

DWC Quarterly Meeting

December 12, 2024 – 1:30 p.m. to 3 p.m.



Agenda

- Welcome.
- Health and Safety update.
- Hearings update.
- Business Process update.
- Operations and External Relations update.
- Claims and Customer Services update.
- Q&A.
- Closing remarks.

Welcome

Jeff Nelson, Commissioner of Workers' Compensation



Health and Safety

Mary Landrum, Deputy Commissioner of Health and Safety



Rules update

Telemedicine rule proposal

- [Posting memo](#).
- [Proposal order](#) filed 11/21/24.
- Proposal order published 12/6/24.
- Public hearing: 10 a.m., Central time, 1/8/25.
- Comment period ends 5 p.m., Central time, on 1/13/25.

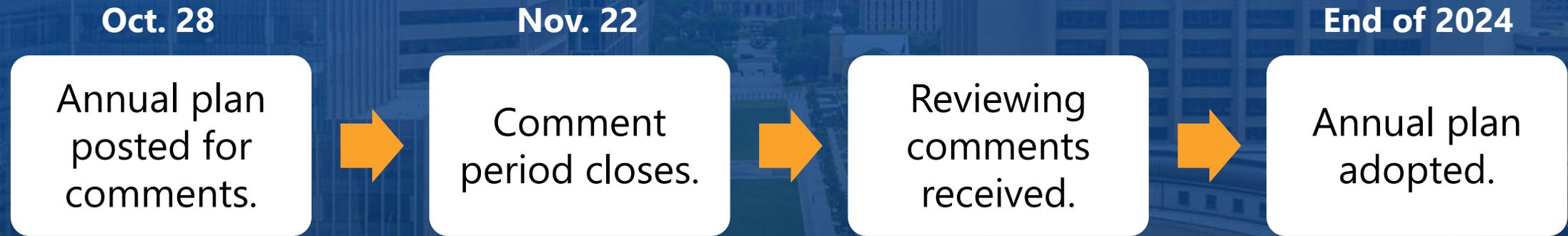
Pharmacy rule adoption

- [Posting memo](#).
- [Adoption order](#) filed 11/8/24.
- Adoption order published 11/29/24.
- Effective date on 11/29/24.

Annual audit plan update

Traci Moten, Director of Health Care Business Management

CY25 annual audit plan



Input sought on one review category:

- To evaluate designated doctor reports for quality and compliance with 28 TAC Sections [127.10](#), [127.210](#), and [127.220](#) with a focus on documentation that supports the need for additional testing or referrals made as part of the DD examination.

CY25 annual audit plan

Health care provider performance based oversight (PBO) 2025 assessment

- Medical Quality Review Panel (MQRP) members will evaluate documentation supporting how the injured employee's medical condition prevents them from returning to any work.

American Medical Association (AMA) 6th edition study

- MQRP members will also study the feasibility and impact of adopting a more current version of the AMA Guides, as approved in the CY24 annual audit plan.
- This study was dependent on the AMA Guides 6th Edition, 2024 revisions to the musculoskeletal chapters 15-17, finalized on Sep. 12 and effective Dec. 1.

2025 Professional Reimbursement Rates - Medicare Economic Index

Amy Rich, Health Care Provider Outreach

Medicare Economic Index (MEI)

- CMS recently finalized the CY2025 Medicare Physician Fee Schedule.
- The final CY25 MEI update is **3.5%**.

DWC is updating website with:

- New DWC conversion factors based on the MEI for DOS in 2025.
- The 2025 exams fees for maximum medical improvement, impairment rating, and other similar exams.

TDI Texas Department of Insurance

ENHANCED BY Google

Topics: A B C D E F G H I J K L M N O P Q R S T U V W X Y Z All

Insurance State Fire Marshal **Workers' Compensation**

Home Injured Employees Empleados Lesionados Employers Health Care Providers Carriers

Home > Workers' Compensation > Medical and facility fee guidelines and information > Medical fee guideline conversion factors

Medical fee guideline conversion factors

The Medical Fee Guideline conversion factors are established by 28 Texas Administrative Code §134.203. Under Labor Code §413.011(a), fee guidelines adopted by the Division of Workers' Compensation (DWC) for non-network services and approved out-of-network services are based on the most current reimbursement methodologies, models, and values or weights used by the federal Centers for Medicare and Medicaid Services.

