



OUTREACH and OVERSIGHT

Texas Department of Insurance
Division of Workers' Compensation

UPDATE

Volume 5.2013

- Training Offered [2](#)
- AMA Guidelines Required for Examinations [3](#)
- Appointment by County and Month [3](#)
- Update on Completing DWC Form-032 [3](#)
- Contact Information [5](#)

New Test and Test Administration Vendor to Certify Maximum Medical Improvement and Permanent Impairment

Recently, the Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) developed new examinations to test designated doctors and doctors seeking authorization to certify maximum medical improvement and permanent impairment. Effective May 1, 2013, the new examinations will be the only examinations approved by the TDI-DWC for certification or recertification of designated doctors and doctors authorized to certify maximum medical improvement and permanent impairment.

The new examinations can *only* be taken at PSI testing locations and will no longer be administered onsite following the certification training sessions.

The first day for administration of the new examinations will be May 13, 2013.

Designated doctors and doctors seeking authorization to certify maximum medical improvement and permanent impairment must contact PSI directly to arrange to take the examinations. To schedule an examination, visit the PSI website at <https://candidate.psiexams.com/index.jsp>.

For additional information on the examinations, contact PSI by calling (800) 733-9267. ♦

Calendar of Events

Required Training

May 9-11, 2013

Certification Training, Austin

June 27-29, 2013

Certification Training, TBD

Optional Training

May 8, 2013

Designated Doctor MMI/IR Basic Training, Austin

May 9, 2013

Mock Contested Case Hearing, Austin

May 24, 2013

Designated Doctor Workshop, Houston

July 19, 2013

Designated Doctor Workshop, Round Rock

For additional details or to register for the training, visit the TDI website at <http://www.tdi.texas.gov/wc/dd/index.html#training>.

Designated Doctor Training Offered by the TDI-DWC

Required Training

Designated Doctor Certification Training

is required for doctors seeking certification or recertification as designated doctors and doctors seeking authorization to certify maximum medical improvement and impairment rating (MMI/IR). MDs and DOs will earn 20 CME Credits, and DCs will earn 18 CME Credits attending this two and half-day training. Attendees must bring a hardcopy publication of the *American Medical Association Guide to Evaluation of Permanent Impairment, 4th Edition*.

Optional Training

Designated Doctor MMI/IR Basic Training is a free, optional training course for doctors considering attending or preparing to attend required designated doctor training; current designated doctors wanting to refresh their basic knowledge and skills; and doctors who are interested in becoming designated doctors. This course is an interactive problem-solving four-hour session designed to teach basic concepts and knowledge required of a Designated Doctor. MDs, DOs, and DCs will earn four CME Credits attending this half-day training. *Please note that this course is the afternoon prior to and at the same location as the Designated Doctor Certification Training.*

Mock Contested Case Hearing is a free, optional event that follows the Designated Doctor Certification Training on Thursday, May 9, 2013. TDI-DWC staff will participate in a demonstration where the insurance carrier is requesting a contested case hearing to dispute the designated doctor's report. This mock contested case hearing will present possible outcomes of writing reports that do not sufficiently explain the medical rationale that supports the date of maximum medical improvement and impairment rating. *Please note that this event immediately follows and is at the same location as the Designated Doctor Certification Training.*

Designated Doctor Basics is for doctors considering attending or preparing to attend required designated doctor training or current designated doctors wanting to refresh their basic knowledge and skills. This basics course focuses on preparing to become a designated doctor by discussing the tools and publications necessary for conducting and reporting a designated doctor examination. Attendees should bring a hardcopy publication of the *American Medical Association Guide to Evaluation of Permanent Impairment, 4th Edition*. *Please note that this course is **not** required and does **not** fulfill the requirements for Designated Doctor Certification or authorization to certify MMI/IR.*

