

# DWC Quarterly Meeting

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March 26, 2025 – 2 p.m. to 3 p.m.



# Agenda

- Welcome.
- Health and Safety update.
- Business Process update.
- Operations and External Relations update.
- Compliance and Investigations update.
- Q&A.
- Closing remarks.

# Welcome

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Jeff Nelson, Commissioner of Workers' Compensation



# Health and Safety update

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Mary Landrum, Deputy Commissioner of Health and Safety



# Telemedicine rule and certifying doctor update

Amy Rich, Health Care Provider Outreach

# Telemedicine rule update

28 Texas Administrative Code (TAC) [§133.30](#) - Telemedicine, Telehealth, and Teledentistry Services:

- Proposed 12/06/24 and adopted 02/04/25.
- Effective for dates of service on or after 06/01/25.
- Will allow treating doctors to perform maximum medical improvement examinations by telemedicine or telehealth with a few conditions.

# Telemedicine rule update

[28 TAC §133.30](#) - Telemedicine, Telehealth, and Teledentistry Services:

- Does not allow for impairment rating exams to be performed by telemedicine, telehealth, or teledentistry.
- Training to be provided on May 15 and 20.
- Repeat sessions.

# Exam fees table

Exam fees (MMI/IR and similar exams) [table](#) has been updated as of 03/03/2025.

- Added all fees that are subject to the annual MEI adjustment, including:
  - Treating doctor view of another doctor's certification, and
  - Multiple IRs by designated doctor only.
- Abbreviations and disclaimer.
- Added two new topics in A-Z search to reach exam fee table, (Designated doctor exam fees and Certifying doctor exam fees).

## Exam fees

Note: This table does not represent all billing scenarios and is not a substitute for the applicable rules.

Dates of Service	3/1/2008 - 5/31/2024	6/1/2024 - 12/31/2024	1/1/2025 - 12/31/2025
Annual MEI percentage	does not apply	does not apply	3.50%
MMI exam by RD, RME, or DD	\$350.00	\$449.00	\$465.00
IR exam first musculoskeletal (MSK) body area by TD, RD, RME or DD	\$300.00	\$385.00	\$398.00
IR exam for additional MSK body area by TD, RD, RME, or DD	\$150.00	\$192.00	\$199.00
IR exam for non-MSK body area by TD, RD, RME or DD	\$150.00	\$192.00	\$199.00
Multiple IR exams by DD only (on request by DWC)	\$50.00	\$64.00	\$66.00
Extent-of-injury exam by RME or DD	\$500.00	\$642.00	\$664.00
Disability exam by RME or DD	\$500.00	\$642.00	\$664.00
Return-to-work exam by RME or DD	\$500.00	\$642.00	\$664.00
Other-similar-issues exam by RME or DD	\$500.00	\$642.00	\$664.00
Appropriateness of medical care by RME only	\$500.00	\$642.00	\$664.00
Missed appointment with DD only	does not apply	\$100.00	\$104.00
Specialist fee by DD only	does not apply	\$300.00	\$311.00
Review of another doctor's MMI/IR by TD only	\$50.00	\$64.00	\$66.00

# Certifying doctor initiative

DWC would like to increase the number of treating and referral doctors that are certified to conduct maximum medical improvement and impairment ratings, because:

- Treating doctor responsibility to manage the claim.
- Ease of certification.
- Increase in reimbursement.
- Certified doctors may receive referrals for certification exams.

# Certifying doctor initiative

**Certified doctor  
webpage created.**

**Certified doctor exam  
fees topic added to A-Z.**

**Exam fees table  
updated.**

**Marketing to certified  
workers' compensation  
networks to increase  
number of certified  
doctors.**

**Exhibiting at medical  
conferences increasing  
awareness.**

**Marketing to doctors  
who were once certified.**

# Business Process update

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Martha Luevano, Director Enterprise Automation Services



# DWC resources for carriers



## Scorecards

Texas DWC EDI Compl  
January 20

**Deliver to:**  
Carrier name: ABCD Insurance Co  
Carrier FEIN: 123456789  
Carrier Austin representative box numb

Attention:  
Claim EDI compliance coordinator  
Name: John Hall  
Email address: John.hall@abcdinsco.co  
[Update](#)

Medical EDI compliance coordinator  
Name: Amy Chris  
Email address: amy.chris@abcdinsco.co  
[Update](#)

## Compliance coordinator dashboard

TDI Division of Workers' Compensation  
Request for standard detailed data reports

Part 1. Insurance carrier information  
Identify the insurance carrier that submitted the claim data (including certified self-insurers, certified self-insurer groups, and governmental entities).

