



OUTREACH and OVERSIGHT

Texas Department of Insurance
Division of Workers' Compensation

UPDATE

Volume 4.2012

○ New Requirements for Examinations	2
○ Coordination of Medical Records	3
○ New Requirements to Recertify	6
○ Requirement to Report Disqualification	8
○ Statistics	10

TDI-DWC Hosts Educational Sessions on New and Amended Designated Doctor Rules and Forms

The TDI-DWC is hosting educational sessions entitled *New and Amended Designated Doctor Rules and Forms* at its field offices around the state in October 2012. The educational sessions are for all Texas workers' compensation participants, including designated doctors.

The educational session will provide detailed information regarding new and amended rules adopted by the Commissioner of Workers' Compensation affecting designated doctor scheduling, certification and qualification that became effective September 1, 2012.

The training will also provide information on adopted forms used in the designated doctor process and for use on and after September 1, 2012. These forms include revised DWC Form-032, Request for Designated Doctor Examination;

new DWC Form-067, Designated Doctor Certification Application; and new DWC Form-068, Designated Doctor Examination Data Report.

For more details on the following educational sessions, visit the TDI-DWC Events and Training Calendar on the TDI website at <http://www.tdi.texas.gov/wc/events/index.html>.

Abilene	October 18, 2012
Beaumont	October 18, 2012
Dallas	October 24, 2012
Denton	October 19, 2012
Fort Worth	October 18, 2012
Lubbock	October 19, 2012
San Angelo	October 12, 2012
Waco	October 17, 2012
Wichita Falls	October 23, 2012

Continuing Education Credits Offered for October 19 Workshop in Round Rock

The TDI-DWC is conducting a free workshop for new designated doctors only on Friday, October 19, 2012 in Round Rock and offering six hours of continuing medical education credits (CMEs). This is the first time that CMEs have been offered to designated doctors for attending this workshop.

This workshop focuses on the processes a doctor should follow when conducting designated doctor examinations and preparing associated narrative reports, which are critical components of the dispute resolution process. The workshop will also provide:

- tools to enhance the quality of examinations and reports;
- an opportunity to work through sample cases and prepare reports using the TDI-DWC approved impairment, treatment and return-to-work guidelines; and

- an opportunity to gain greater familiarity with the American Medical Association *Guide to Evaluation of Permanent Impairment, the 4th Edition (AMA Guides)*, *Official Disability Guidelines Treatment in Workers' Comp (ODG)*, *The Medical Disability Advisor*, *Workplace Guidelines for Disability Duration (The MDGuidelines)*, and relevant TDI-DWC rules and Appeals Panel Decisions.

Please note that this workshop does not fulfill any requirements for attendance at TDI-DWC approved designated doctor training for certification or recertification.

For additional details on location, time and registration for this and other workshops, visit the TDI website at <http://www.tdi.texas.gov>. ♦

New Requirements for Designated Doctor Examinations

Designated doctors are now required to perform designated doctor examinations in a facility currently used and properly equipped for medical examinations or other similar health care services that ensure the safety, privacy and accessibility for injured employees, injured employee medical records and other records containing confidential claim and medical information.

A designated doctor is also required to be *physically present* in the same room as the injured employee for the designated doctor examination or any other health care service provided to the injured employee except for referrals to another health care provider. This requirement also applies when the designated doctor uses an ancillary health care provider to perform range of motion, strength, or sensory testing in relation to the assignment of an impairment rating.

When appropriate to the issue(s) addressed by the requested medical examination, the designated doctor must apply the appropriate edition of the American Medical Association *Guides to the Evaluation of Permanent Impairment*, (currently the Fourth Edition) and return-to-work guidelines adopted by the TDI-DWC. The designated doctor must also consider treatment guidelines that have been adopted by the TDI-DWC and other evidence-based medicine, when appropriate.

The designated doctor is required to maintain a professional and courteous demeanor during the examination, including explaining the purpose of the examination to the injured employee at the beginning of the examination. All reports and documents produced by the designated doctor are required to be written using appropriate, non-inflammatory language.

If a designated doctor's continued participation on a claim would require the designated doctor to exceed

the scope of practice as authorized by the doctor's license, the designated doctor is required to notify TDI-DWC so another designated doctor can be assigned to the claim.

Designated doctors should *not* perform required medical examinations (RME); treating doctor examinations; utilization reviews; or peer reviews on a claim if the doctor has already been assigned as a designated doctor.

