

# Designated Doctor and Certifying Doctor Certification Training

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Rule Changes and Basic Concepts



# What's new

Recent and upcoming changes

# §133 and §134

## Billing and reimbursement Rule changes

**Effective June 1, 2024**

Goals of the changes are to:

- Increase certainty of payment
- Decrease complexity of billing
- Ensure fees better reflect the effort required by DDs
- Update reimbursement for services

# §133 and §134 Billing and reimbursement Rule changes

## Effective date June 1, 2024

### Billing Rules

Effective June 1, 2024, DWC will provide an assignment number on the Orders for DD exams. The assignment number is required on bills from DDs for payment of DD exams; and on bills from referring doctors for DD requested additional testing or referral exams.

### Reimbursement Rules

New fees are effective for dates of service on June 1, 2024, and after.

See the DWC website for the recorded webinar explaining the changes:  
<https://www.tdi.texas.gov/wc/dd/index.html>  
find under News and designated doctor program updates



# House Bill 2468 – Changes to Lifetime Income Benefits (LIBS)

## The 88<sup>th</sup> Legislature Regular Session (2023)

Amended Texas Labor Code Section 408.161(a)

- Redefines physically traumatic brain injuries for the purpose of entitlement to LIBS.
- Adds new Section 408.1615 to allow certain first responders to receive LIBS.

DWC has revised and adopted the rules necessary to implement HB 2468 (chapters 131, 127.1 and 127.25) effective June 25, 2024.



# House Bill 2468 – Changes to Lifetime Income Benefits (LIBS)

**The new description that replaces the term “imbecility” is:**

...a physically traumatic injury to the brain that, as determined using evidence-based medicine, results in a permanent major neurocognitive disorder (Major NCD):

- (A) for which the employee requires occasional supervision in the performance of routine daily tasks of self-care; and
- (B) that renders the employee permanently unemployable

# House Bill 2468 – Changes to Lifetime Income Benefits (LIBS)

## First Responders Eligible for LIBs

Based on specific certifications, first responders include: certain peace officers, technicians, fire fighters, volunteer firefighters and emergency medical services volunteers .

See Labor Code, Section 408.1615



# House Bill 2468 – Changes to Lifetime Income Benefits (LIBS)

## For First Responders:

- Continued entitlement to LIBs requires the IE to certify to the carrier that they were not employed in any capacity during the preceding year.
- An insurance carrier can periodically review the IE's continuing entitlement to LIBS once during a five-year period, or when there is evidence the IE's annual certification is not accurate.
- A new designated doctor exam for LIBs entitlement could be ordered.

**See Rules at: <https://www.tdi.texas.gov/wc/rules/2024rules.html>**





# House Bill 2468 – Changes to Lifetime Income Benefits (LIBS)

Requests for DD examinations for LIBs are indicated in BOX G of the DWC-032 Form.

The requester should include the criteria from the Labor Code required for the specific LIBs injury in question, on the DWC-032.

If you are assigned an exam for LIBs and have questions, contact DD Education at:

[DesDoc.Education@tdi.Texas.gov](mailto:DesDoc.Education@tdi.Texas.gov)  
or call 512-804-4765

# What's new

Changes prior to 2024.....




# §127.1-127.25 and §180.23

## Designated Doctor Procedures and Requirements Rule Changes - Effective 6/5/2023

### Changes include:

- Specialty board certifications are no longer required for multiple fractures (other than pelvis and ribs)
- Additional MD and DO board certifications are now qualified for traumatic brain injury (TBI) exams



# §127.1-127.25 and §180.23 Rule Changes - Effective 6/5/2023

## Changes include:

- Re-testing every two years is no longer required for doctors who have passed the required test on or after May 13, 2013
- Multiple certifications will only be provided when ordered by a DWC by a Presiding Officer's Directive (POD)

# §127.1-127.25 and §180.23 Rule Changes - Effective 6/5/2023

**Changes include revisions to DWC forms and DD requirements:**

Let's go over some of the Chapter 127 rule changes that we see are sometimes not being adhered to, or we frequently receive questions about...