1. Insurance carrier name

2. Insurance carrier Federal Employer ID # 3. Insurance carrier group affiliation (if applicable) Number (EIN)

4. Insurance carrier primary mailing address (street or PO box, city, state, ZIP code)

Identify the insurance carrier's authorized representative who can certify that the company listed in Part 2 is authorized to receive the insurance carrier's standard detailed data reports.

5. Insurance carrier authorized representative name (first, middle, last)

6. Authorized representative phone 7. Authorized representative fax

8. Authorized representative email 9. Authorized representative fax

10. Action:  Add  Remove  Effective Date (mm dd yyyy)

Part 2. Company authorized to receive reports  
Identify the company authorized to receive the standard detailed data reports for the insurance carrier listed above.

11. Insurance carrier (includes certified self-insurers, certified self-insurer groups, and governmental entities)

Third party administrator  
 Electronic data interchange (EDI) trading partner

12. Company name 13. Company FEIN

14. Company contact name (first, middle, last) 15. Company contact title

16. Company mailing address 17. Company contact email

18. Company contact phone 19. Company contact fax

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## DWC Form-029, Request for Standard Detailed Data Reports



## Self-reporting [EDIsupport@tdi.texas.gov](mailto:EDIsupport@tdi.texas.gov)

# **Self-reporting an EDI compliance issue**

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- To initiate a self report, send a letter or email including:
  - A description of the issue and the date it was discovered.
  - The number of EDI records affected.
  - The corrective action plan with dates of implementation.
  - The approximate date that any corrected or new EDI reports will be filed.
- To complete the self-report:
  - Claim EDI - Send a list of the corrected claims with DWC claim number and the date the EDI was filed.
  - Medical EDI – Send a list of the corrected MSR with carrier claim number, unique bill ID, and the date the EDI was filed.

# Operations and External Relations update

Matthew Posey, Deputy Commissioner of Operations and External Relations



# Join us in San Marcos!

September 29-30, 2025 | San Marcos



decoding comp

Learn more:



# Legislative update

## 8,607 bills filed by March 14 bill filing deadline

- 89th Legislative Session began January 14.
- Legislators have until **June 2** to move their bills through both chambers and onto the Governor's desk for signing into law.

# Legislative update

Major workers' compensation topics:

- First responders.
- Scope of practice.
- Telemedicine.
- Exclusive remedy.
- Use of AI in decision-making.
- Changes to DWC's funding mechanism.
- Preauthorization.
- Changes to agency's administrative and regulatory requirements.

# Legislative update

DWC External & Media Relations is actively working with the Legislature to ensure that Texas remains a national model in workers' compensation.

Give regular updates to:

- Committees of jurisdiction.
- Governor
- Lieutenant Governor.
- Speaker of the House.

Serve as informational resources to legislators on bills and offer "Workers' Comp 101" trainings upon request.

Deliver "District Spotlight" newsletters to legislative offices to provide insights on workers' compensation in their district.

# Legislative update

What to expect in the remaining days of Session:

## Committee Hearings

- Senate and House committees already holding hearings on bills.
- Committee activity will ramp up in coming weeks as legislators rush to get their bills passed before Sine Die.

## Floor Procedure

- The House is expected to begin posting daily calendars now that 60-day constitutional moratorium has passed.
- We can expect plenty of deliberation and late nights in both chambers.

## Budget

- SB 1 (General Appropriations Act) was passed by the Senate yesterday.
- The bill will now move to the House Chamber for additional consideration and passage.
- A supplemental appropriations bill HB 500, has also been filed, which will address items not currently funded in SB 1.

