

Health Care Provider Quarterly Meeting

March 22, 2023

10 to 11 a.m.

Agenda Items

- Welcome
- Health and Safety Update
- Compliance and Investigations Update
- Operations and External Relations Update
- Q&A
- Closing

Welcome

Kate Sidora, Director
DWC External and Media Relations

Health and Safety Update

Mary Landrum, Deputy
Commissioner

Health and Safety Update

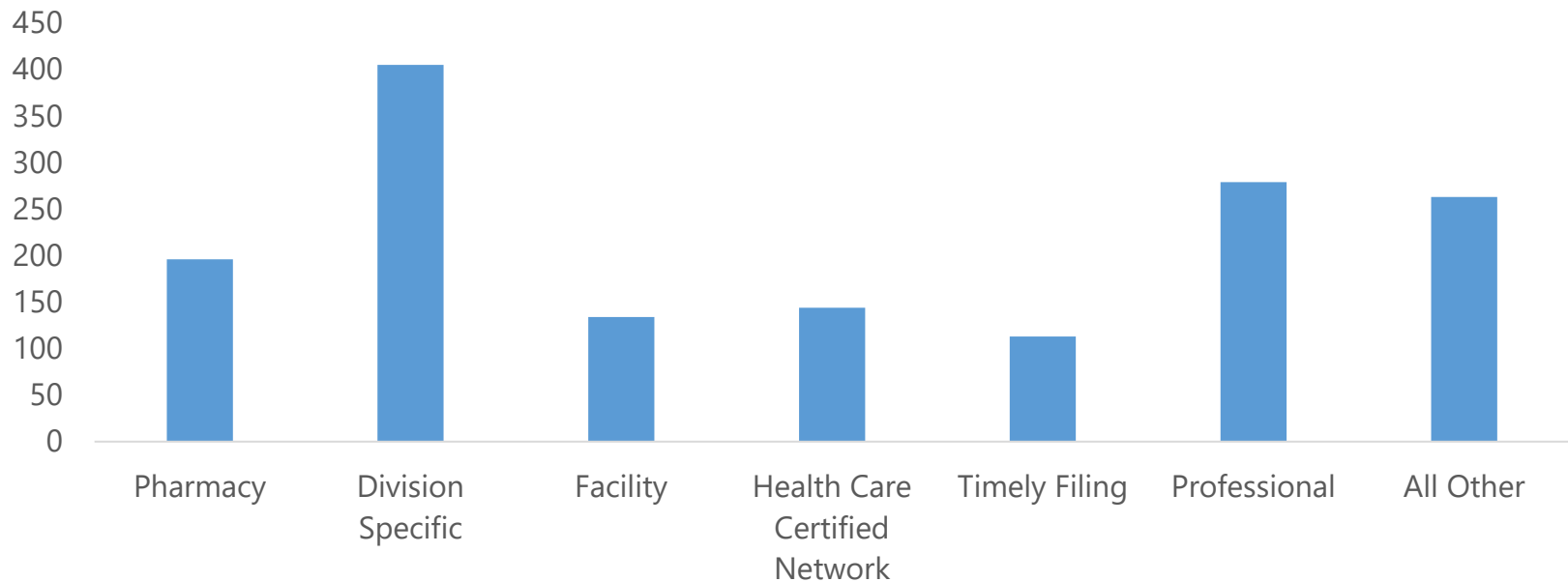
- Office of the Medical Advisor
- Health Care Provider Outreach
- Return to Work
- Designated Doctor Program
- Workplace Safety
- Medical Fee Dispute Resolution

MFDR Update

Greg Arendt, Director
Medical Fee Dispute

1,534 Disputes Received First Six Months of Fiscal Year 2023

FY 2022



Pharmacy	Division Specific	Facility	Certified Network	Timely Filing	Professional Services	All Other	Total
196	405	134	144	113	279	263	1534

Fee Dispute Required Documents

- A completed DWC Form-060.
- A copy of all medical bills and reconsideration bills submitted to the insurance carrier.
 - Per TAC 133.307(f)(3)(A) the Division may dismiss a request if it has not gone through reconsideration.
- A copy of each explanation of benefits(EOB) related to the dispute.
- A position statement of the disputed issues.
- A copy of all medical records related to the disputed services.