DWC established a conversion factor and an annual update to provide predictability and reflect changes in medical service delivery costs to system participants. The annual update is based on the Medicare Economic Index (MEI), which is a weighted average of price changes for goods and services used to deliver physician services. The MEI for 2024 reflects an increase of 4.6 percent.

For services provided in calendar year 2024, the new Medical Fee Guideline conversion factors are \$67.81 and \$85.12. The conversion factor of \$67.81 applies to service categories of evaluation and management, general medicine, physical medicine and rehabilitation, radiology, pathology, anesthesia, and surgery when performed in an office setting. The conversion factor of \$85.12 applies to surgery when performed in a facility setting.

Questions? Call Comp Connection for Health Care Providers at 800-252-7031 option 3, or email CompConnection@tdi.texas.gov.

Conversion factors to be applied for services provided based on the following time frames

Applicable from	Applicable to	Anesthesia	Evaluation and management	General medicine	Pathology	Physical medicine and rehabilitation	Radiology	Surgery in an office setting	Surgery in a facility setting	MEI percentage adjustment
1/1/24	12/31/24	\$67.81	\$67.81	\$67.81	\$67.81	\$67.81	\$67.81	\$67.81	\$85.12	4.6%
1/1/23	12/31/23	\$64.83	\$64.83	\$64.83	\$64.83	\$64.83	\$64.83	\$64.83	\$81.38	3.8%
1/1/22	12/31/22	\$62.46	\$62.46	\$62.46	\$62.46	\$62.46	\$62.46	\$62.46	\$78.37	2.1%
1/1/21	12/31/21	\$61.17	\$61.17	\$61.17	\$61.17	\$61.17	\$61.17	\$61.17	\$76.76	1.4%
1/1/20	12/31/20	\$60.32	\$60.32	\$60.32	\$60.32	\$60.32	\$60.32	\$60.32	\$75.70	1.9%

Exam fees

DWC adopted amendments to 28 Texas Administrative Code (TAC) [Chapter 133](#), General Medical Provisions and 28 TAC [Chapter 134](#), Benefits-Guidelines for Medical Services, Charges, and Payments to improve billing and reimbursement for certain workers' compensation-specific services, including designated doctor (DD) examinations, required medical examinations (RMEs), and maximum medical improvement (MMI) evaluations and impairment rating (IR) examinations by treating and referred doctors.

Revised billing requirements are effective for services assigned by the division after June 1, 2024. New rates are effective for exams conducted on or after June 1, 2024. These rates will be adjusted annually based on the Medicare Economic Index.

Visit:



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1/1/22	12/31/22	\$62.46	\$62.46	\$62.46	\$62.46	\$62.46	\$62.46	\$62.46	\$78.37	2.1%
1/1/21	12/31/21	\$61.17	\$61.17	\$61.17	\$61.17	\$61.17	\$61.17	\$61.17	\$76.76	1.4%
1/1/20	12/31/20	\$60.32	\$60.32	\$60.32	\$60.32	\$60.32	\$60.32	\$60.32	\$75.70	1.9%

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Revised billing requirements are effective for services assigned by the division after June 1, 2024. New rates are effective for exams conducted on or after June 1, 2024. These rates will be adjusted annually on January 1 by the Medicare Economic Index.

Exams conducted prior to June 1, 2024 will be reimbursed according to the prior rates and methodologies such as tiering or range of motion.

Exam fees

Applicable Dates of Service	3/1/2008 to 5/31/2024	6/1/2024 to 12/31/2024
Annual MEI percentage	n/a	n/a
Maximum Medical Improvement Exam by Referral Doctor/RME Doctor/DD	\$350.00	\$449.00
Impairment Rating Exam by Treating Doctor/Referral Doctor/RME Doctor/DD	\$300.00	\$385.00
Additional IR Area Exam by Treating Doctor/Referral Doctor/RME Doctor/DD	\$150.00	\$192.00
Extent of Injury Exam by RME Doctor/DD	\$500.00	\$642.00
Disability Exam by RME Doctor/DD	\$500.00	\$642.00
Return to Work Exam by RME Doctor/DD	\$500.00	\$642.00
Other Exam by RME Doctor/DD	\$500.00	\$642.00
Missed Appointment (DD ONLY)\$100.00	n/a	n/a
Specialist Required (DD ONLY)	n/a	\$300.00
Appropriateness of Medical Care (RME DOCTOR ONLY)	\$500.00	\$642.00



