TEXAS DEPARTMENT OF INSURANCE

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memo

To:	Texas Workers' Compensation System Participants
From:	Emily McCoy, Associate General Counsel, Office of General Counsel
Date	February 23, 2018
RE:	Proposal: New 28 Texas Administrative Code §133.30, *Telemedicine Services*

The Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) is accepting public comments on proposed new 28 Texas Administrative Code (TAC) §133.30. The proposal will be published in the March 2, 2018, issue of the Texas Register and available at www.sos.state.tx.us/texreg/index.shtml, once published. A courtesy copy of the proposal will also be available on the TDI-DWC website at www.tdi.texas.gov/wc/rules/2018rules.html.

If you want to comment on the proposal, submit your written comments by 5:00 p.m. Central time on April 2, 2018. A request for a public hearing must be sent separately from your written comments. Send written comments or hearing requests by email to Rulecomments@tdi.texas.gov or by mail to:

Texas Department of Insurance, Division of Workers' Compensation
Maria Jimenez
Workers' Compensation Counsel MS - 4D
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If a hearing is held, TDI-DWC will consider written comments and public testimony presented at the hearing.

New §133.30 expands access to telemedicine services in the Texas workers' compensation system by allowing health care providers to bill and be reimbursed for telemedicine services regardless of where the injured employee is located at the time the services are delivered. Health care providers must follow applicable Medicare payment policies and billing provisions found throughout Chapter 133 and 134 of TDI-DWC rules when billing for telemedicine services. Under the new rule, an exception would remove any limitation on the geographic area or location of the injured employee outlined by Medicare. Instead, a health care provider would be able to bill and be reimbursed for telemedicine services with no restriction on where the injured employee is at the time the services are delivered.