# Compliance and Investigations update

Dan LaBruyere, Deputy Commissioner of Compliance and Investigations



# FY 2025-Q2 – complaints received by respondent type

Type of complaint	Injured employee	Insurance carrier	Health care provider	Employer	Attorney	Other
<b>Attendance</b>	0	1	3	0	0	0
<b>Communications</b>	1	166	91	45	4	1
<b>Indemnity benefits</b>	0	300	0	2	0	0
<b>Medical benefits</b>	0	110	46	0	0	0
<b>Quality of care</b>	N/A	0	33	N/A	N/A	0
<b>Other</b>	1	63	15	59	1	9

*Based on complaint data as of 03/05/25.*

# **Noteworthy differences – FY 24 and FY 25**

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- Medical benefit complaints against carriers down 54%.
- Medical benefit complaints against HCPs down 18%.
- Communications complaints against HCPs up 71%.
- Quality of care complaints against HCPs down 29%.
- Indemnity benefit complaints against carriers up 7%.
- Complaints overall down 3.5%.

# FY 2025 compliance audits

## Death benefits/lifetime income benefits (LIBs)

## Initial payment of temporary income benefits (TIBs)

## Medical bill processing

**18** initiated

**20** initiated

**10** initiated

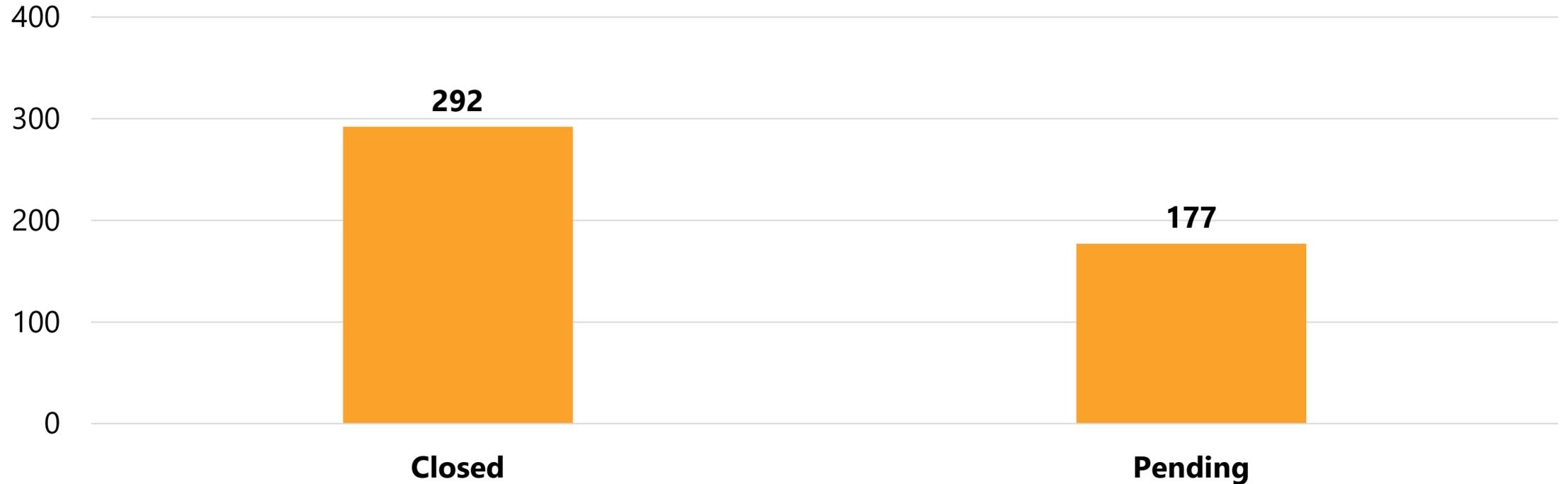
**13** completed

**3** completed (initiated in FY 2024)

**7** completed (initiated in FY 2024)

*Based on complaint data as of 03/11/25.*