# §127.1-127.25 and §180.23 Rule Changes - Effective 6/5/2023

**Changes include revisions to DWC forms and DD requirements:**

There is no longer a field on the DWC 32 form for a list of carrier accepted injuries.

# New Rule Compliance

# Chapter 127 Rule changes

## **Box 37 is no longer on the DWC Form 32**

This box was where the requester listed injuries and conditions “accepted by the carrier”.

It was meant to be a starting place for the DD to determine the compensable injury.

Because this information was often not known to the requester (TPA, IE, IE representative) it was found to be unreliable





# Chapter 127 Rule changes

Remember:

- Box 37 has not always been provided on the DWC 32, and
- The DD is responsible for determining the compensable injury for MMI and IR, per Rule 130.1(c)(3)



# Chapter 127 Rule changes


Rule 130.1(c)(3) applies to Designated doctors and certifying doctors who are assigning an impairment rating.

Specifically, it states: "Assignment of an impairment rating for the current compensable injury shall be based on the injured employee's condition on the MMI date considering the medical record and the certifying examination."




## Chapter 127 Rule changes

What if there is a plain language notice (PLN) listing “accepted” injuries?



If a carrier’s PLN is included in records you review, remember that it is not a legal determination of the compensable injury. It is the carrier’s opinion at the time it was created.



There are often multiple, differing PLNs submitted on one claim. You may want to use it as a “starting point” as Box 37 was intended, but do not consider it a determination of what is compensable.



# §127.1-127.25 and §180.23 Rule Changes - Effective 6/5/2023

**Changes include revisions to DWC forms and DD requirements:**

Multiple certifications are no longer to be provided by the DD when MMI, IR and Extent of Injury are requested in a single exam on the DWC-32



# Chapter 127 Rule changes

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If you receive an exam via a DWC 32 for MMI, IR and Extent of Injury, the DWC 32, Box C will list the claimed injuries in question.

You will assign only the **one certification** that is what you believe the compensable injury is. It might include none, some, or all the claimed injuries/conditions listed.



# Chapter 127 Rule changes

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In your extent of injury analysis in your narrative report, you must address each one of the claimed injuries or conditions from Box C and explain whether you determine them to be compensable or not, and why.



# Chapter 127 Rule changes

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All Extent of Injury exams require completion of the DWC 68 Form.

You will indicate for each of the disputed conditions, whether you determined them to be compensable or not (indicating yes or no on the Form 68).

Also, there is a new box on the 68 form that allows you to put other diagnoses besides those from the from Box C of the Form 32, that you determine to be compensable, if any.

Your narrative report should also include EOI analysis of any diagnoses you determine compensable that are not listed on the DWC 32 in Box C.

# Chapter 127 Rule changes

## DWC Form 68 - **New as of 6/5/23**

a) Extent of injury

List all items that were included on DWC Form-032 Part 5, Box 31C and any other additional diagnoses or conditions you found to be a part of the compensable injury. Did you determine that the accident or incident giving rise to the compensable injury was a substantial factor in bringing about the additional claimed diagnoses or condition? Provide your answer below by checking Yes or No for each additional claimed diagnosis or condition. Assign the most reasonable corresponding diagnosis codes for each additional claimed diagnosis/condition. **Attach additional pages, if necessary.**

| Additional claimed diagnosis or condition  | Yes                                 | No                                  |                  |                  |                  |                  |
|--|-------------------------------------|-------------------------------------|------------------|------------------|------------------|------------------|
|  |                                     |                                     | Diagnosis code 1 | Diagnosis code 2 | Diagnosis code 3 | Diagnosis code 4 |
| 1) Lumbar sprain/strain  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                  |                  |                  |                  |
| 2) L4/5 Disc degeneration  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                  |                  |                  |                  |
| 3) Disc desiccation at L5/S1   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                  |                  |                  |                  |
| 4) L5/S1 disc / impingement at S1  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                  |                  |                  |                  |
| 5)   | <input type="checkbox"/>            | <input type="checkbox"/>            |                  |                  |                  |                  |
| 6)   | <input type="checkbox"/>            | <input type="checkbox"/>            |                  |                  |                  |                  |
| <b>Additional compensable diagnoses or conditions found by the designated doctor</b> |                                     |                                     | Diagnosis code 1 | Diagnosis code 2 | Diagnosis code 3 | Diagnosis code 4 |
| 7) Left S1 radiculopathy   |                                     |                                     |                  |                  |                  |                  |
| 8)   |                                     |                                     |                  |                  |                  |                  |





