



## Texas Department of Insurance

### Division of Workers' Compensation

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#### MEMORANDUM

**DATE:** December 15, 2010

**TO:** Workers' Compensation System Participants

**FROM:** Christopher Bean, Workers' Compensation Counsel Section Chief

**RE:** Adoption: New 28 TAC §137.5 Regarding Case Management

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On December 3, 2010, Commissioner of Workers' Compensation Rod Bordelon adopted new 28 Texas Administrative Code §137.5 regarding Case Management. The adoption will publish in the December 17, 2010 issue of the *Texas Register* and may be viewed on the Texas Secretary of State website at [www.sos.state.tx.us/texreg/index.shtml](http://www.sos.state.tx.us/texreg/index.shtml) and the Texas Department of Insurance website at [www.tdi.state.tx.us/wc/rules/adopted/index.html](http://www.tdi.state.tx.us/wc/rules/adopted/index.html).

The purpose of this adoption is to establish certification standards for case managers used by insurance carriers for non-network workers' compensation claims. The new rule clarifies that case managers are required to be certified, provides credentialing requirements, specifies the limitations of when skilled, non-certified case managers are allowed to provide case management services, requires insurance carriers be responsible for verifying and documenting compliance with the rule, and reiterates that claims adjusters are prohibited from being used as case managers.

The adopted rules are effective September 1, 2011.

If there are any questions regarding the information in this memo, contact Christopher Bean at (512) 804-4704 or [Christopher.Bean@tdi.state.tx.us](mailto:Christopher.Bean@tdi.state.tx.us).