

Workers' Compensation Network Contract with Insurance Carrier Contract Requirements Checklist

We have made every effort to ensure the completeness of the information contained in this document. However, the reader must consult the Texas Insurance Code (TIC), Texas Labor Code, and Title 28 of the Texas Administrative Code (28 TAC) and other applicable laws relating to a Workers' Compensation Health Care Network (network) to determine the accuracy and completeness of all requirements. The reader may access insurance statutes and rules and DWC rules.

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Page	: Network mu	ust file a cop	y of the fo	rm of any	new contract	or subcontracts	s or any chang	es
to previousl	v filed contracts.	TIC Section	1305.053,	28 TAC Se	ction 10.22(5)	, and 28 TAC Se	ection 10.25(b).

Relevant Definitions

- "Insurance carrier" TIC Section 1305.053; Labor Code Section 401.011; 28 TAC Section 10.2
- "Network" or "workers' compensation health care network" <u>TIC Section 1305.004</u>
- "Transfer of Risk" TIC Section 1305.004

Network Contract with Carrier Required

A network may provide health care services to employees **only through a written contract with an insurance carrier**. **Exceptions: Emergencies and approved out-of-network referrals** <u>TIC Section 1305.154</u>

Network Contract with Insurance Carrier: Prohibited Provisions

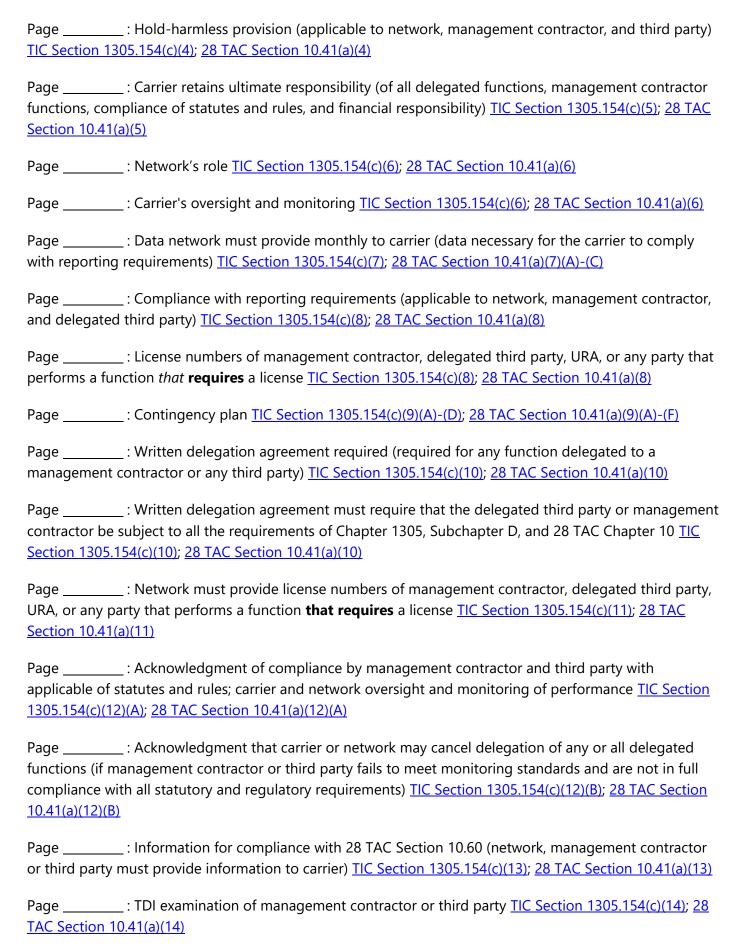
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Network and Insurance Carrier Functions

Page ______: A carrier and a network may negotiate the functions to be provided by the network, except that the network shall contract with providers for the provision of health care and shall perform functions related to the operation of a quality improvement program and credentialing. <u>TIC Section 1305.154(b)</u>

Required Provisions in Network Contract with Insurance Carrier

Page	: Description of delegated functions <u>TIC Section 1305.154(c)(1)</u> ; <u>28 TAC Section 10.41(a)(1)</u>
	: Compliance with Chapter 1305, Texas Workers' Compensation Act, and TDI rules by network, management contractor, and third party <u>TIC Section 1305.154(c)(2)</u> ; <u>28 TAC (a)(2)</u>
Page Section 10.41	: Termination of contract (with and without cause) <u>TIC Section 1305.154(c)(3)</u> ; <u>28 TAC</u>



Page	_: Complaint system required <u>28 TAC Section 10.41(a)(15)(A)</u>
Page	_: Complaint log; carrier right to complaint files <u>28 TAC Section 10.41(a)(15)(B)</u>
Page	_: Transfer of risk (nothing in contract may be interpreted as a transfer of risk) 28 TAC Section
Page	_: Carrier's contingency plan <u>28 TAC Section 10.41(a)(17)</u>
Page	: Compliance with federal and state laws <u>28 TAC Section 10.41(a)(18)</u>

Questions

If you have questions or require assistance regarding the information provided in this checklist, please call 512-676-6400, select Option 3.

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