww.tdi.texas.gov/wc/reg/hccu2023.html>

FY2024 research agenda

1. Workers' Compensation Health Care Network Report Card.
2. Employer Participation Report.
3. Income Benefit Adequacy Report.
4. Medical Cost and Utilization Report.

Find everything REG-related



Scroll to bottom of [DWC homepage](#) and click "Workers' Compensation Research and Evaluation Group".

or

Visit www.tdi.texas.gov/wc/reg/index.html.

2023 health care provider PBO results

Assessment	HCP assessed	High tier performers	Average tier performers	Poor tier performers
DWC-073 form	93	45	38	10
DWC-069 form	95	58	30	7

- The final HCP PBO tier report is now available on our website.
- Final reports will be sent to health care providers this week.
- High performers will receive a certificate signed by the commissioner.

An aerial photograph of a city campus, likely in Madison, Wisconsin, featuring a central greenway with multiple rectangular lawns and walkways. A prominent domed building is visible on the right side, and the Wisconsin State Capitol is in the background. The entire image is overlaid with a semi-transparent blue filter.

Questions?

An aerial, blue-tinted photograph of a city street. The street is wide and has a central greenway with grass and trees. On the right side, there is a large, classical-style building with a prominent dome. In the background, a city skyline is visible, including a large domed building that appears to be a state capitol. The overall scene is urban and well-maintained.

Health and Safety update

Mary Landrum, Deputy Commissioner of Health and Safety

Health and Safety update

Office of the
Medical
Advisor

Health Care
Provider
Outreach

Designated
Doctor
Program

An aerial photograph of a city street, likely in Madison, Wisconsin, showing a central greenway with multiple rectangular lawns and walkways. In the background, the Wisconsin State Capitol building is visible among other city buildings. The entire image is overlaid with a semi-transparent blue filter.

Office of the Medical Advisor update

Traci Moten, Director of Health Care Business Management

CY2023 quality of care complaints

120 complaints forwarded to OMA

- Includes external complaints and internal referrals.

73 complaints investigated by OMA

- 66% closed with no action
- 22% issued letters of education
- 10% initiated a medical quality review
- 1% referred to Enforcement
- 1% licensing board referrals

Based on data as of 12/18/2023.

CY2023 medical quality reviews

13 reviews initiated

- Includes complaint, audit, or monitoring-based reviews.
- Assigned Medical Quality Review Panel members for review.

19 reviews concluded

- **26%** referred to Enforcement
- **74%** recommended other actions
(includes letters of education, referrals to medical licensing boards, and closures with no action)

Based on data as of 12/18/2023.

CY2023 medical quality reviews – cont.

PBO assessments

- 589 assessments received
- 589 assessments initiated
- 589 assessments concluded

Based on data as of 12/18/2023.

CY2023 OMA enforcement cases

- 15** OMA referrals received in Enforcement
- 37** OMA cases concluded by Enforcement
(10 consent/final orders, 26 warning letters, 1 other action)
- 6** OMA cases pending in Enforcement
- 1** OMA case pending at SOAH

Based on data as of 12/18/2023.

An aerial view of a city campus, likely in San Francisco, featuring a central greenway with multiple rectangular lawns and walkways. In the background, the city skyline is visible, including the San Francisco State University dome. The entire image is overlaid with a semi-transparent blue filter.

Designated Doctor Program update

Santiago Calderon, Director of Designated Doctor Operations

Billing and reimbursement rule update

Amendments to 28 Texas Administrative Code (TAC) Chapter 133 and 134.

- Comment period ends 1/29/24.
- Hearing via Zoom on 1/23/24 at 11 a.m.
- Proposed effective date 6/1/24.

An aerial photograph of a city campus, likely in Madison, Wisconsin, featuring a central greenway with multiple rectangular lawns and walkways. A prominent domed building is visible on the right side, and the Wisconsin State Capitol is in the background. The entire image is overlaid with a semi-transparent blue filter.

Questions?



Operations and External Relations update

Matthew Posey, Deputy Commissioner of Operations and External Relations



88th Session legislation implementation update

Kate Sidora, Director of External and Media Relations

House Bill 2314

About

Allows for death benefit filing to both carriers and DWC.

Implementation

Revised DWC-042 form and PLN12.

Effective date

- Effective for death benefit claims on or after June 10, 2023.
- Rules became effective Dec. 11, 2023.

House Bill 90 – Texas Military Forces

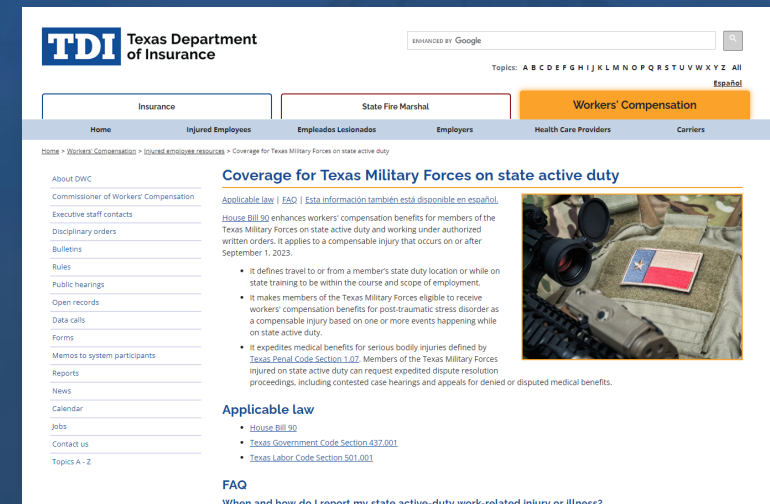
About

- Texas Military Forces on state active duty and working under authorized written orders.
- Applies to a compensable injury occurring on or after Sep. 1, 2023.
- Defines travel to or from a member's state duty location or while on state training to be within the course and scope of employment.
- Eligible to receive workers' compensation benefits for post-traumatic stress disorder as a compensable injury based on **one or more** events happening while on state active duty.
- Expedites medical benefits and dispute proceedings for serious bodily injuries defined by Texas Penal Code §1.07.

