TDI Division of Workers' Compensation

Retrospective utilization review

Request

Retrospective utilization review

28 TAC §133.240
28 TAC Chapter 19

URA makes adverse determination

The URA sends an explanation of benefits to the:

- Health care provider.
- Injured employee.

28 TAC §133.240(e)

Note: Before issuing an adverse determination, the URA must give the requester reasonable opportunity to discuss the clinical basis of the adverse determination:

- No less than **five working days** before issuing a retrospective utilization review adverse determination.

28 TAC §134.600(a)(8)(B)

Reconsideration request

Request reconsideration of adverse determination

Must request reconsideration:

- Orally or in writing.
- Within **10 months** of the date of service.

Oral requests must:

- Clearly identify the health care services denied.
- Include substantive explanation of the rational basis to modify the previous denial or payment.

28 TAC §133.250

URA's final action on reconsideration request

The URA must acknowledge receipt of the oral request within **five working days**.

28 TAC §133.250(e)

The URA must take final action and provide an explanation of benefits:

- Within **30 days** of receiving the request for reconsideration.

28 TAC §133.250(g)

IRO request

Request independent review

Must request review by an IRO:

- By filing an LHL009 form with the URA.
- Within **45 calendar days** after receiving the URA's denial of an appeal (non-network) or within **45 days** after the date of denial (network).

Note: There is no cost for an independent review, except for non-network retrospective reviews.

28 TAC Chapter 12
28 TAC §§10.104, 133.308

URA - utilization review agent
IRO - independent review organization