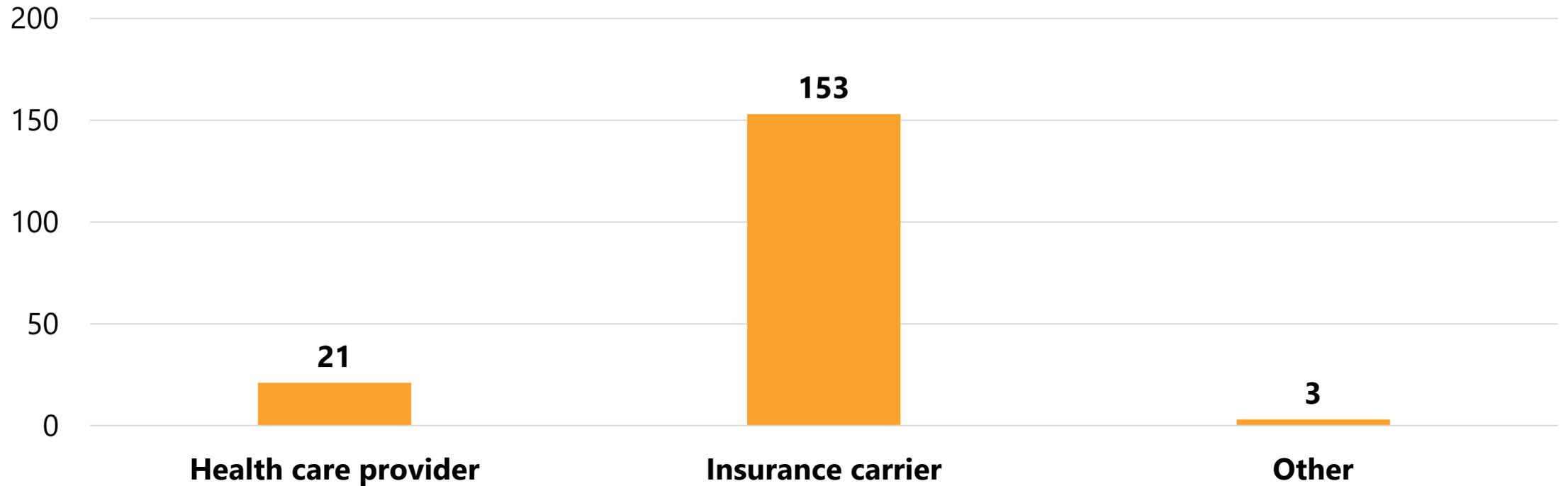
# FY 2025-Q2 – enforcement case status



FY 2025-Q2	Closed cases	Pending cases
<b>Cases</b>	292	177

*Based on enforcement data as of 03/04/25.*

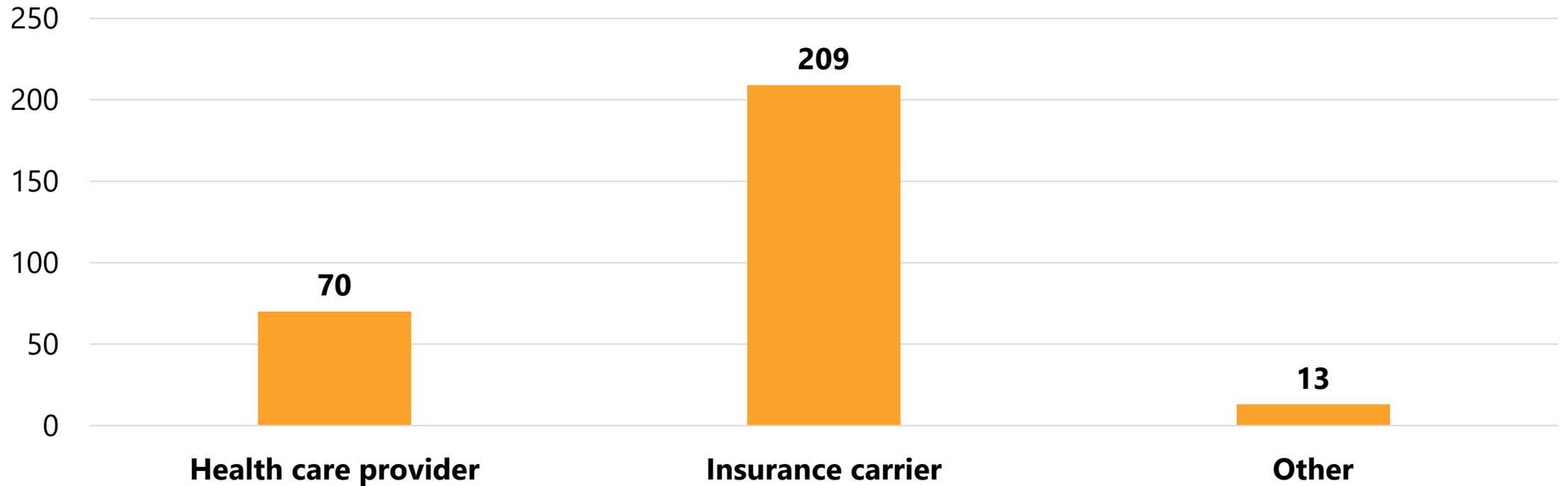
# FY 2025-Q2 – cases pending by role



FY 2025-Q2	Health care provider	Insurance carrier	Other
<b>Cases</b>	21	153	3

Based on enforcement data as of 03/02/25.

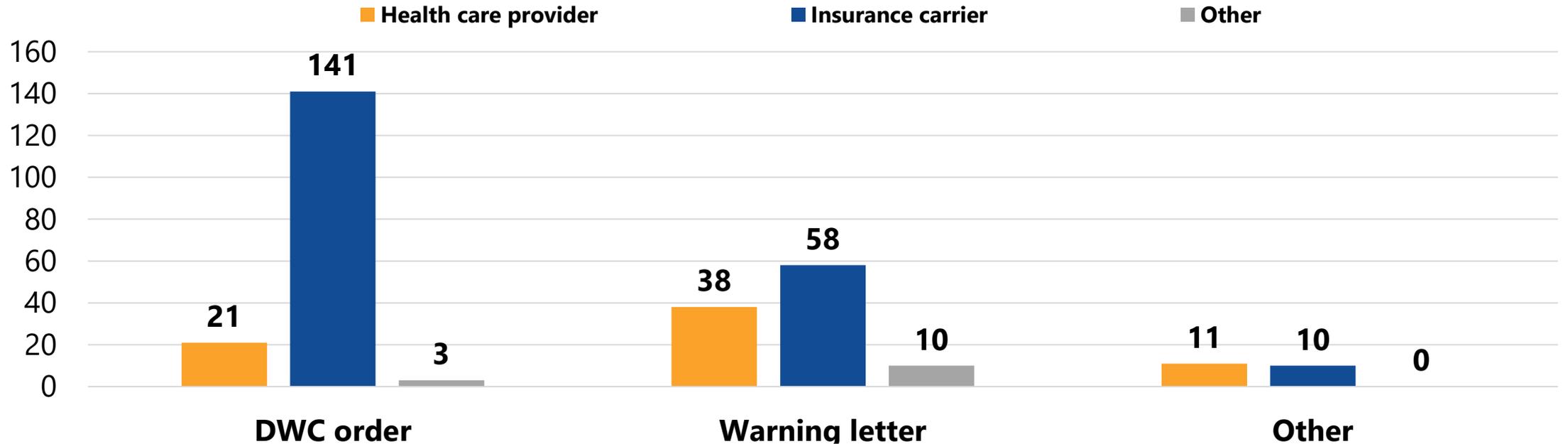
# FY 2025-Q2 – cases closed by role



FY 2025-Q2	Health care provider	Insurance carrier	Other
<b>Cases</b>	70	209	13

Based on enforcement data as of 03/04/25.

