



Texas Department of Insurance

Division of Workers' Compensation

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Memorandum

To: Designated Doctors

From: Bill Defoyd, D.C., Director for Designated Doctor Outreach and Oversight

Date: February 18, 2014

Subject: Requirements for Rescheduling Designated Doctor Examinations

Pursuant to 28 Texas Administrative Code (TAC) §127.5(e), designated doctor examinations may not be rescheduled unless both the designated doctor and injured employee agree to reschedule the examination. Unless this agreement is reached, the examination must occur on the original date referenced in the Commissioner's Order issued by the Division of Workers' Compensation (DWC).

If both the designated doctor and injured employee agree to reschedule the examination, DWC rules require:

- the designated doctor shall contact the DWC; injured employee or injured employee's representative, if any; injured employee's treating doctor; and insurance carrier with the rescheduled examination date and time within one working day of rescheduling the examination;
- the examination shall be set to occur no later than 21 days after the originally scheduled examination; and
- the examination may not be rescheduled to occur before the originally scheduled examination.

Failure to adhere to these rule requirements may result in enforcement action. Additionally, designated doctors should ensure that their agents also comply with these requirements. Pursuant to 28 TAC §127.210(b), designated doctors are liable for all administrative violations committed by their agents.

If you have questions regarding these requirements, contact the Designated Doctor Outreach and Oversight program at 512-804-4687 or desdoc.education@tdi.texas.gov.