References and webinars

Fee guideline references:

- [Provider Billing Procedures.](#)
- [Professional Reimbursement.](#)

Recent training:

- [How to Become a Treating Doctor.](#)

Upcoming webinars:

- [DWC health care provider events and trainings.](#)
- [DWC designated doctor events and trainings.](#)

Designated Doctor (DD) Updates

Santiago Calderon, Director of Designated Doctor Operations

DD updates

TDI Designated Doctor
Division of Workers' Compensation



TDI Division of Workers' Compensation
PO Box 12050 | Austin, TX 78711 | 800-252-7031 | tdi.texas.gov/wc

Complete, if known:
DWC claim # _____
Insurance carrier claim # _____

Request for designated doctor examination
Este formulario está disponible en español en el sitio web de la División en <https://www.tdi.texas.gov/forms/dwc/dwc032sdesjdoc.pdf>
Para obtener asistencia en español, llame a la División al 800-252-7031.

Part 1. Injured employee information

1. Employee's name (first, middle, last)	2. Social Security number
3. Employee's address (street or PO box, city, state, ZIP code)	4. Employee's county
5. Employee's primary phone number	6. Employee's alternate phone number
7. Employee's date of birth (mm/dd/yyyy)	8. Date of injury (mm/dd/yyyy)

New "Why Become a DD?" video

Upcoming trainings

New DWC Form-032

Video - Why Become a Designated Doctor?

Watch:



DD trainings

January

- 1/24: DD 101 in-person workshop.

February

- 2/7-2/8 : DD and MMI/IR doctor certification training.
- 2/21: DD EOI webinar.

March

- 3/31: DD case-based webinar series module 1.

April

- 4/2: DD case-based webinar series module 2.
- 4/7: DD case-based webinar series module 3.
- 4/9: DD case-based webinar series module 4.
- 4/14: DD case-based webinar series module 5.
- 4/16: DD case-based webinar series module 6.
- 4/25: DD Musculoskeletal in-person workshop.

Go to calendar:



Hearings

Allen Craddock, Deputy Commissioner of Hearings



Air ambulance

920 Medical Fee Dispute Resolution (MFDR) Benefit Review Conferences

Creation and distribution of over 9,000 notices and reports

Air Ambulance

Created new automated system to e-file with the State Office of Administrative Hearings

1,300 MFDR cases pending

Brown Bag seminars

Update

New management structure

Appeals Panel updates

Rule updates and legislative expectations

Feedback

Distribution of notices to representatives and parties

Availability of exhibits at hearings

Coordinating hearing dates for continuances

Changes

New process to get DD set notices to representatives

Dates for continuances now noted in tracking window

Docketing staff create notes if dates can't be used



Business Process

Tammy Campion, Deputy Commissioner of Business Process



2024 Workers' Compensation Health Care Network Report Card Results

Workers' Compensation Research and Evaluation Group

Key findings

Health care costs



Avg. cost per claim six months post-injury

Network:

\$2,828

Non-network:

\$2,973

Utilization of health care



Professional:

97% **94%**
Network Non-network

Hospital:

25% **29%**
Network Non-network

Pharmacy:

27% **24%**
Network Non-network

Satisfaction with care



Network:

63%

Non-network:

55%

Return-to-work rate



Network:

93%

Non-network:

84%

Health functioning scores



Network:

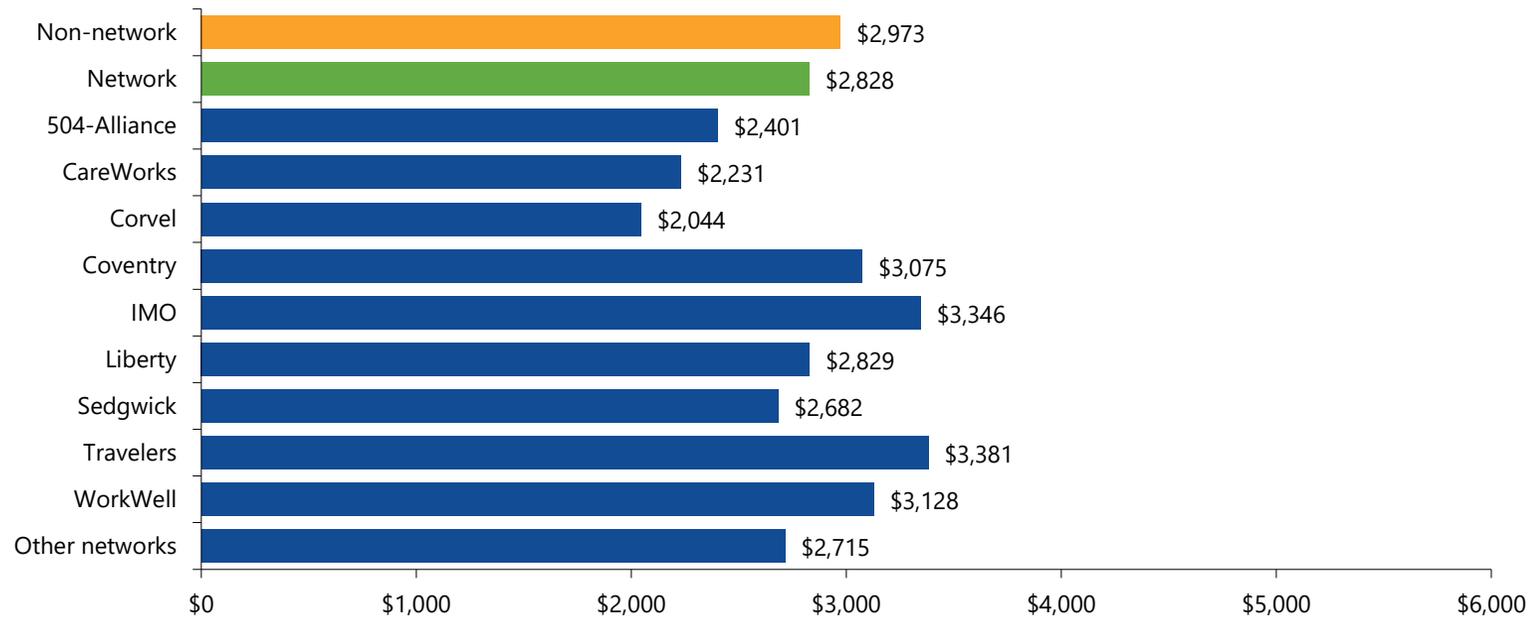
46 **50**
Physical Mental

Non-network:

42 **46**
Physical Mental

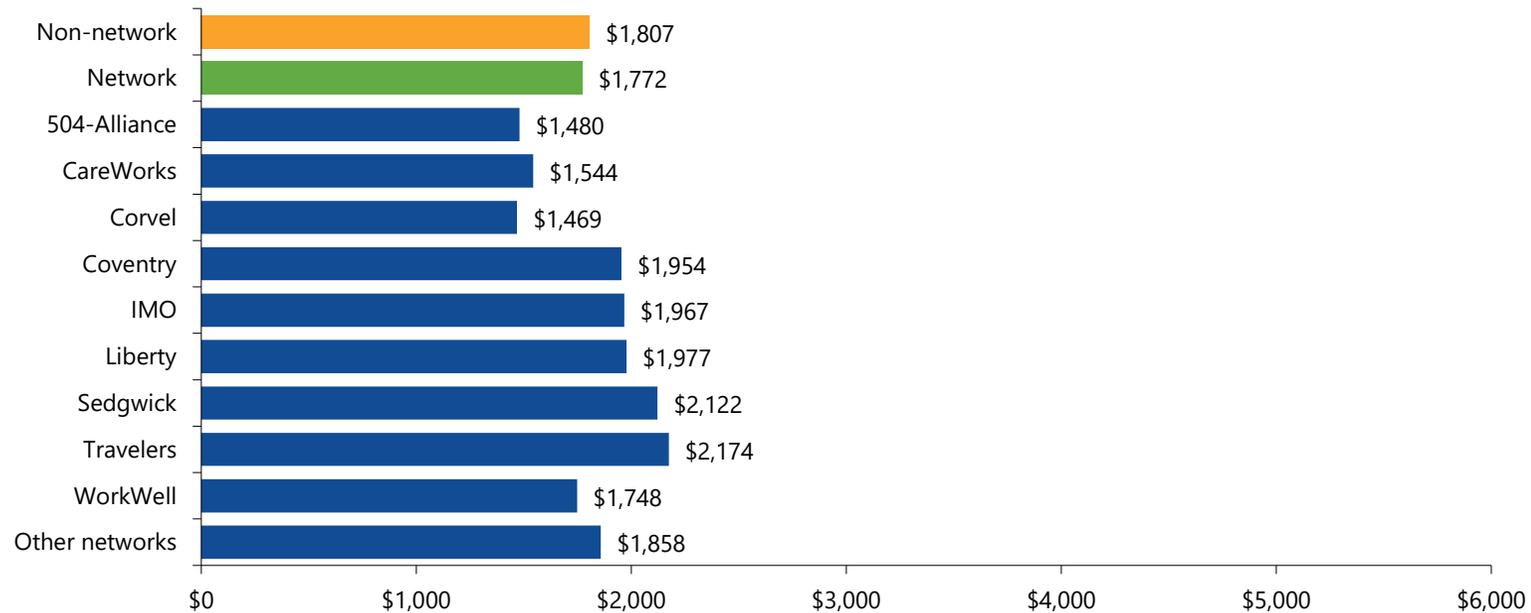
Average cost per claim for health care services