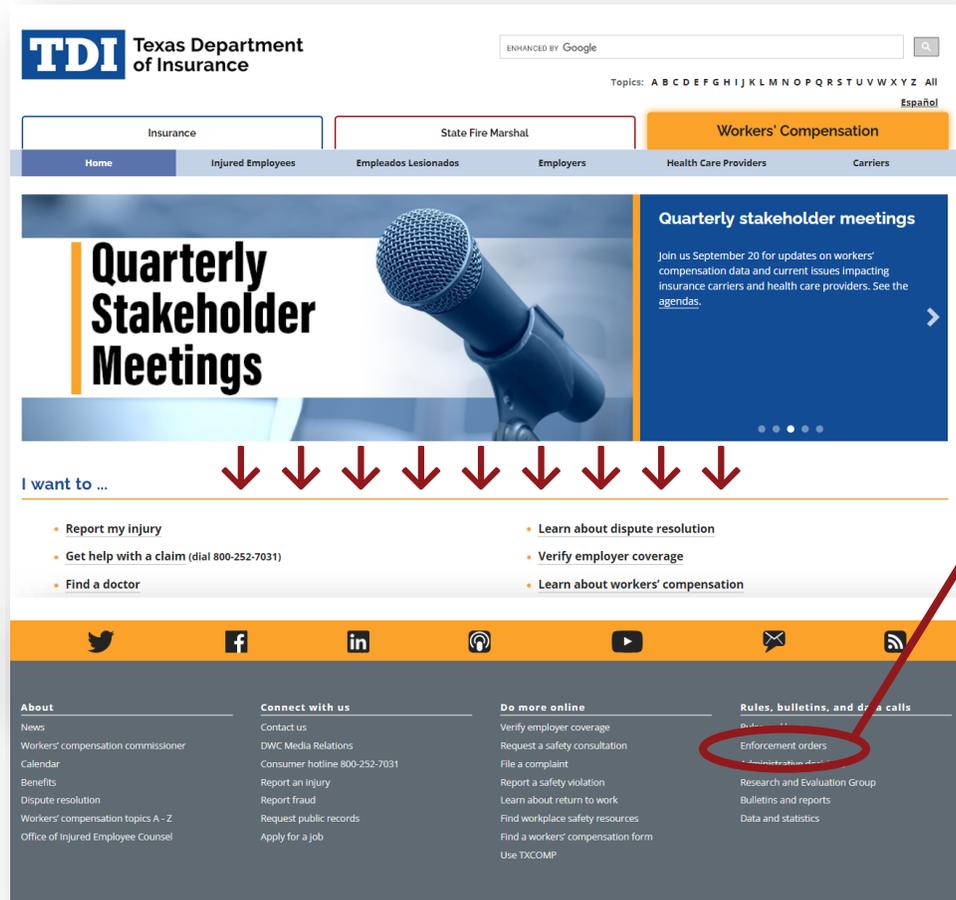
# FY 2025-Q2 – cases closed by disposition type



FY 2025-Q2	Health care provider	Insurance carrier	Other
DWC Order	21	141	3
Warning Letter	38	58	10
Other	11	10	0

Based on enforcement data as of 03/04/25.

# Enforcement orders webpage



Scroll to bottom of [DWC homepage](#) and click "Enforcement orders".

or

Visit [www.tdi.texas.gov/wc/orders/index.html](http://www.tdi.texas.gov/wc/orders/index.html).

# Administrative violations to watch out for

## Burial benefits

Texas Labor Code [§408.186](#) and  
28 TAC [§132.13\(d\)](#)

- Death from compensable injury.
- Seven days from receipt of claim.

## Undue influence

Labor Code [§408.125\(d\)\(e\)](#) and  
28 TAC [§127.10\(a\)\(2\)](#)

IC can send DD:

- Medical records relating to the injured employee's condition.
- Analysis of medical condition.
- Functional abilities and return-to-work opportunities.

## Interest

28 TAC [§126.12](#) and Labor Code  
[§§408.064\(b\), 413.019\(b\)](#)

- Carriers – include simple interest for accrued but unpaid income benefits.
- Accrued but unpaid compensation and interest – paid in lump sum.
- Refund requests (HCP) – interest accrues at 60 days (45 days to act).

# Questions?

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**TDI** Division of Workers'  
Compensation

# Closing remarks

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Jeff Nelson, Commissioner of Workers' Compensation