A designated doctor is required to perform any additional testing or make necessary consultation referrals (when not qualified) to resolve the issue(s) in question. Additional consultation and testing referrals by a designated doctor are not subject to preauthorization and cannot be denied retrospectively based on medical necessity, extent or compensability. When a testing or consultation referral is ordered, the designated doctor has 15 working days from the date the designated doctor examination to complete and submit the designated doctor report. If the testing or consultation referral cannot be completed within the 15 working day time period, the designated doctor can request approval from the TDI-DWC for additional time to complete the report. If an injured employee does not attend the additional testing or consultation referral, the designated doctor should note it in the report and complete the report based on the initial medical examination of the injured employee, records and other available information available to the designated doctor.

[\[28 Texas Administrative Code §§127.10\(c\) and 127.200\]](#) ◆

Rules adopted by the TDI-DWC on June 29, 2012 impacting the Designated Doctor Program are available on the TDI website at

<http://www.tdi.texas.gov/wc/rules/adopted/index.html#dd12>.

Coordination of Medical Records: New Requirements

Effective September 1, 2012, treating doctors and insurance carriers must provide all required medical records (including any analyses) to designated doctors and ensure that all required records are received by the designated doctor no later than three working days prior to a scheduled examination.

If the designated doctor does not receive the medical records three days prior to the scheduled examination, the designated doctor is required to:

- report the violation to the TDI-DWC; and
- not conduct the examination until all records are received, within sufficient time for the designated doctor to review the late records before the examination.

After receiving notice that the designated doctor has not received the medical records, the TDI-

DWC will take the necessary actions to ensure the designated doctor receives the medical records.

The designated doctor is required to review the records received from the treating doctor, insurance carrier, TDI-DWC and any medical records provided by the injured employee before examining the injured employee.

The designated doctor is responsible for the retention of accurate records, including but not limited to medical records related to the designated doctor examination. The records are required to be retained a minimum of five years or longer if required by the designated doctor's licensing board. The records can only be destroyed after the designated doctor determines that the information is no longer needed and the record retention period has expired.

[\[28 Texas Administrative Code §127.10\]](#) ◆

Request for Designated Doctor Examination: New Form

The DWC Form-032, *Request for Designated Doctor Examination*, was revised to comply with the requirements of amended rules concerning the designated doctor process effective September 1, 2012.

The injured employee, injured employee's representative, or insurance carrier uses this form to request the TDI-DWC to order a designated doctor examination. If the request is approved, the TDI-DWC assigns a qualified designated doctor to examine the injured employee.

The designated doctor should have a copy of the DWC Form-032 from the TDI-DWC prior to the examination, because it contains:

- the reason for the examination request and how the examination will resolve a dispute or assist in the progression of the claim;

- information to identify disqualifying associations concerning workers' compensation networks, political subdivision health care providers, and agents;
- the requester's description of the injuries determined to be compensable by TDI-DWC or accepted as compensable by the insurance carrier; and
- administrative information that will assist the designated doctor when completing the required reports and submitting medical bills.

If a designated doctor fails to receive a copy of the DWC Form-032 prior to the examination, they should notify TDI-DWC by e-mailing ddscheduler@tdi.texas.gov.

[\[28 Texas Administrative Code §127.1\]](#) ◆

New Requirement for the Exchange of DWC Form-032

The injured employee, injured employee's representative, or insurance carrier are now required to exchange the DWC Form-032, *Request for Designated Doctor Examination*.

The person submitting the DWC Form-032, to the TDI-DWC must send a copy of the completed form to all parties involved with the claim at the same time it is filed with the TDI-DWC.

The following are other new requirements when filing a DWC Form-032 with the TDI-DWC:

- Requester must reference the injured employee's current diagnosis or diagnoses and the part of the body affected by the injury;
- Requester must identify certified workers' compensation health care network (network) for the injured employee, if any;
- Requester must identify the name of the political subdivision health plan, if any;

- Requester must state whether the injured employee has previously been to a designated doctor on the claim and if so, give the date of the most recent designated doctor examination and name of that doctor who performed the examination;
- Maximum Medical Improvement (MMI) Examination requestors are required to submit the statutory MMI date, if applicable; and
- Impairment Rating (IR) requestors are required to submit the date of MMI determined to be valid by a final decision of the TDI-DWC, or court or by agreement of the parties, if any.

The form is available for download from the TDI website at <http://www.tdi.texas.gov/forms/form20all.html#dwc032>.