House Bill 90 – continued

Implementation

- Adoption posted on website Dec. 13, 2023, and was effective as of Dec. 28, 2023.
- New topic [webpage](#) for Texas Military Forces coverage.
- Call Claims and Customer Service at 800-252-7031, opt. 1 for questions.



The screenshot displays the Texas Department of Insurance (TDI) website. The main navigation bar includes 'Insurance', 'State Fire Marshal', and 'Workers' Compensation'. The 'Workers' Compensation' section is active, showing a breadcrumb trail: Home > Workers' Compensation > Injured Employees Resources > Coverage for Texas Military Forces on state active duty. The page title is 'Coverage for Texas Military Forces on state active duty'. The content includes a section for 'Applicable law | FAQ | Esta información también está disponible en español.' and a list of bullet points detailing the scope of coverage for Texas Military Forces on state active duty. An image of a soldier in military gear is also visible.

TDI Texas Department of Insurance

ENHANCED BY Google

Topics: A B C D E F G H I J K L M N O P Q R S T U V W X Y Z All

Español

Home Injured Employees Empleados Lesionados Employers Health Care Providers Carriers

Home > Workers' Compensation > Injured Employees Resources > Coverage for Texas Military Forces on state active duty

About DWC
Commissioner of Workers' Compensation
Executive staff contacts
Disciplinary orders
Bulletins
Rules
Public hearings
Open records
Data calls
Forms
Memos to system participants
Reports
News
Calendar
Jobs
Contact us
Topics A - Z

Coverage for Texas Military Forces on state active duty

Applicable law | FAQ | Esta información también está disponible en español.

House Bill 90 enhances workers' compensation benefits for members of the Texas Military Forces on state active duty and working under authorized written orders. It applies to a compensable injury that occurs on or after September 1, 2023.

- It defines travel to or from a member's state duty location or while on state training to be within the course and scope of employment.
- It makes members of the Texas Military Forces eligible to receive workers' compensation benefits for post-traumatic stress disorder as a compensable injury based on one or more events happening while on state active duty.
- It expedites medical benefits for serious bodily injuries defined by Texas Penal Code Section 1.02. Members of the Texas Military Forces injured on state active duty can request expedited dispute resolution proceedings, including contested case hearings and appeals for denied or disputed medical benefits.

Applicable law

- House Bill 90
- Texas Government Code Section 432.001
- Texas Labor Code Section 501.001

FAQ

When and how do I report my state active-duty work-related injury or illness?

House Bill 2468 – lifetime income benefits

About

- New traumatic brain injury LIBs eligibility standard “a major permanent neurocognitive disorder” that “renders the injured employee **permanently unemployable**.”
- Expands coverage for third degree burns.

Effective date

Effective for eligible claims on or after Sep. 1, 2023.

House Bill 2468 – continued

About

Certain first responders:

- Adds serious bodily injuries (Penal Code §1.07) that renders the employee permanently unemployable as a qualifying condition.
- Creates a right to review by the insurance carrier.
- Requires annual certification that the first responder has not been employed in the previous year.
- Expedites dispute resolution proceedings for first responder LIBs claims on new Labor Code §408.1615.

House Bill 2468 – continued

Implementation

- Informal rules comment period closed Nov. 20, 2023.
- Looking at new or updated forms.
- Web resources until final rules are adopted:
 - [LIBs topic page](#).
 - [First responder FAQ](#).
- Call 800-252-7031, opt. 1 for questions.



Rule recap

Current:

- Designated doctor billing and reimbursement proposed rules.
- Accident prevention services.

Coming soon

- Interim charges.
- Updates to quarterly meetings.



Questions?

kate.sidora@tdi.texas.gov

An aerial view of a city street, likely in San Francisco, featuring a central green parkway with a grid pattern of paths and trees. Modern high-rise buildings line the street, and the San Francisco State Capitol building is visible in the background. The entire image is overlaid with a semi-transparent blue filter.

Claims and Customer Services update

Erica De La Cruz, Deputy Commissioner of Claims and Customer Services

What we do

Customer Service Operations

Outreach and Claims Services

Subsequent Injury Fund

- Educate system participants.
- Promote communication between parties.
- Serve as a single point of contact (SPOC) for injured employees.
- Process DWC forms submitted by injured employees or insurance carriers.
- Initiate contacts with injured employees or their beneficiaries.
- Pay LIBs to certain employees who receive a new work injury.



DWC single point of contact (SPOC)

Teresa Johnson, Director of Outreach and Claims Services

DWC single point of contact (SPOC)

DWC forms processing.

Outreach initiatives:

- SIBs.
- First responders.
- Beneficiaries.
- Federal medical treatment facilities.
- Wage statements.



Contact us at 800-252-7031



Questions?

Contact us at 800-252-7031

An aerial view of a city street, likely in Denver, Colorado, featuring a central greenway with multiple rectangular grass patches and paved walkways. Modern high-rise buildings line the street, and the Colorado State Capitol building is visible in the background. The entire image is overlaid with a semi-transparent blue filter.

Closing remarks

Jeff Nelson, Commissioner of Workers' Compensation