# §127.1-127.25 and §180.23 Rule Changes - Effective 6/5/2023

**Changes include revisions to DWC forms and DD requirements:**

Multiple certifications are only to be provided when ordered by a Presiding Officer's Directive (POD)



# Chapter 127 Rule changes

When an exam is ordered via a POD, the DD is to follow the instructions from the ordering judge.

The judge may ask for certifications of specific injuries that they list for each certification requested.

The judge may also ask you to include a certification that is your opinion of the compensable injury, if your opinion is not the same as one of the requested certifications

**Read the entire POD carefully and follow the judge's instructions to avoid a letter of clarification request later (LOC).**



# House Bill 2468 - Changes to Lifetime Income Benefits (LIBS)

## The 88<sup>th</sup> Legislature Regular Session (2023)

If you are assigned a Box G question on Lifetime income benefits and have questions, contact DWC for assistance.

[Desdoc.education@tdi.texas.gov](mailto:Desdoc.education@tdi.texas.gov)



# Impairment Rating

## Concept of Combined Values



# Combined Values for Impairment Rating

Each organ system/body area should be expressed as a whole person impairment, then:

- Whole person impairments should be combined using the Combined Values Chart (pp. 322 – 324)
- “Combining” assures that the impairment can’t exceed 100%.
- It reduces the remaining portion of the whole person that is available for the second impairment.



# Combined Values for Impairment Rating

The general rule is "ALWAYS  
COMBINE...EXCEPT FOR WHEN YOU  
ADD"

- There will be different exceptions to the combining rule for the:
  - Upper extremity (UE)
  - Lower extremity (LE)
- Pay attention to the exceptions in the AMA 4th and the Appeals Panel decisions that will be discussed in each of these presentations.
- **They are different for the UE and LE**

# Combined Values for Impairment Rating

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**The whole person value of one entire upper extremity is 60%.**

If one ADDED the 60% for one entire upper extremity with 60 % for the other entire upper extremity, the value would be 120 %. The IR cannot exceed 100 %.

**Example of COMBINING: 60% WP C/W 60% WP = 84%**

- The 1st 60% IR leaves 40% of the WP remaining
- Then 60% of the 40% remaining = 24%,
- 60 % + 24 % = 84% (not 120)





# Combined Values for Impairment Rating

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**The whole person value for one entire lower extremity is 40%**

If one ADDED the 40% for one entire upper extremity with 40% for the other entire upper extremity, the value would be 80%.

**Example of COMBINING: 40% WP CB 40% WP = 64%**

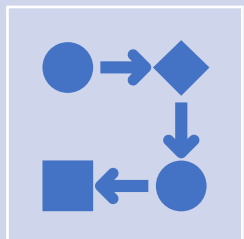
- The first 40% WP of IR leaves 60% of the WP remaining
- Then 40% of the 60% remaining = 24%
- $40\% + 24\% = 64\%$  (not 80%)



# Combining 3 or More Impairment Values



“If three or more impairment values are to be combined, select any two and find their combined value as above. Then use that value and the third value to locate the combined value of all.



This process can be repeated indefinitely, the final value in each instance being the combination of all the previous values. In each step of this process, the larger impairment value must be identified at the **side** of the chart.” (page 322)

# Combining 3 or More Impairment Values

- Best practice - combine the largest % with the second largest %, then combine that result with third largest %, etc.

# SUMMARY / Reminder

## Combined Values for Impairment Rating

Each organ system/body area should be expressed as a whole person impairment, then:

- Whole person impairments should be combined using the Combined Values Chart (pp. 322 – 324)
- “Combining” assures that the impairment can’t exceed 100%.
- It reduces the remaining portion of the whole person that is available for the second impairment.