Electronic Submission

- Fax: 512-490-1044
- Encrypted Email: MedFeeDispute-Submission@tdi.texas.gov
- Secure File Transfer Protocol (SFTP)
 - To set up a SFTP box contact DWC at e-filinghelp@tdi.texas.gov
 - For more information visit DWC's e-filing webpage at tdi.texas.gov/wc/carrier/efileoptions.html

Filing Disputes

- Please use the most recent DWC Form-060 which can be downloaded from DWC's website.
- If you are submitting paper disputes:
 - Only one copy is required.
 - Delivery service or in person:
 - Division of Workers' Compensation, MC: HS-MFDR
 - Texas Department of Insurance
 - 1601 Congress Avenue, Suite 6.900
 - Austin, Texas 78701
 - US Postal Service mail:
 - Texas Department of Insurance
 - Division of Workers' Compensation, MC: HS-MFDR
 - PO Box 12050
 - Austin, TX 78711

Compliance and Investigations Update

Debra Knight, Deputy Commissioner
Compliance and Investigations

CY2023 Complaints

CY2023 - Complaints

338 Complaints Received

3	Attendance
106	Communications
0	Fraud
101	Indemnity Benefit Delivery
81	Medical Benefit Delivery
27	Other
20	Quality of Care

493 Complaints Closed

200	Confirmed
86	DWC Education Complaint
207	Not Confirmed

Based on complaint data as of 3/13/2023

CY2023 – Complaints By Respondent Type

Type of Complaint	Injured Employee	Insurance Carrier	Health Care Provider	Employer	Attorney	Other
Attendance	1	1	0	0	1	0
Communications	0	52	32	17	4	1
Indemnity Benefits	2	95	0	3	1	0
Medical Benefits	0	67	14	0	0	0
Quality of Care	N/A	N/A	20	N/A	N/A	0
Other	0	9	0	16	0	2

Based on complaint data as of 3/13/2023

Health Care Provider Performance Based Oversight (PBO)

2023 Health Care Provider PBO

- Work status reports (DWC Form-073) that occur between **June 2022 through February 2023** will be assessed.
- Reports of medical evaluation (DWC Form-069) that occur between **January 2023 through April 2023** will be assessed.
- The weights for individual measures and overall scoring criteria for the regulatory tiers did not change when compared to the 2021 assessment.
- Measure details can be found in the health care provider PBO methodology document:
www.tdi.texas.gov//wc/pbo/documents/pbo2023hcp.pdf

2023 Health Care Provider PBO

Get ready

- Check and update your TXCOMP provider profile.
 - Contact txcomp.help@tdi.texas.gov if you need help finding your profile or logging into your account.
- Read through the 2023 Health Care Provider Methodology paper.
 - Contact PBO@tdi.texas.gov if you have questions about the assessment.

2023 Health Care Provider PBO Schedule

April 2023 - Health care providers selected for DWC Form-073 category review will be asked to provide copies of DWC Form-073.

Summer 2023 - Preliminary findings will be provided for both DWC Form-073 and DWC Form-069 categories.

December 2023 - Results will be published.

2024/2025 PBO biennial planning currently in process

If you have any recommendations related to 2024 insurance carrier or 2025 health care provider assessments, please send to PBO@tdi.texas.gov

