

No. 2018 5735

OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF WORKERS' COMPENSATION

Date: DEC 04 2018

Subject Considered:

FISCAL YEAR 2019 RESEARCH AGENDA FOR THE
WORKERS' COMPENSATION RESEARCH AND EVALUATION GROUP

General remarks and official action taken:

The commissioner of workers' compensation considers the proposed Fiscal Year (FY) 2019 Research Agenda for the Workers' Compensation Research and Evaluation Group (REG) at the Texas Department of Insurance, Division of Workers' Compensation (DWC).

Texas Labor Code §405.0026 requires the commissioner of insurance to adopt an annual research agenda for the Workers' Compensation Research and Evaluation Group at the Texas Department of Insurance (TDI). Labor Code §405.0025 requires the REG to conduct professional studies and research related to the delivery of benefits; litigation and controversy related to workers' compensation; insurance rates and ratemaking procedures; rehabilitation and reemployment of injured employees; the quality and cost of medical benefits; employer participation in the workers' compensation system; employment health and safety issues; and other matters relevant to the cost, quality, and operational effectiveness of the workers' compensation system. Texas Insurance Code §1305.502 requires the REG to develop and issue an annual informational report card that identifies and compares, on an objective basis, the quality, costs, health care provider availability, and other analogous factors of the workers' compensation system of this state with each other and with medical care provided outside of networks.

Labor Code §405.0026 requires the REG to prepare and publish annually in the *Texas Register* a proposed workers' compensation research agenda for the commissioner's review and approval.

On January 9, 2017, the commissioner of insurance delegated the functions of the REG to the commissioner of workers' compensation.

In August 2018, the REG posted on the TDI website an informal request for stakeholders and the public to provide input on a suggested FY 2019 research agenda. The REG also requested input from legislative offices. The REG received no responses.

DWC published the proposed research agenda in the September 28, 2018, issue of the *Texas Register* (43 TexReg 6497) for public review and comment. DWC received no requests for hearing. DWC received one comment.

Comment:

A commenter suggested that diagnosis codes and return-to-work data be included in the telemedicine study. The commenter wrote that diagnosis codes will show which medical problems are being handled by telemedicine, including mental health claims through telemedicine visits.

DWC Response:

DWC appreciates the comment and will consider available data and methodology to address those suggestions when developing the telemedicine study plan.

The commissioner of workers' compensation adopts the following FY 2019 Research Agenda for the Workers' Compensation Research and Evaluation Group:

1. Completion and publication of the thirteenth edition of the Workers' Compensation Health Care Network Report Card (required in 2019 under Insurance Code §1305.502(a)-(d) and Labor Code §405.0025(b)).
2. An update of return-to-work outcomes for injured employees in the Texas workers' compensation system (Labor Code §405.0025(a)(4)).

- 3. An annual update of medical costs and utilization in the Texas workers' compensation system, including an analysis on the impact of the Texas pharmacy closed formulary on compounded drugs (Labor Code §405.0025(a)(5)).

- 4. A baseline evaluation of medical services provided through telemedicine in the Texas workers' compensation system, including medical utilization and costs of Medicare-approved services (Labor Code §405.0025(a)(5)).

The commissioner of workers' compensation approves and adopts the FY 2019 Research Agenda for the Workers' Compensation Research and Evaluation Group, as specified above, effective immediately.



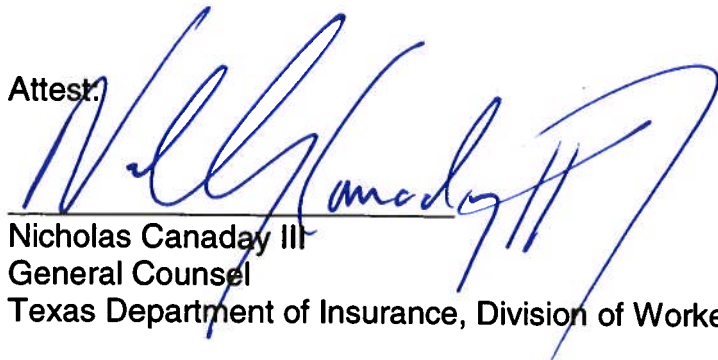
CASSIE BROWN
COMMISSIONER OF WORKERS' COMPENSATION

Recommended by:



D.C. Campbell
Director of the Workers' Compensation Research and Evaluation Group
Texas Department of Insurance, Division of Workers' Compensation

Attest:



Nicholas Canaday III
General Counsel
Texas Department of Insurance, Division of Workers' Compensation

Commissioner's Order No. _____