

DWC-06-0022

SUBCHAPTER A. Medical Policies  
§134.1, 134.5, 134.6

SUBCHAPTER I. Provider Billing Procedures  
§§134.800, 134.801, and 134.803

The Texas Department of Insurance, Division of Workers' Compensation adopts repeal of §§134.1, 134.5, 134.6, 134.800, 134.801, and 134.803 concerning medical policies and provider billing procedures. The repeal is adopted as published in the February 10, 2006 issue of the *Texas Register* (31 TexReg 806).

The repeal of these sections is necessary for the Division to propose an extensive reorganization of Chapter 134, in conjunction with the revision of Chapter 133, to eliminate redundancies in existing rules and clarify medical billing, processing and reimbursement procedures. This reorganization includes the repeal of current medical policy and provider billing rules in Chapter 134 and replacement with clarified and reorganized new rules that incorporate requirements of House Bill (HB) 7, enacted during the 79<sup>th</sup> Texas Legislature, Regular Session, effective September 1, 2005.

The Division simultaneously adopts new §§134.1, 134.100, 134.110, 134.120, and 134.130, published elsewhere in this issue of the *Texas Register*, concerning medical and miscellaneous reimbursement policies. The adopted new rules are necessary to implement, on a permanent basis, portions of HB 7. The adopted

rules will permit compliance with statutory changes to the Labor Code §408.027, and also provide billing, processing and reimbursement direction for participants in a workers' compensation health care network established under Insurance Code Chapter 1305. This adoption also organizes the rules regarding medical billing, processing, and reimbursement to clarify and streamline the process. This will enable system participants to easily access specific portions of the medical billing and reimbursement rules, which are logically organized and follow the billing and reimbursement process. The adopted rules also minimize micro-management of the process by providing guidance and direction rather than specific, detailed instructions that required adherence. This will allow system participants more flexibility in developing their medical billing and bill review processes. In addition, the adopted rules rely on the statutorily required Medicare reimbursement structures, incorporate concepts from TDI managed care rules, and eliminate many of the duplicative Division instructions in previous rules thus providing consistency and standardization for workers' compensation system benefits with other health care delivery systems.

No comments were received.

The repeals are adopted under Labor Code §§408.027, 402.00111, and 402.061. Section 408.027 establishes the timeframe for a provider's claim submission, the timeframes for a carrier's processing of a claim including requests for additional

documentation and audit, the reimbursement during the pendency of an audit, and the section's applicability to all delivered health care whether or not subject to a workers' compensation health care network. Section 402.00111 provides that the Commissioner of Workers' Compensation shall exercise all executive authority, including rulemaking authority, under the Labor Code. Section 402.061 authorizes the Commissioner to adopt rules necessary to administer the Act.

#### SUBCHAPTER A. Medical Policies

§134.1. Use of the Fee Guidelines.

§134.5. Treating Doctor Attendance at Medical Examination Under a Medical Examination Order.

§134.6. Travel Expenses Incurred by the Injured Employee.

The repeals are adopted under Labor Code §§408.027, 402.00111, and 402.061. Section 408.027 establishes the timeframe for a provider's claim submission, the timeframes for a carrier's processing of a claim including requests for additional documentation and audit, the reimbursement during the pendency of an audit, and the section's applicability to all delivered health care whether or not subject to a workers' compensation health care network. Section 402.00111 provides that the Commissioner of Workers' Compensation shall exercise all executive authority, including rulemaking authority, under the Labor Code. Section 402.061 authorizes the Commissioner to adopt rules necessary to administer the Act.

SUBCHAPTER I. Provider Billing Procedures

§134.800. Required Billing Forms and Information.

§134.801. Submitting Medical Bills for Payment.

§134.803. Calculating Interest for Late Payment on Medical Bills and Refunds.