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To: Texas Workers' Compensation System Participants
Designated Doctors
Maximum Medical Improvement and Impairment Rating Examination
Doctors

From: Mary Landrum, Deputy Commissioner for Health and Safety

Date: June 5, 2023

RE: **Revised:** Implementation Dates for Changes to Designated Doctor and Maximum Medical Improvement (MMI) and Impairment Rating (IR) Rules

The Texas Department of Insurance, Division of Workers' Compensation (DWC) adopted amendments to 28 Texas Administrative Code (TAC) Chapter 127 and Section 180.23 that affect designated doctors and doctors with MMI and IR certifications. This memo explains various effective dates for parts of the rules and DWC forms.

- **Certification testing for designated doctors and MMI and IR-certified doctors**
As of April 30, 2023, doctors who have passed the certification test on or after May 13, 2013, are no longer required to take the certification test.

Doctors must still take required certification training every two years. Designated doctors must continue to reapply for certification using the DWC Form-067, *Designated doctor certification application* every two years.

- **Revised designated doctor qualifications**
DWC amended the exam qualification requirements for injured employees with traumatic brain injuries. Additional physician specialties are now qualified to examine injured employees with traumatic brain injuries. See 28 TAC Section 127.130(b)(9)(B).

DWC also updated exam qualification requirements for injured employees with fractures. Doctors of chiropractic, doctors of osteopathy, or doctors of medicine with or without specialty board certifications can examine injured employees with single and multiple fractures that do not have neurologic or vascular injury, except for single or multiple fractures of the pelvis, and multiple fractures of the ribs. Physicians with certain board specialties are qualified to evaluate joint dislocations

and any fracture or fractures, including those with neurologic or vascular injury. See 28 TAC Section 127.130(b)(9)(C) and (F).

The updated qualifications apply to designated doctor exams ordered on or after June 5, 2023. Designated doctors can find more information about these changes, including new training, at www.tdi.texas.gov/wc/dd/index.html.

- **Multiple certifications of MMI and IR by designated doctors**

Designated doctors will no longer complete multiple certifications for injured employees when the ordered exam contains the issues of MMI, IR, and extent of injury for exams ordered on or after June 5, 2023. Designated doctors will only complete multiple certifications of MMI and IR when DWC requests it through a Presiding Officer's Directive.

Revised Forms

- **DWC Form-067, *Designated doctor certification application***

DWC updated the DWC Form-067 to conform with agency style standards. Designated doctors should use the updated form when requesting renewal of their certification or when updating their application information.

- **DWC Form-068, *Designated doctor examination data report***

DWC updated the DWC Form-068 to conform with agency style standards and for designated doctors to record extent-of-injury findings more precisely. Designated doctors must use the new form for exams conducted on or after June 5, 2023.

- **DWC Form-032, *Request for designated doctor examination***

DWC updated the DWC Form-032 to conform with agency style standards and the adopted rule amendments. We removed Box 37 that lists all injuries accepted as compensable by the insurance carrier. Requesters must use the new form by June 5, 2023. For more information about the new form, see www.tdi.texas.gov/wc/dd/index.html.

DWC has also updated the Designated Doctor Order template to provide the insurance carrier's medical bill processing contact information. This information is on the last page of the Order for designated doctor exams ordered on or after June 5, 2023. If the insurance carrier's medical bill processing contact information is not available, the Order will direct you to contact DWC at 1-800-252-7031.

For more information:

- Visit the DWC designated doctor webpage at www.tdi.texas.gov/wc/dd/index.html.
- Email DDScheduler@tdi.texas.gov.
- Call Director of Designated Doctor Operations Santiago Calderon at 512-804-4847.