



TEXAS DEPARTMENT OF INSURANCE

General Counsel Division - Legal Section (MS-4D)

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memo

To: Texas Workers' Compensation System Participants

From: Emily McCoy, Associate General Counsel, Office of General Counsel

Date: May 18, 2018

Proposal: Amended 28 TAC §§127.1, 127.5, 127.10, 127.100, 127.110, 127.130, 127.140, and

RE: 127.220, regarding Designated Doctor Procedures and Requirements

The Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) is accepting public comments on proposed rules amending 28 Texas Administrative Code (TAC) §§ 28 TAC §§127.1, 127.5, 127.10, 127.100, 127.110, 127.130, 127.140, and 127.220. The proposal will be published in the May 18, 2018, issue of the Texas Register and available at www.sos.state.tx.us/texreg/index.shtml once published. A courtesy copy of the proposal will also be available on the TDI-DWC website at www.tdi.texas.gov/wc/rules/2018rules.html.

If you want to comment on the proposal, submit your written comments by 5:00 p.m. Central time on June 18, 2018. Send written comments by email to Rulecomments@tdi.texas.gov or by mail to:

Texas Department of Insurance, Division of Workers' Compensation
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Amendments to 28 TAC §§127.1, 127.5, 127.10, 127.100, 127.110, 127.130, 127.140, and 127.220 are necessary to provide balance and transparency of the designated doctor assignment process, retain doctors qualified to perform certain examinations, ensure availability of doctors qualified to evaluate injured employees' injuries, clarify certain designated doctor qualification standards, and update certification requirements. Additionally, the division proposes non-substantive amendments throughout 28 TAC Chapter 127.

In conjunction with this proposal, the division is revising DWC Form 032, *Request for Designated Doctor Examination*, DWC Form 068, *Designated Doctor Examination Data Report*, and an internal form titled *Presiding Officer's Directive to Order a Designated Doctor Exam* for consistency with amendments made in this proposal. Additional information and the draft forms are available on the TDI-DWC website at www.tdi.texas.gov/wc/rules/drafts.html.