



Texas Department of Insurance

Division of Workers' Compensation

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MEMORANDUM

DATE: January 13, 2011

TO: Workers' Compensation System Participants

FROM: Christopher Bean, Workers' Compensation Counsel Section Chief

RE: Correction: Effective date for amended 28 TAC §134.500 and §134.506 and New §§134.510, 134.520, 134.530, 134.540, and 134.550 regarding the Pharmacy Closed Formulary

On December 3, 2010 the Commissioner of Workers' Compensation, Rod Bordelon, adopted amended 28 Texas Administrative Code §134.500 and §134.506 and new §§134.510, 134.520, 134.530, 134.540, and 134.550 regarding the Pharmacy Closed Formulary. The adoption was published in the December 17, 2010 issue of the *Texas Register* which may be accessed at <http://www.sos.state.tx.us/texreg/index.shtml> and may also be viewed on the Division of Workers' Compensation website at <http://www.tdi.state.tx.us/wc/rules/adopted/index.html>.

Due to an inadvertent error the memo of December 15, 2010 announcing the adoption advised of an effective date of September 1, 2011. The error was realized and a correction notice was submitted to the Secretary of State; the correction notice may be viewed at [http://info.sos.state.tx.us/pls/pub/regviewer\\$ext.RegPage?sl=R&app=9&p_dir=&p_rloc=233218&p_tloc=&p_ploc=&pg=1&p_reg=233218&ti=&pt=&ch=&rl=&issue=01/14/2011&z_chk=2035455&z_contains=134^^](http://info.sos.state.tx.us/pls/pub/regviewer$ext.RegPage?sl=R&app=9&p_dir=&p_rloc=233218&p_tloc=&p_ploc=&pg=1&p_reg=233218&ti=&pt=&ch=&rl=&issue=01/14/2011&z_chk=2035455&z_contains=134^^).

The correction of the effective date does not alter the applicability date of the Closed Pharmacy Formulary which remains September 1, 2011 for injuries on or after September 1, 2011. The primary effect of the correction is the applicability of §134.500 and §134.506 which apply to the Open Pharmacy Formulary for claims with dates of injury prior to September 1, 2011.

If there are any questions regarding the information in this memo contact Elena Cablao (512) 804-4748 or by e-mail at Elena.Cablao@tdi.state.tx.us.