DWC Fraud & Prosecution

FY23 – DWC Fraud Unit

785 fraud referrals received

50 fraud cases open*

35 fraud cases closed

3 fraud referrals for prosecution

**Based on data received as of 3/13/2023*

FY23 – DWC Fraud & Prosecution Units

5 Convictions

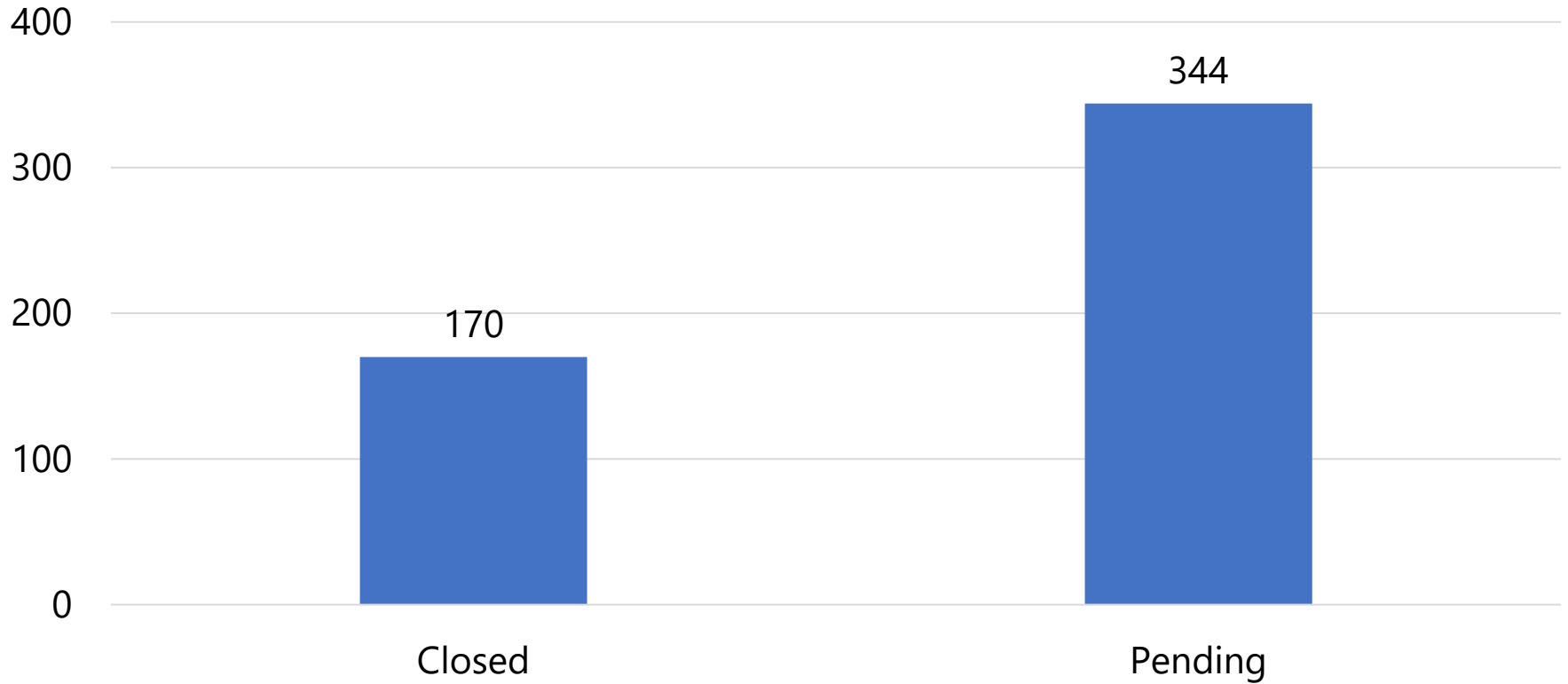
- **2** employer
- **1** health care provider
- **1** injured employee
- **1** attorney