[28 Texas Administrative Code §127.1] ♦

DWC Form-068, Designated Doctor Examination Data Report (For use on or after September 1, 2012)

The DWC Form-068 must be filed by a designated doctor when a designated doctor examination addresses issue of extent of injury, disability — direct result, or similar issues. Do not file the form if the designated doctor examination only addresses issues of maximum medical improvement, impairment rating, and/or return to work.

Designated doctors completing a DWC Form-068 must:

- provide general information about the designated doctor, injured employee and insurance carrier;
- identify any network or political subdivision health plans, if any;
- identify the questions the TDI-DWC ordered the designated doctor to address;
- list all injuries determined to be compensable by the TDI-DWC or accepted as compensable by the insurance carrier;
- provide a diagnosis code for each injury (for data purposes only);
- provide clearly defined answers for each question to be addressed;

- provide a diagnosis code for disputed injuries when addressing extent;
- provide the date and address of the examination and the time the examination began;
- list any additional testing and referrals and identify the referral health care providers;
- provide the signature of the designated doctor who performed the examination; and
- attach a narrative report.

The completed DWC Form-068, with the attached narrative report, must be submitted to the treating doctor, TDI-DWC, and insurance carrier by facsimile or electronic transmission. The completed form must also be submitted to the injured employee and the injured employee's representative (if any) by facsimile or electronic transmission, if the designated doctor has this contact information. Otherwise the form must be sent by other verifiable means.

The DWC Form-068 is available for download from the TDI website at <http://www.tdi.texas.gov/forms/form20all.html#dwc068>.

[28 Texas Administrative Code §127.220] ♦

Request for Information on Designated Doctor Qualifications

The TDI-DWC is requesting information on each designated doctor's qualifications. The request for information was mailed on October 5, 2012 and designated doctors are requested to submit the information to the TDI-DWC by 5 p.m. on October 26, 2012.

If you did not receive the request for information via U.S. Mail you may download a copy from the TDI website at <http://www.tdi.texas.gov/wc/dd>.

Provide accurate, clear, and legible information in each of the fields on the form. If there is no applicable information for you to enter in a field, enter "N/A" to indicate that you have read the question and that it does not apply to you. After completing all fields on the form, read, sign, and date the Authorization, Attestation, and Release section.

You may submit the completed form to the TDI-DWC by mail, fax or e-mail.

Mail: Texas Department of Insurance
Division of Workers' Compensation
ATTN: Designated Doctor Outreach and Oversight
7551 Metro Center Drive, Suite 100, MS-603
Austin, Texas 78744-1645
Fax: 512-804-4207
E-mail: desdoc.education@tdi.texas.gov

This request for information is in response to new TDI-DWC rules that regulate and guide the designated doctor qualifications and examination scheduling process. The new and amended rules implement changes to Texas Labor Code §408.0041 and §408.1225 made by House Bill 2605, 82nd Legislature, Regular Session, effective September 1, 2011 and January 1, 2013.

If you have any questions regarding this request for information, contact the TDI-DWC at 512-804-4766 or desdoc.education@tdi.texas.gov.

[[28 Texas Administrative Code §127.130](#)] ♦

Becoming Designated Doctor: New Requirements

A doctor must have the following basic qualifications to become a new designated doctor in the Texas workers' compensation system:

- be licensed in Texas;
- maintain an active practice (routine office hours of at least 20 hours per week/40 weeks per year for the treatment of patients) for at least three years in their career; and
- own or subscribe to the appropriate edition of *American Medical Association Guides to the Evaluation of Permanent Impairment*, (currently the Fourth Edition), *MDGuidelines*, and *Official Disability Guidelines*.

After meeting the basic qualifications, the doctor is required to complete the following steps:

1. attend and successfully complete a TDI-DWC-approved designated doctor training course;
2. successfully pass the TDI-DWC-approved designated doctor test; and

3. mail or fax a complete DWC Form-067, *Designated Doctor Certification Application*, with required attachments to the TDI-DWC.

The list of the approved training courses and test vendors is available on the TDI website at <http://www.tdi.texas.gov/wc/hcprovider/irtraining.html>.