Designated Doctor Workshop is for designated doctors seeking practical experience working cases and writing reports. Attendees will work sample cases with TDI-DWC Hearing Officers. MDs, DOs, and DCs will earn six CME Credits attending this one-day training. Attendees should bring a hardcopy publication of the *American Medical Association Guide to Evaluation of Permanent Impairment, 4th Edition* and a laptop or similar device to access the *Official Disability Guidelines and Medical Disability Advisor* online. *Please note that this course is **not** required and does **not** fulfill the requirements for Designated Doctor Certification or authorization to certify MMI/IR.*

For additional details or to register for the training, visit the TDI website at <http://www.tdi.texas.gov/wc/dd/index.html#training>. ♦

AMA Guidelines Required for Designated Doctor Examinations

Effective January 1, 2013, a doctor certifying or recertifying to become a designated doctor must own or subscribe to the American Medical Association Guides to Evaluation of Permanent Impairment, 4th Edition (AMA Guidelines) for the duration of their certification. Designated doctors

must use the AMA Guidelines for the assignment of impairment ratings and all return-to-work and treatment guidelines adopted by the TDI-DWC.

[28 Texas Administrative Code [§127.100](#) and [§127.110](#)]

[28 Texas Administrative Code [§127.10](#)] ♦

Designated Doctors and Appointment by County and Month

To run a query of designated doctor appointments by county and month, visit the TDI website at

https://wwwapps.tdi.state.tx.us/inter/per/root/sasweb9/cgi-bin/broker.exe?_service=wcExt&program=proget.DD_Report.sas. ♦

Update on Completing the DWC Form-032, Request for Designated Doctor Examination

The Request for Designated Doctor Examination, [DWC Form-032](#), is more than just a required document to be filed to obtain a designated doctor examination [28 Texas Administrative Code (TAC) [§127.1\(b\)\(9\)](#)]. It provides both the basis for the selection of the designated doctor, and guidance for the issues to be determined in the required narrative report and Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) forms.

Accurate and complete information from the requester on the DWC Form-032 helps facilitate selection of a qualified designated doctor and provides that doctor with valuable information to assist in evaluation of the issues in dispute. Requests that do not meet the requirements of the rule will be denied [28 TAC [§127.1\(b\)\(c\)](#) and [\(d\)](#)].

The required information is crucial to both the selection of the appropriate designated doctor, and for the designated doctor to identify the questions the TDI-DWC ordered to be addressed and provide a clear answer and basis for each determination within a reasonable degree of medical probability [28 TAC [§127.220\(a\)\(1\)-\(13\)](#)].

There are several fields on the DWC Form-032 of particular significance in both the selection process and the doctor's examination.

Box 27-31 – Treating Doctor Information

This ensures all of the relevant necessary medical documentation can be obtained and subsequently reviewed by the designated doctor in addition to his/her examination of the injured employee [28 TAC [§127.1\(b\)\(5\)](#)].

Box 33-34 – Network or Political Subdivision Health Plan Information

If the designated doctor is in the same network or political subdivision health plan as the injured employee, then the TDI-DWC will exclude the designated doctor on the basis of a disqualifying association [28 TAC [§§127.1\(b\)\(6\)](#), [127.5\(c\)\(1\)](#), [127.130\(a\)](#) and [127.140\(a\)\(6\)](#)].

Box 35 – Body Part and Diagnosis Information

The TDI-DWC will select the next available doctor on the designated doctor list based on the doctor's qualification criteria for the part of the body affected by the compensable injury and the injured employee's diagnosis. The requester should report the injured employee's current diagnosis or diagnoses and part of the body affected by the injury in this field in order to facilitate the selection of a designated doctor qualified to address all of the requested issues [28 TAC [§127.1\(b\)\(3\)](#)].

[\(continue to page 4\)](#)

Update on Completing the DWC Form-032, Request for Designated Doctor Examination (cont.)

For extent of injury issues, please remember to include a description of the accident or incident that caused the claimed injury and a list of all injuries in question [[28 TAC §127.1\(b\)\(11\)\(c\)](#)].