**Based on data received as of 3/13/2023*

Enforcement Update

CY2023 Enforcement Case Status

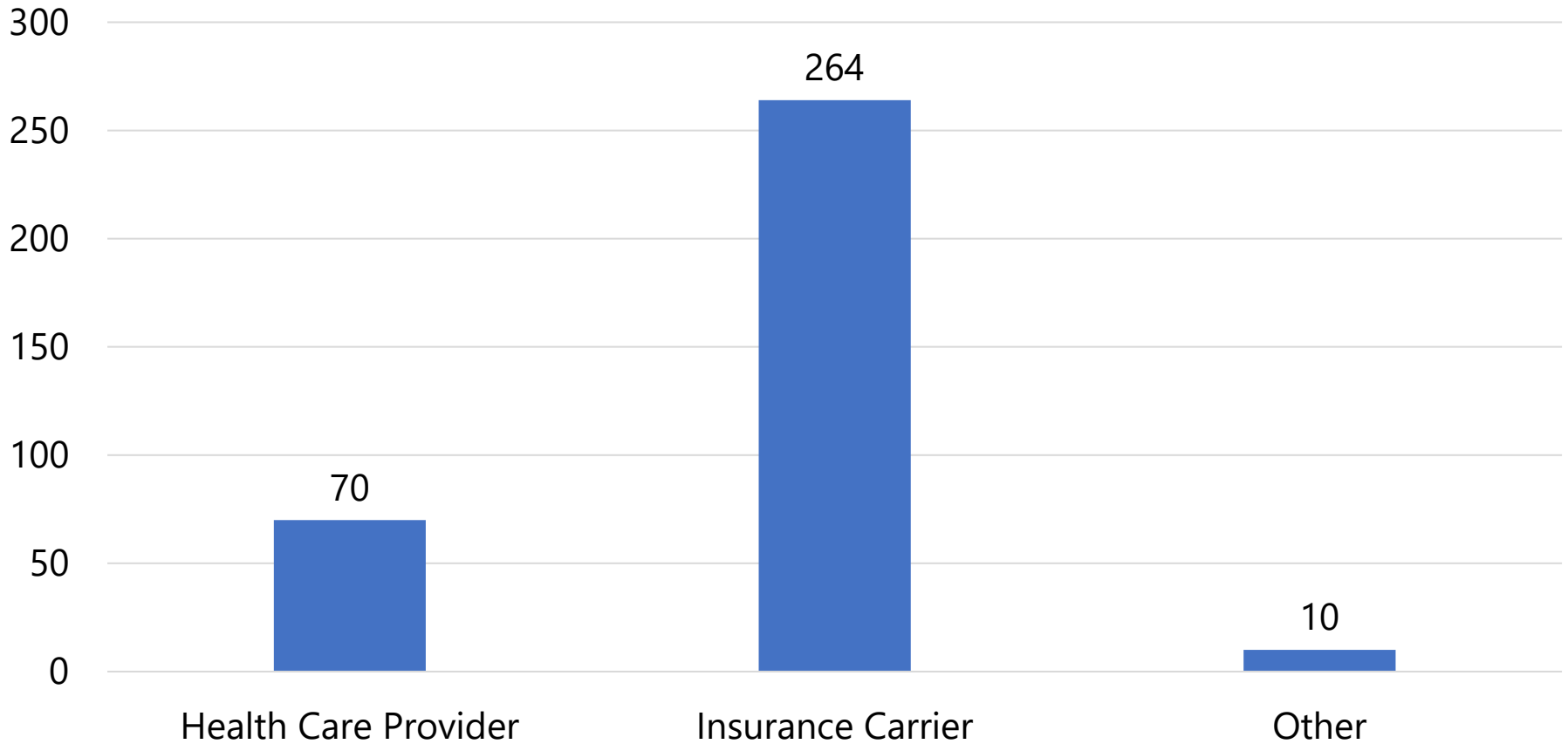
Based on enforcement data as of 03/14/2023



