

SUBCHAPTER B. MEDICAL COST EVALUATION
28 TAC §42.105

§42.105. Medical Fee Guideline.

~~[(a)] The maximum allowable reimbursement under the medical fee guidelines in Chapter 134 of this title applies to services and supplies provided [charge under the Medical Fee Guideline for Services Rendered] under the Texas Workers' Compensation Act. [is the lesser of:~~

~~(1) the provider's usual fees and charges; or~~

~~(2) the fees and charges established by use of a relative value scale adopted under subsection (b) of this section.~~

~~(b) The commission will publish and adopt by reference herein a relative value scale used in conjunction with the 1990 CPT (Physician's Current Procedural Terminology) as part of the Medical Fee Guideline for Services Rendered under the Texas Workers' Compensation Act. This guideline is published as the 1991 Texas Workers' Compensation Commission Medical Fee Guideline which is incorporated herein by reference. This shall be the same guideline adopted by the Texas Workers' Compensation Commission and incorporated into §134.201 of this title (relating to Medical Fee Guideline for Medical Services and Equipment Provided under the Texas Workers' Compensation Act) as it exists on the effective date of this section and as it may be amended thereafter by the commissioners. The guideline may be obtained from the Reprographics Department, Texas Workers' Compensation Commission, The Southfield Building, 4000 South I-H 35, Austin, Texas 78704.~~

~~(c) The allowable charge for the purchase or rental of durable medical equipment is the lesser of:~~

~~(1) the provider's usual fees and charges; or~~

~~(2) the fees and charges established in the durable medical equipment section of the Medical Fee Guideline, which is incorporated herein by reference.~~

~~(d) The guidelines established herein shall be used for services rendered, and durable medical equipment prescribed, on and after the effective date of this section.]~~