# Designated Doctor Program Webpage

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## Content Overview

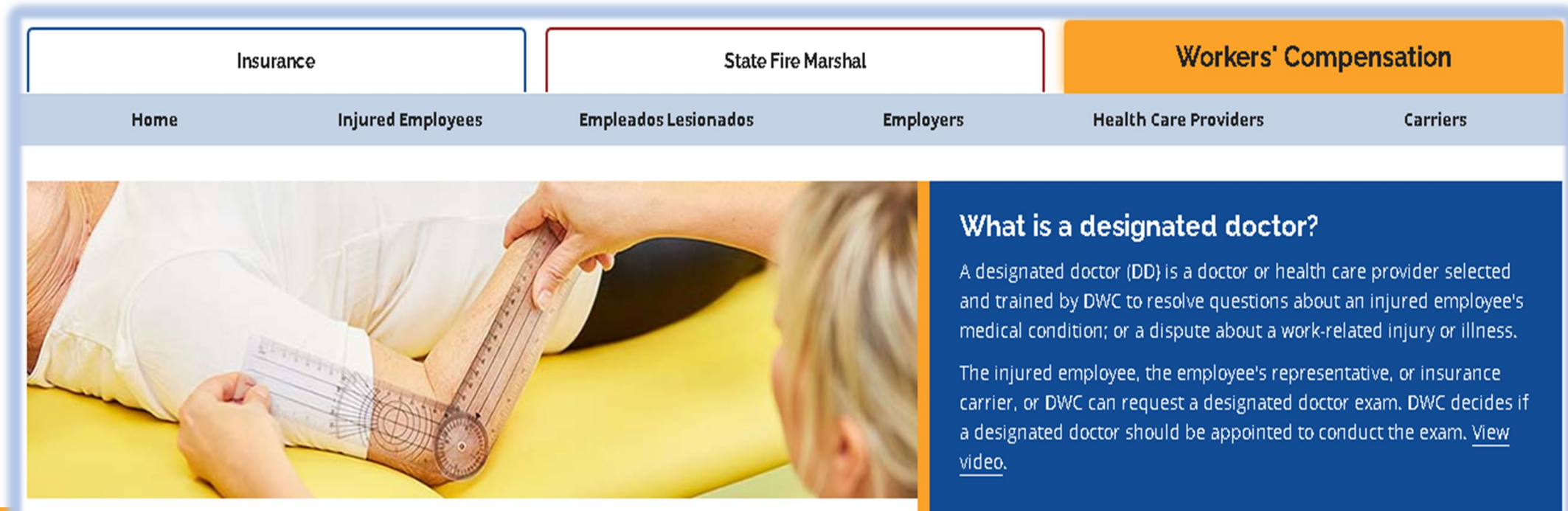




# Designated Doctor (DD) Webpage

The webpage was recently revised for simpler navigation and easy access to helpful resources.

<https://www.tdi.texas.gov/wc/dd/index.html>



The screenshot shows the top navigation bar of the Designated Doctor (DD) webpage. It features three main menu items: "Insurance", "State Fire Marshal", and "Workers' Compensation", with "Workers' Compensation" highlighted in orange. Below this is a secondary navigation bar with links for "Home", "Injured Employees", "Empleados Lesionados", "Employers", "Health Care Providers", and "Carriers". The main content area is split into two sections. On the left is a photograph of a healthcare professional measuring a patient's arm with a goniometer. On the right is a blue text box with the heading "What is a designated doctor?" and a paragraph explaining the role of a designated doctor (DD) in resolving medical questions or disputes. The text includes a link to "View video".



# You will find, certification and renewal information...

## Become a designated doctor or renew certification

You must take the required training, pass the required test (on 5/13/23 or after) and apply. Renewal requires attending required training and reapplying every two years.