Box 37 – Compensable Injury

This field requires the requester to enter all injuries determined to be compensable by the TDI-DWC or accepted as compensable by the insurance carrier [[28 TAC § 127.1\(b\)\(4\)](#)]. The requester should describe the nature of all of the undisputed compensable injuries with specificity in to give the designated doctor information with which to provide answers to all of the requested issues. (Example: If just “head” is listed in this field, then it would not be clear to the designated doctor if the injured employee suffered a laceration, a traumatic brain injury, etc.).

Additionally, the types of designated doctors qualified to address specific injuries (ex. head injury) are different under the rules, therefore the injury must be specifically described in order for the TDI-DWC to select the designated doctor with the requisite qualifications for the examination [[28 TAC §127.130](#)].

Box 42 A – Statutory Maximum Medical Improvement (MMI) Date [if applicable]

The designated doctor cannot certify an MMI date after the date of statutory MMI (with the exception of rare instances when that date may be extended by the Commissioner of Workers’ Compensation for spinal surgery). The designated doctor may, however, determine a clinical MMI date prior to the date of statutory MMI [[28 TAC §130.1\(b\)\(4\)](#)]. Requesters should ensure that this MMI date is accurate, if applicable; as it is likely it is the only document the designated doctor will receive with this information.

Box 42 C – Extent of Injury [if applicable]

This is different and potentially broader in scope than the listed injuries in Box 37. A common error in this field is the listing of identical conditions listed in Box 37. This field should contain the diagnoses, body parts, and/or conditions which are in a dispute on the issue of compensability. If the requester seeks an examination on the extent of the compensable injury, the requester must include a description of the accident or incident that caused the claimed injury and a list of all the injuries in question [[28 TAC §127.1\(b\)\(11\)\(C\)](#)].

Multiple Certifications

[28 TAC §130.6\(b\)\(5\)](#) was repealed effective September 1, 2012. A designated doctor will only issue multiple certifications of maximum medical improvement (MMI) and impairment ratings that take into account each possible outcome for the extent of the injury when the designated doctor is simultaneously requested to address MMI and/or impairment rating and the extent of the compensable injury [[28 TAC §127.10\(d\)](#)]. Requesters should only ask for multiple certifications on the DWC Form-032 when requesting MMI, impairment rating and extent of injury in the same request.

Again, because of the importance of the information contained on the DWC Form-032, requests that do not meet the requirements of [28 TAC §127.1\(b\)](#) and [\(c\)](#) will be denied.

If there are questions regarding the information in this memo, contact the TDI-DWC Designated Doctor Outreach and Oversight section at (512) 804- 4765 or DesDoc.Education@tdi.texas.gov. ♦

Designated Doctor Contact Information

Designated Doctor Certification and Recertification

- Telephone: (512) 804-4766
- Fax: (512) 804-4207
- E-mail: OMA@tdi.texas.gov

Designated Doctor Outreach & Oversight coordinates designated doctor education training.

- **NEW** Telephone: (512) 804-4765
- **NEW** Fax: (512) 804-4769
- E-mail: DesDoc.Education@tdi.texas.gov

Designated Doctor Examination Coordination

- Telephone: (512) 804-4380
- Fax: (512) 804-4121
- E-mail: DDScheduler@tdi.texas.gov

CompConnection for Health Care Providers — Provides health care providers practical information and guidance on issues commonly encountered when treating injured employees, such as treatment guidelines; billing and reimbursement; workers' compensation forms; licensing and certification requirements; and monitoring, compliance and enforcement.

- Telephone: (800) 372-7713 option 3
- Telephone: (512) 804-4000 option 3 (Austin area)
- E-mail: MedBen@tdi.texas.gov

TDI-DWC Field Offices

- Webpage: <http://www.tdi.texas.gov/wc/dwcccontacts.html#offices>

Workers' Compensation Health Care Networks

- Webpage: <http://www.tdi.texas.gov/wc/wcnet/wcnetworks.html>