2023	Closed Cases	Pending Cases
Cases	170	344

CY2023 Cases Pending by Subject Type

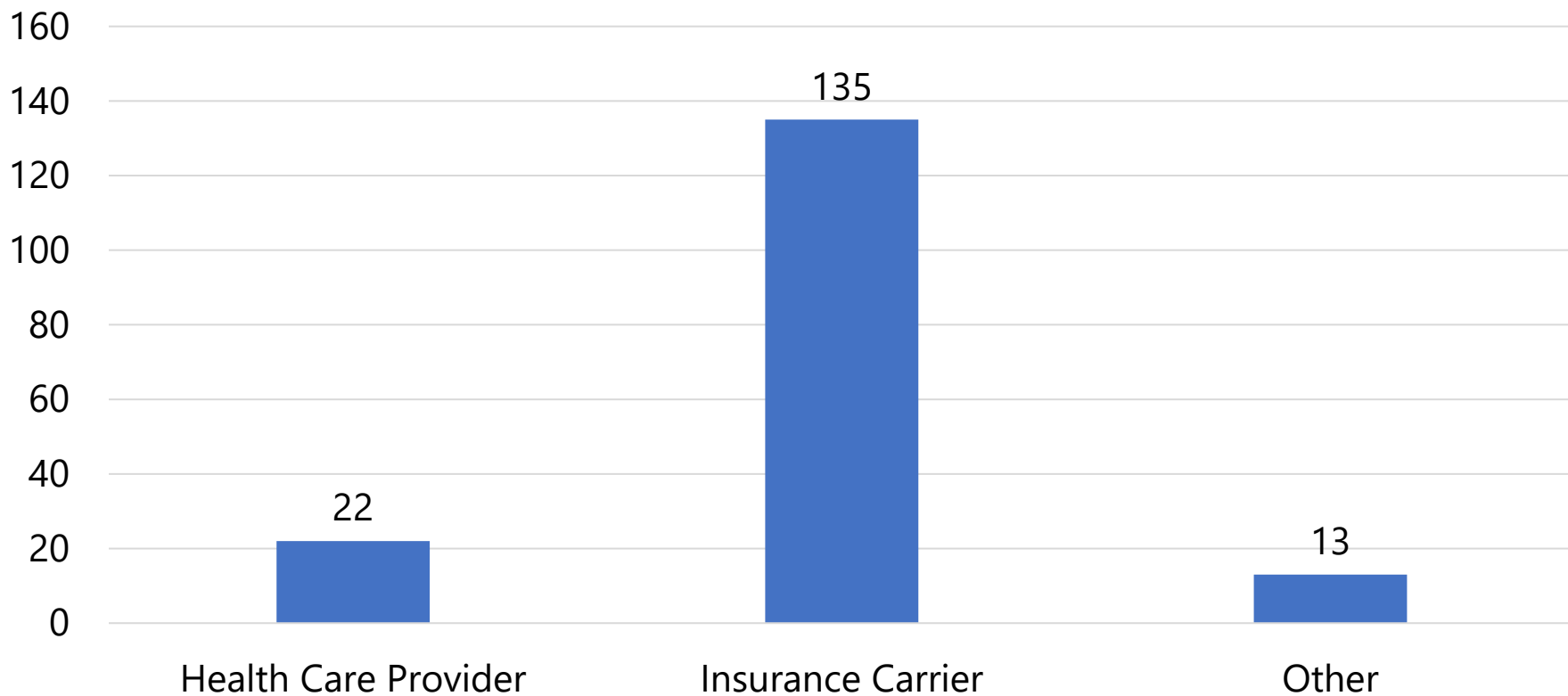
Based on enforcement data as of 03/14/2023



2023	Health Care Provider	Insurance Carrier	Other
Cases	70	264	10

CY2023 Cases Closed by Subject Type

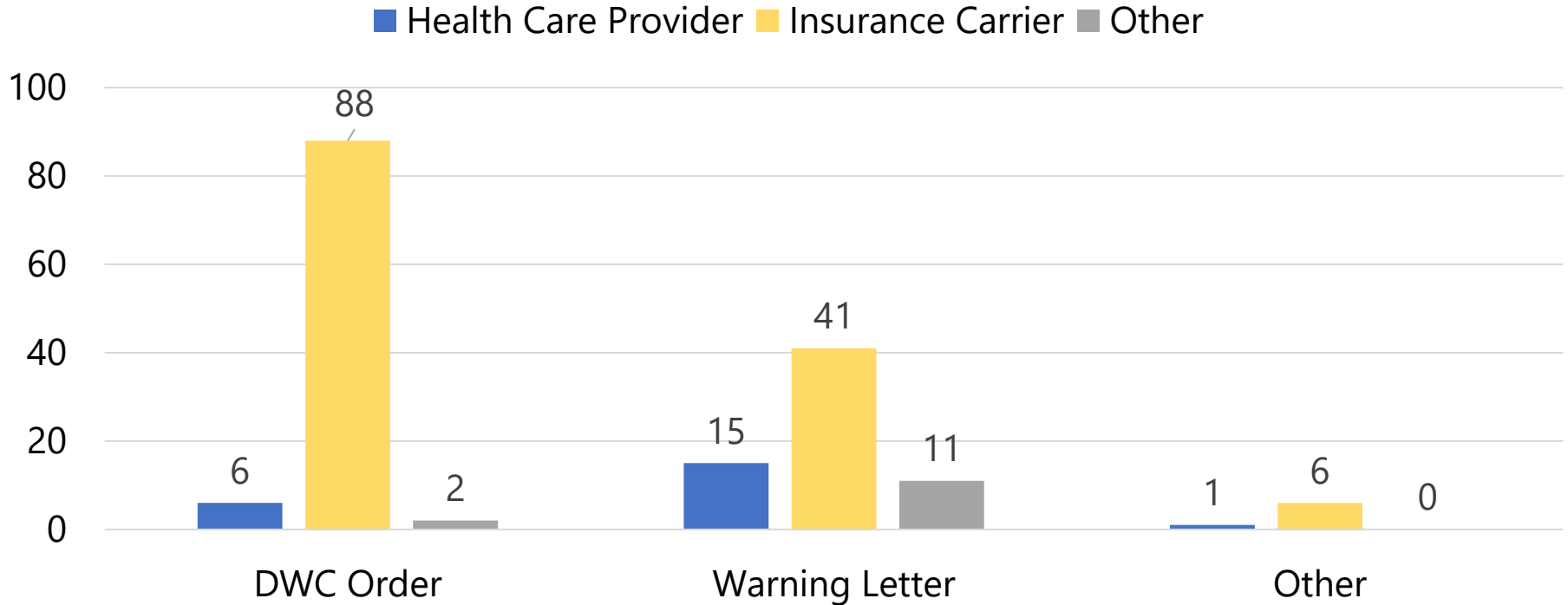
Based on enforcement data as of 03/14/2023