You must subscribe to or own the following publications:

- [MDGuidelines](#) or call 800-442-4519
- [Official Disability Guidelines](#) or call (ODG) 800-488-5548
- [AMA Guides to the Evaluation of Permanent Impairment, 4th Edition](#)

[Steps to success](#) - a great must read for new DDs!

## Become an MMI/IR certifying doctor or renew certification

You must take the required training, pass the required test (on 5/13/23 or after). Renewal requires attending required training every two years.

You must subscribe to or own the following publications:

- [MDGuidelines](#) or call 800-442-4519
- [Official Disability Guidelines](#) or call (ODG) 800-488-5548
- [AMA Guides to the Evaluation of Permanent Impairment, 4th Edition](#)

# Links to training and testing resources ...

## Training

Registration for training: [Designated doctor events & training calendar](#)

### Training materials:

- [Required certification course presentations](#)
- [Optional webinar presentations and workshops](#)
- [Self-study - extended 2015 certification course presentations](#)
- [Tips for viewing designated doctor presentations](#)

[Supplemental information packet](#) - Includes: DD Program contact information, disqualifying associations, DWC acronyms, and more.

## Testing

PSI Exams administers the designated doctor and maximum medical improvement and impairment rating (MMI/IR) certifying doctor exams at locations across Texas.

Contact [PSI](#) to schedule an exam or call 855-746-8173.

Use the [TXCOMP](#) Health Care Provider System to find your expiration date.

- [PSI candidate bulletin](#) - information from PSI on how to schedule and rules for the testing process
- Designated doctor and certifying doctor [sample test questions](#)
- Designated doctor [minimally acceptable candidate profile](#)



# News and program updates ...

## News and designated doctor program updates

- **NEW** [Billing and Reimbursement Training for Designated Doctor and Other Certifying Doctor Exams](#) (after 6/1/24) [slides](#) | [handout 1](#) | [handout 2](#) | [memo](#) (PDF)
- [Training dates for changes to designated doctor and maximum medical improvement \(MMI\) and impairment rating \(IR\) billing and reimbursement rules](#) 3/27/24
- [Adopted rules on billing and reimbursement for certain workers' compensation-specific services, including designated doctor](#)

- [Memo about changes to the DD program](#) 6/5/23
- [Changes to the designated doctor program rules PowerPoint](#)

## Changes in qualifications for traumatic brain injury exams

- [Designated doctor traumatic brain injury and psychologic impairment](#)
- [Traumatic brain injury references](#)

 **Stay connected!**  
[Sign up for updates.](#)

# DD faculty bios and required DD Forms...

## Meet the faculty

- [David Alvarado, D.C.](#)
- [James Bales, M.D.](#)
- [Karrn E. Bales, D.O.](#)
- [David Bauer, M.D.](#)
- [Simon J. Forster, D.C.,  
DABCO, Cert MDT](#)
- [Martin B. Jones, M.D.](#)
- [Calvin W. Plumb, D.C.](#)
- [Michael S. Sheppard,  
D.C.](#)
- [Lori B. Wasserburger,  
M.D.](#)

## Designated doctor/certifying doctor forms

- [DWC Form-032](#), *Request for Designated Doctor Examination*
- [DWC Form-067](#), *Designated Doctor Certification Application*
- [DWC Form-068](#), *Designated Doctor Examination Data Report*
- [DWC Form-069](#), *Report of Medical Evaluation*
- [DWC Form-073](#), *Work Status Report*
- [DWC Form-120](#), *Designation of Administrative Services  
Company Administrator*
- [Designated doctor narrative report and form requirements](#)

# Information on the TXCOMP Provider System...

## TXCOMP appointment features

Doctors and their administrators must use [TXCOMP](#) to:

- accept and manage designated doctor appointments, and
- file required reports online.

[DD TXCOMP implementation memo](#)

Slideshow: [TXCOMP appointment features for DDs and RMEs training](#)

### Tips to successfully upload your reports in TXCOMP:

- Files format must be one of the following:
  - Microsoft Word (.doc and .docx),
  - Microsoft Excel (.xls and .xlsx),
  - Read-only Portable Document Format (.pdf), or
  - Tagged Image Format (.tif and .tiff).