The DWC Form-067, *Designated Doctor Certification Application*, is available for download from the TDI website at <http://www.tdi.texas.gov/forms/form20all.html#dwc067>. Doctors should submit the completed certification application with required attachments to the TDI-DWC via fax to (512) 804-4207, or mail to:

Texas Department of Insurance
Division of Workers' Compensation
7551 Metro Center Drive, Suite 100, MS-603
Austin, Texas 78744-1645

[[28 Texas Administrative Code §127.100](#)] ♦

Dispute Resolution: Requirements for Designated Doctor Reports

In the last edition of the Designated Doctor Update, designated doctors were given tips for report improvement. The recently adopted designated doctor rules set out narrative report requirements for designated doctors. Pursuant to TAC §127.220, a designated doctor report must, at a minimum:

- Identify the question(s) the TDI-DWC ordered the designated doctor to address and:
 - Provide a clearly defined answer to each question;
 - Not provide answers to question(s) that are not ordered to be addressed; and
 - Sufficiently explain how the designated doctor determined the answer to each question within a reasonable degree of medical probability.
- Demonstrate, as appropriate, application or consideration of:
 - the appropriate edition of *American Medical Association Guides to the Evaluation of Permanent Impairment*, (currently the *Fourth Edition*);
 - TDI-DWC adopted return-to-work guidelines (*MDGuidelines*);
 - TDI-DWC adopted treatment guidelines (*Official Disability Guidelines*); and
 - Other evidence-based medicine, if appropriate.
- Include general information regarding the identity of the designated doctor, injured employee, employer, treating doctor and insurance carrier.
 - Summarize additional testing conducted or referrals made including:

- Identity of referral health care provider;
 - Types of tests conducted or consultation referrals made and dates the tests or referral examination(s) occurred; and
 - Explain why testing/referral was necessary to resolve a question at issue in the examination.
- Provide the date of the examination and the address where the examination took place.
 - List specific medical records or other documents the designated doctor reviewed including dates of those documents and which, if any, were provided by the injured employee.
 - Include a narrative description with the time the designated doctor began and completed:
 - Taking the medical history;
 - Physically examining the injured employee; and
 - Engaging in medical decision making.
 - Be signed by the designated doctor who performed the exam.
 - Include a statement of no known disqualifying association.
 - Include a certification of date and manner the report was sent to all required parties; and
 - Indicate the report was reviewed and approved in final form by the designated doctor.

Adherence to these minimum requirements ensures compliance with TDI-DWC designated doctor narrative report rules, and provides system participants with a more meaningful tool for resolving disputed issues regarding an injured employee's medical condition. ♦

Designated Doctors' New Requirements to Recertify

Current designated doctors in the Texas workers' compensation system must complete several steps to be considered for recertification as a designated doctor after September 1, 2012.

Certification Expiring On or Before December 31, 2012

Current designated doctors with certifications expiring on or before December 31, 2012, can apply to renew their certification by completing the following requirements:

- Submit verification of completing a minimum of 12 hours of TDI-DWC-approved training.
- Submit verification of passing all TDI-DWC required testing since the effective date of their last certification or recertification; and
- Mail or fax a complete DWC Form-067, *Designated Doctor Certification Application*, with required attachments to TDI-DWC.

Designated Doctors' New Requirements to Recertify (cont.)

Certification Expiring On or After January 1, 2013

Current designated doctors in the Texas workers' compensation system with certifications expiring **on or after January 1, 2013**, can apply to renew their certification by completing the following requirements:

- Submit verification of completing all TDI-DWC required training within the 18 months immediately preceding the date of the application;
- Submit verification of passing all TDI-DWC required testing within the 18 months immediately preceding the date of application;
- Own or subscribe to the American Medical Association *Guides to the Evaluation of Permanent Impairment, Fourth Edition*, *MDGuidelines*, and *Official Disability Guidelines*; and

- Mail or fax a completed DWC Form-067 with required attachments to TDI-DWC.

The list of the TDI-DWC-approved training courses and vendors is available on the TDI website at <http://www.tdi.texas.gov/wc/hcprovider/irtraining.html>.

The DWC Form-067 is available on the TDI website at <http://www.tdi.texas.gov/forms/form20all.html#dwc067>.

The completed DWC Form-067 and required attachments can be submitted to the TDI-DWC via fax to (512) 804-4207, or mail to:

Texas Department of Insurance
Division of Workers' Compensation
7551 Metro Center Drive, Suite 100, MS-603
Austin, Texas 78744-1645

[\[28 Texas Administrative Code §127.110\]](#) ◆

Doctor's Complaint History Can Affect Recertification

Effective January 1, 2013, the TDI-DWC may deny a designated doctor's application for recertification based on a review of the doctor's performance. Activities that may warrant denial of a doctor's application for recertification include:

- Quality of the designated doctor's past reports;
- Designated doctor's history of complaints;
- Excess requests for deferral from the designated doctor list;
- Pattern of overturned reports by TDI-DWC or court;
- Demonstrated lack of ability to apply or properly consider AMA Guides or TDI-DWC adopted return-to-work and treatment guidelines;
- Demonstrated lack of ability to consistently perform designated doctor exams in a timely manner;
- Demonstrated failure to identify disqualifying associations;
- Demonstrated lack of ability to ensure confidentiality of employee medical records or claim information; and

- Other grounds allowing TDI-DWC to sanction a health care provider under the Act or Rules.¹

During the past 12 months, the TDI-DWC received 966 complaints regarding designated doctors from workers' compensation system participants. Fifty percent of the complaints concerned the rescheduling of designated doctor examinations. The late filing of designated doctor reports accounted for 14% of the total and report inaccuracy complaints accounted for approximately 10% of complaints received. Other frequently filed complaints against designated doctors included: behavioral issues, failure to conduct a comprehensive examination and refusal to accept a designated doctor examination appointment.

The TDI-DWC reviews and refers complaints that violate the Texas Labor Code and Texas Administrative Code to TDI-DWC Enforcement and Office of the Medical Advisor.

[\[28 Texas Administrative Code §180.2\]](#) ◆

¹28 TAC §127.110(e).

Designated Doctors Required to Report Disqualifying Associations

A designated doctor shall not perform an examination if that designated doctor has a disqualifying association relevant to that claim. A disqualifying association is any association that may be reasonably perceived as having the potential to influence the conduct or decision of a designated doctor.

The designated doctor must notify the TDI-DWC within two working days of learning of the disqualifying association. Performing an examination with a disqualifying association is an administrative violation.

If a designated doctor with a disqualifying association performs an examination, all reports by that designated doctor as a result of that examination shall be stripped of their presumptive weight.

Disqualifying associations may include, but are not limited to:

- Receipt of income, compensation or payment of any kind not related to health care provided by the designated doctor;
- Shared investment or ownership interest;
- Contracts/agreements that provide incentives such as referral fees or payments based on volume or value, and waiver of beneficiary coinsurance and deductible amounts;
- Contracts/agreements for space or equipment rentals, personnel services, management contracts, referral services, billing services agents, document management or storage services or warranties, or any other services

related to the management or operation of the doctor's practice;

- Personal or family relationships;
- A contract with the same workers' compensation health care network (Texas Insurance Code Chapter 1305) or a contract with the same political subdivision health plan (Texas Labor Code Chapter 504) that is responsible for providing medical benefits to the injured employee;
- Any other financial arrangement that would require disclosure under the Texas Labor Code, TDI-DWC rules, Texas Insurance Code or TDI rules; or
- Any other association with the injured employee, employer or insurance carrier that may give the appearance of preventing the designated doctor from rendering an unbiased opinion.

Insurance carriers must notify the TDI-DWC of any disqualifying associations between the designated doctor and injured employee because of network or political subdivision affiliation within five (5) days of receiving the order for the designated doctor examination.

Parties can dispute selection of a designated doctor for a particular examination or the presumptive weight of a designated doctor report based on a disqualifying association, but must do so through TDI-DWC dispute resolution processes.

[\[28 Texas Administrative Code §127.140\]](#) ◆

Designated Doctor Administrative Violations

The Commissioner of Workers' Compensation may revoke or suspend a designated doctor's certification as a designated doctor or otherwise sanction a designated doctor for noncompliance with 28 Texas Administrative Code (TAC) Chapter 127 or any of the following:

- Four refusals within a 90-day period to accept or perform an offered or ordered appointment for which the designated doctor is qualified and that relates to a claim to which the doctor has not been previously assigned;
- Four consecutive refusals to perform, within the required timeframes, a TDI-DWC ordered

appointment for which the designated doctor is qualified;

- Any refusal to accept or perform a TDI-DWC offered or ordered appointment that relates to a claim on which the doctor previously performed an examination;
- Misrepresentation or omission of pertinent facts in medical evaluation and narrative reports;
- Submitting unnecessary referrals to other health care providers;
- Ordering or performing unnecessary testing of an injured employee as part of the designated doctor examination;

Designated Doctor Administrative Violations (cont.)