2023	Health Care Provider	Insurance Carrier	Other
Cases	22	135	13

CY2023 Cases Closed by Disposition Type

Based on enforcement data as of 03/14/2023



2023	Health Care Provider	Insurance Carrier	Other
DWC Order	6	88	2
Warning Letter	15	41	11
Other	1	6	0

DWC Enforcement Disciplinary Orders Link

www.tdi.texas.gov/wc/orders/index.html

Questions?

Operations and External Relations Update

Kimberly Donovan, Deputy Commissioner
Operations and External Relations

Legislative Update

Dates of Interest

- March 10, 2023
 - 60-day deadline for bill filing
- May 29, 2023
 - Sine die – end of regular session
- About 8,300 bills total filed this session

DWC Legislative Recommendations

- SB 1122 and HB 2535
 - Relating to the exclusion of certain medical services performed to determine an appropriate level of workers' compensation benefits from sales and use taxes.
- HB 2534
 - Relating to the confidentiality of working papers and electronic communications of administrative law judges and appeals judges under the workers' compensation system.

Topics to Watch

First responders – expanding eligibility of certain benefits, expanding presumption laws, or broadening the definition of a first responder.

- HB 471
- HB 790
- HB 2468/SB 1033
- HB 2317
- HB 3416
- SB 799
- SB 1878

Topics to Watch

Medical scope of practice

- HB 2553
- HB 3370
- HB 1190
- HB 2556

Changes to medical reports and fees

- HB 790
- HB 1839
- HB 2702/SB 1793

Topics to Watch

Combined coverage policies for group health and workers' compensation

- HB 351

Changes to "course and scope" of employment

- HB 2539
- HB 3107/ SB 1674
- HB 3335

Topics to Watch

Changes to how contested case hearings are held

- HB 4214
- HB 4649 and SB 1640

Research and Evaluation Group Update

Upcoming Reports

Employer Participation Report

- End of March 2023

COVID-19 factsheet

- March 2023 (11th Edition)
- May 2023 (12th Edition)

Return-to-Work Outcomes for Texas Injured Employees

- May 31, 2023

Health Care Cost and Utilization in the Texas Workers' Compensation System

- August 31, 2023

Access to Medical Care in the Texas Workers' Compensation System

- August 31, 2023

Impact of the Texas Pharmacy Closed Formulary

- August 31, 2023

2023 Workers' Compensation Conference

July 10 - 12, 2023

HYATT REGENCY

AUSTIN, TX



CONNECT WITH US!



Texas Division of
Workers' Compensation



@TexasDWC



Texas Division of
Workers' Compensation

www.tdi.texas.gov/wc/events/wcconference.html



GET THE LATEST ON:

- » Return-to-work guidelines and recommendations.
- » The growing impact of PTSD in workers' compensation.
- » Tools to improve outcomes from a mental health injury.
- » Best practices for managing the clinical effects of long-COVID.
- » Using Official Disability Guidelines and AMA Impairment Guides.

DWC

Division of Workers'
Compensation

Questions?

Closing

Jeff Nelson, Commissioner
Division of Workers' Compensation