- Read-only Portable Document Format (.pdf), or
- Tagged Image Format (.tif and .tiff).
- Files size must be less than 10MB.
- File name must be less than 100
- When uploading a DWC Form-069 and narrative both file names together must be less than 100 characters.

\* **DW069**  No file chosen

\* **Narrative**  No file chosen

- These special characters are not allowed in the file name: < > : " / \ | ? \* , ; -

**Note:** Compressed or "zipped" files are not accepted.

# More resources for DDs...

## Other resources

- [Appeals Panel decisions \(APDs\) for designated doctors](#)
- Fast Facts: [Financial Disclosure](#)
- Run report for number of [designated doctors and appointments by county and month](#)
- [Designated Doctor Performance Review Procedure](#)
- [Bulletins](#)
- [DWC rules](#)

# And informational videos on current topics...

**TDI** Recent Changes to the Designated Doctor Program and the DWC Form-032 Request for Designated Doctor Examination

**TDI** Division of Workers' Compensation



**TDI** Completing the DWC Form-032 Request for Designated Doctor Examination

**TDI** Division of Workers' Compensation



**TDI** Designated Doctors





**tdi**



**TDI** Billing and Reimbursement for Designated Doctor and Required Medical Exams



Pre-Recorded TRAINING



**TDI** Division of Workers' Compensation

**TDI** Billing and Reimbursement for MMI and IR Exams

Pre-Recorded TRAINING



**TDI** Division of Workers' Compensation



Here is the link again...

<https://www.tdi.texas.gov/wc/dd/index.html>

OR..



Start at TDI Website ([www.tdi.Texas.gov](http://www.tdi.Texas.gov)), and click on the Workers' Compensation tab



The screenshot shows the Texas Department of Insurance (TDI) website. The header includes the TDI logo and the text "Texas Department of Insurance". A search bar with "ENHANCED BY Google" is visible. Below the search bar is a navigation menu with tabs for "Insurance", "State Fire Marshal", and "Workers' Compensation". The "Workers' Compensation" tab is highlighted with a red arrow. Below the navigation menu is a secondary menu with tabs for "Home", "Consumers", "Agents / Adjusters", "Companies", "Health Providers", and "Businesses". The main content area features a large image of a red car on a calculator and a document, with a blue sidebar containing text about insurance rates and tips for saving money. The sidebar text includes: "As every one of us insurance rates: Tips for saving money", "How to save money while still getting the coverage you need when storm heads your way.", "Hurricane season: How to prepare your home and property", and "Check out these tips". There is also a link for "Español".

On the Workers' Compensation page, scroll down to the gray area at the bottom and click on: Become a designated doctor..

