



Texas Department of Insurance

Division of Workers' Compensation

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REQUESTS FOR A LETTER OF CLARIFICATION OF THE DESIGNATED DOCTOR'S REPORT

REQUEST FOR A LETTER OF CLARIFICATION APPEAL PROCEDURE

28 Texas Administrative Code (TAC) §127.20 ("***Requesting a Letter of Clarification Regarding Designated Doctor Reports***") went into effect beginning February 1, 2011.

Pursuant to 28 TAC §127.20(a), parties to a workers' compensation claim may file a request with the Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) to have the designated doctor clarify information in his or her report.

A party whose request for a Letter of Clarification is denied or a party who opposes the approval of a request for a Letter of Clarification by TDI-DWC may challenge that official action by requesting a:

Benefit Review Conference (BRC) – by filing a DWC Form-045, Request to Schedule, Reschedule, or Cancel a Benefit Review Conference (BRC), with the TDI-DWC field office handling the injured employee's workers' compensation claim [see 28 TAC §141.1].

Benefit Contested Case Hearing (BCCH) – following a BRC or by requesting a Benefit Contested Case Hearing without the need for a BRC [see 28 TAC §§142.5, 142.6].

Expedited Proceedings: – by requesting an expedited setting of either a BRC or BCCH [see 28 TAC §§140.3, 142.6(b)(2)].