



TEXAS DEPARTMENT OF INSURANCE

General Counsel Division - Legal Section (MS-4D)

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memo

To: Workers' Compensation System Participants

From: Emily McCoy, Director, Office of Workers' Compensation Counsel

Date: March 14, 2016

Proposal: Non-substantive reorganization of 28 TAC §134.204, regarding workers' compensation specific

RE: services.

The Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) is accepting comments on proposed rules to amend 28 Texas Administrative Code (TAC) §134.204 and add 28 TAC §§134.209, 134.210, 134.215, 134.220, 134.225, 134.230, 134.235, 134.239, 134.240, and 134.250. TDI-DWC also is accepting comments on the proposed repeal of 28 TAC §134.202 and 28 TAC §134.302.

If you want to comment on the proposal, submit your written comments by 5:00 p.m. Central time on April 18, 2016. A request for 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.

The proposal will be published in the March 18, 2016 issue of the Texas Register and will be available at www.sos.state.tx.us/texreg/index.shtml once published. A courtesy copy will also be available on the TDI-DWC website at www.tdi.texas.gov/wc/rules/2016rules.html.

The non-substantive reorganization of 28 TAC §134.204 reorganizes the existing subsections into several new sections for ease of compliance for system participants. Proposed amendments to 28 TAC §134.204 add an end date for the applicability of this section. New 28 TAC §§134.209, 134.210, 134.215, 134.220, 134.225, 134.230, 134.235, 134.239, 134.240, and 134.250 provide a more comprehensive format of the medical fee guideline for workers' compensation services by separating the billing and reimbursement requirements found in existing 28 TAC §134.204. In addition, TDI-DWC posted a color-coded chart to serve as a guide for system participants on the non-substantive revisions to 28 TAC §134.204 on the TDI website. The chart shows a side-by-side comparison of existing 28 TAC §134.204 and the new sections. TDI-DWC also proposes to repeal 28 TAC §134.202 and 28 TAC §134.302 because the rules are no longer effective.