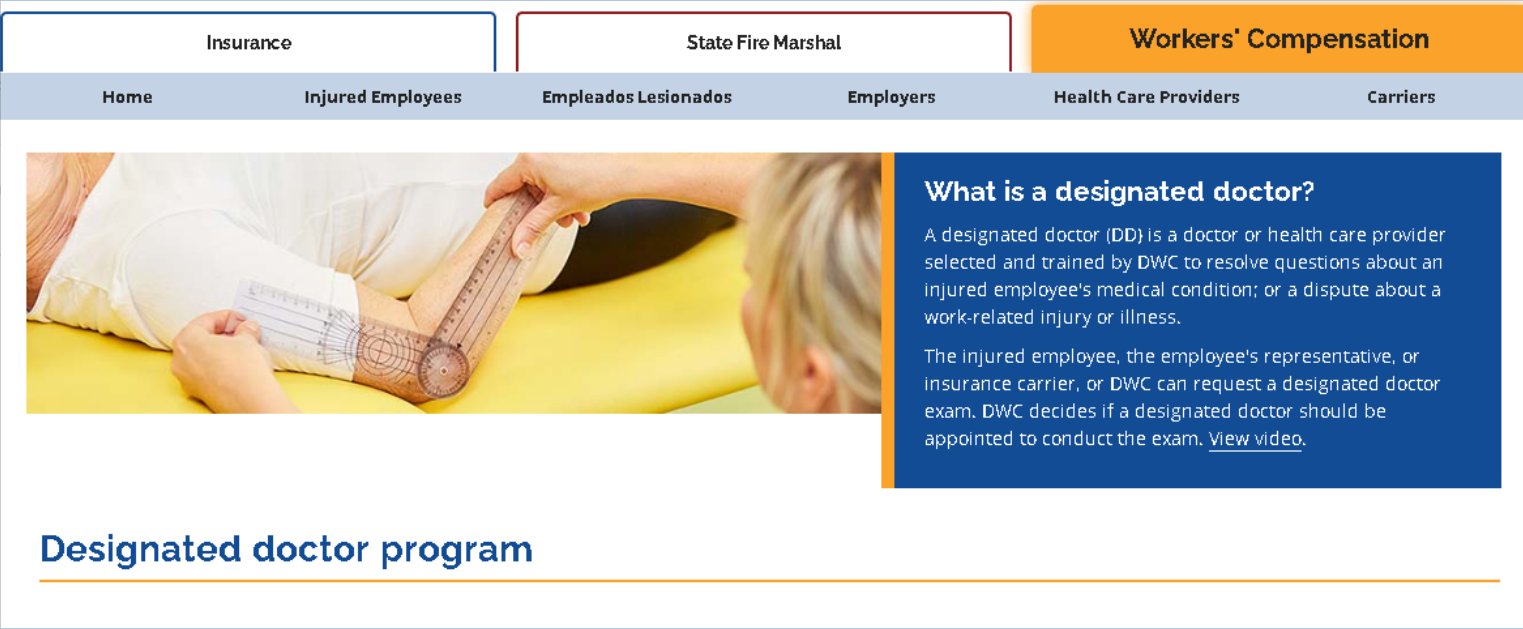
The screenshot shows the navigation menu with 'Workers' Compensation' selected. Below the menu is a social media bar with icons for Twitter, Facebook, YouTube, and RSS. The footer is divided into four columns: 'About DWC', 'Connect with us', 'Do more online', and 'Rules, bulletins, and data calls'. A red arrow points from the 'Connect with us' column to the 'Do more online' column, and a blue arrow points from the 'Do more online' column to the 'Become a designated doctor' link.

| Insurance | State Fire Marshal | Workers' Compensation |           |                       |          |
|-----------|--------------------|-----------------------|-----------|-----------------------|----------|
| Home      | Injured Employees  | Empleados Lesionados  | Employers | Health Care Providers | Carriers |

**Do more online**

- Become a designated doctor
- Verify employer coverage
- Request a safety consultation
- File a complaint
- Report a safety violation
- Learn about return to work

# And you're there...



The screenshot shows a website interface with a navigation bar at the top. The navigation bar has three main sections: 'Insurance', 'State Fire Marshal', and 'Workers' Compensation'. Under 'Workers' Compensation', there are sub-links for 'Home', 'Injured Employees', 'Empleados Lesionados', 'Employers', 'Health Care Providers', and 'Carriers'. The main content area features a photograph of a person's arm being measured with a ruler. To the right of the photo is a blue box with white text titled 'What is a designated doctor?'. Below the photo and text is a blue box with white text titled 'Designated doctor program'.

Insurance State Fire Marshal Workers' Compensation

Home Injured Employees Empleados Lesionados Employers Health Care Providers Carriers

**What is a designated doctor?**

A designated doctor (DD) is a doctor or health care provider selected and trained by DWC to resolve questions about an injured employee's medical condition; or a dispute about a work-related injury or illness.

The injured employee, the employee's representative, or insurance carrier, or DWC can request a designated doctor exam. DWC decides if a designated doctor should be appointed to conduct the exam. [View video.](#)

**Designated doctor program**

Questions? Contact DD Education at [desdoc.education@tdi.Texas.gov](mailto:desdoc.education@tdi.Texas.gov) or 512-804-4765

Access the Supplemental information packet from the Training section of the website for a list of other program contact information and helpful DD resources.