- Submission of inaccurate or inappropriate reports due to insufficient medical history or physical examination and analysis of medical records;
- Submission of designated doctor reports that fail to include all elements of 28 TAC §127.10, §127.220 and other TDI-DWC rules;
- Failure to timely respond to a request for clarification from TDI-DWC regarding the examination or any other information requested by TDI-DWC;
- Failure to successfully complete the training and testing requirements of 28 TAC §127.110;
- Self-referring, including referring to a health care provider with whom the designated doctor has a disqualifying association, for treatment or becoming the injured employee's treating doctor for the medical condition evaluated by the designated doctor;
- Behaving in an assaultive or abusive manner toward the injured employee; TDI-DWC or other system participants;
- Failing to maintain the confidentiality of patient medical and claim file information;
- Performing a designated doctor examination which the designated doctor was not ordered by TDI-DWC to perform; and
- Other violations of applicable statutes or rules while serving as a designated doctor.¹

Designated doctors are liable for all administrative violations committed by their agents on their behalf.² The process for notification and appeal of a sanction is governed by 28 TAC §180.27, and any suspension, revocation or other sanctions will remain in effect pending appeal.³ ♦

¹28 Texas Administrative Code §127.210(a)

²28 Texas Administrative Code §127.210(b)

³28 Texas Administrative Code §127.210(c)

September 1 TXCOMP Changes Affecting Health Care Providers

The TDI-DWC has made changes to the TXCOMP Health Care Provider system at <https://txcomp.tdi.state.tx.us/twccprovidersolution/homehtml> that affect health care providers.

Health care providers' access to submit applications to be certified as a designated doctor, or to apply for recertification has been discontinued.

Access to update License/Certifications and Specialties for health care providers who are certified as a designated doctor or have applied to be certified as a designated doctor is restricted to TDI-DWC staff only.

Health care providers applying to be certified as a designated doctor, or wishing to apply for recertification, must submit the new DWC Form-067, *Designated Doctor Certification Application*, to the TDI-DWC by mail or facsimile. Additionally, health care providers currently certified as a designated doctor must submit the DWC Form-067 to the TDI-DWC to make any changes to the License/Certification or Specialties in their online profile. The form may be downloaded from the TDI website at <http://www.tdi.texas.gov/forms/form20all.html#dwc067>. Complete information regarding designated doctor certification and recertification is

available on the TDI website at <http://www.tdi.texas.gov/wc/dd>.

The DWC Form-067 conforms to amended 28 Texas Administrative Code §127.100 and §127.110, relating to designated doctor applications for certification or recertification on or after September 1, 2012, adopted by the Commissioner of Workers' Compensation on July 9, 2012. The adopted rules may be viewed on the Secretary of State website at <http://www.sos.state.tx.us/texreg/index.shtml>.

All other access to the TXCOMP Health Care Provider system remains unchanged, including the ability to:

- submit applications for Maximum Medical Improvement/Impairment Rating (MMI/IR) Certification by treating doctors;
- manage designated doctor examination location;
- submit Financial Disclosure by health care providers; and
- update or correct contact information by health care providers.

If you have questions regarding these changes or need assistance with filing a DWC Form-067, contact TDI-DWC Designated Doctor Outreach & Oversight at 512-804-4766 or desdoc.education@tdi.texas.gov. ♦

Designated Doctor Related Statistics for Fiscal Year 2008 through Fiscal Year 2012: Requests for Designated Doctor Examination

Table 1 - Incidents or Injuries, Based Upon Date of Injury

Number of Incidents or Injuries	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
"Reportable" Injury/Incident ^{1,2}	109,349	100,102	99,116	99,020	87,690

¹"Reportable": Injuries with at least one day of lost time, occupational disease, or fatality.

²Incidents or Injuries By Fiscal Year, Based Upon Date of Injury.

Table 2 - Indemnity Disputes

Number of BRC Requests	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
BRC Requests ³	26,953	25,549	24,605	16,055	14,979

³Includes only one instance of each request for indemnity dispute resolution (regardless of level, BRC, CCH, or Appeal).

Table 3 - Total Designated Doctors in the Workers' Compensation System

Number of Designated Doctors	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Designated Doctors ⁴	1,620	1,665	1,675	1,745	1,751

⁴Numbers include all doctors, both in and out-of-state, with an active DD credential anytime during the reporting period.

Table 4 - Total Designated Doctors Appointments Scheduled

Number of Appointments Scheduled	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Initial	46,059	39,927	36,663	34,143	34,910
Subsequent	9,038	8,231	8,720	7,869	7,631

⁵Initial Appointments: The first appointment on a particular claim assigned to a unique designated doctor. Injured employees may have multiple initial appointments if they are examined by more than one designated doctor.

⁶Subsequent Appointments: Appointments following an initial appointment on a claim where the same designated doctor was assigned.

Source: Texas Department of Insurance, Division of Workers' Compensation, 2012.