



TEXAS DEPARTMENT OF INSURANCE

Division of Workers' Compensation

7551 Metro Center Drive, Suite 100, Austin, Texas 78744-1645

(512) 804-4000 | F: (512) 804-4001 | (800) 372-7713 | TDI.texas.gov | [@TexasTDI](https://twitter.com/TexasTDI)

To: Designated Doctors

From: Patricia Gilbert, Executive Deputy Commissioner for Operations

Date: July 14, 2015

RE: DWC Offers Assistance with Medical Records for Designated Doctors Exams

The Division of Workers' Compensation (DWC) reminds designated doctors that 28 Texas Administrative Code (TAC) § 127.10(a)(3) requires treating doctors and insurance carriers to provide all required medical records and any analyses no later than three business days prior to an examination. The DWC offers optional assistance in obtaining required medical records before an examination. Designated doctors that have not yet received medical records may contact DWC staff one week in advance of the examination date to request additional assistance with acquiring all required medical documents. A new email address for system participants to request assistance with medical records is listed at the end of this memorandum.

The rule also establishes that if a treating doctor or insurance carrier fails to provide all required medical records within three business days prior to a designated doctor exam, it is an administrative violation. Designated doctors must report the violation to DWC within one business day after not timely receiving the records. Even if optional records assistance was provided by the DWC prior to the examination, designated doctors are still required to report any violation that occurred concerning untimely delivery of medical documents.

Additionally, 28 TAC § 127.10(a)(3) states that if medical records are not received within one business day of the examination, the designated doctor shall reschedule the examination to occur no later than 21 days after receipt of the records. Failing to comply with this provision is an administrative violation.

To request assistance obtaining required medical records, please contact DWC staff via email at DDRecords@tdi.texas.gov.