



Texas Department of Insurance

Division of Workers' Compensation

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Memorandum

To: Workers' Compensation System Participants
From: Jeff Carothers, Director of the Office of Workers' Compensation Counsel
Date: July 13, 2012
Subject: Adoption: Designated Doctor Procedures and Requirements Rules

The Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) has adopted amendments to 28 Texas Administrative Code (TAC) §§127.1, 127.5, 127.10, 127.20, 127.25, 180.23; the repeal of §130.6 and §180.21, and new §§127.100, 127.110, 127.120, 127.130, 127.140, 127.200, 127.210, and 127.220. These amendments were proposed in the February 24, 2012 issue of the *Texas Register*. The adoption order for these amendments will publish in the July 20, 2012 issue of the Texas Register and may be viewed on the Secretary of State website at <http://www.sos.state.tx.us/texreg/index.shtml> at that time. A courtesy copy of the adoption is currently available on the TDI website at <http://www.tdi.texas.gov/wc/rules/adopted/index.html>.

The primary purpose of these adopted new and amended rules is to implement the statutory changes made in House Bill 2605 that affect designated doctor scheduling, certification, and qualifications. Additionally, the adopted rules seek to implement other changes necessary for the efficient administration of the designated doctor system and to clarify established TDI-DWC policies not currently expressed in rule. Lastly, these adopted rules repeal 28 TAC §180.21 of this title (relating to Division Designated Doctor List) and 28 TAC §130.6 of this title (relating to Designated Doctor Examinations for Maximum Medical Improvement and/or Impairment Ratings) and recodify the relevant provisions of these adopted repealed rules in 28 TAC Chapter 127. These adopted amendments, repeals, and new sections will become effective on September 1, 2012.

The TDI-DWC has also revised an existing TDI-DWC form related to requesting a designated doctor examination and created new forms that are to be used by designated doctors in conjunction with these adopted rules. Specifically, the TDI-DWC has revised the DWC Form-032, *Request for Designated Doctor Examination*, and created new DWC Form-067, *Designated Doctor Certification Application*, and DWC Form-068, *Designated Doctor Examination Data Report*. Workers' compensation system participants are to use the revised and new forms on and after September 1, 2012. The forms are available for download from the TDI website at <http://www.tdi.texas.gov/forms/form20.html>.

If there are any questions regarding the information in this memo, contact Nicholas Gonzalez at 512-804-4277 or Nicholas.Gonzalez@tdi.texas.gov.