Figure 1: All claims



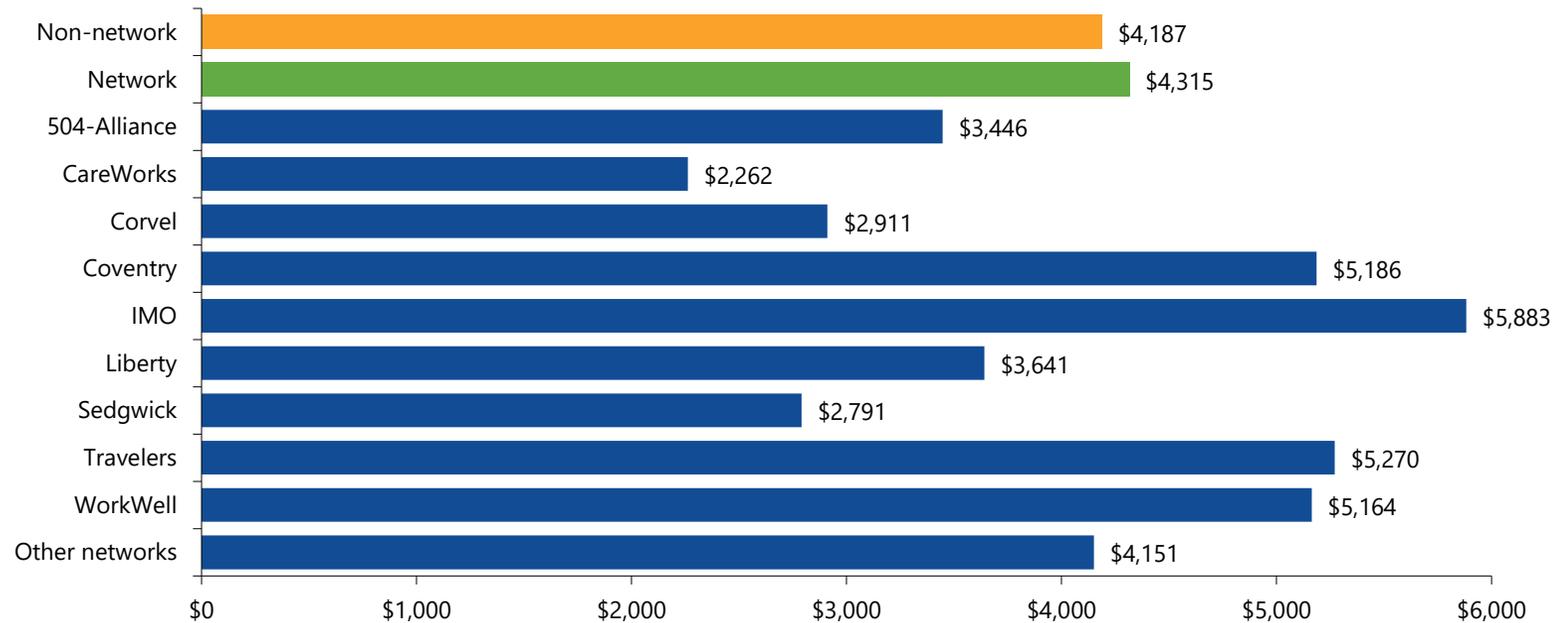
Average cost per claim for professional services

Figure 4: All claims



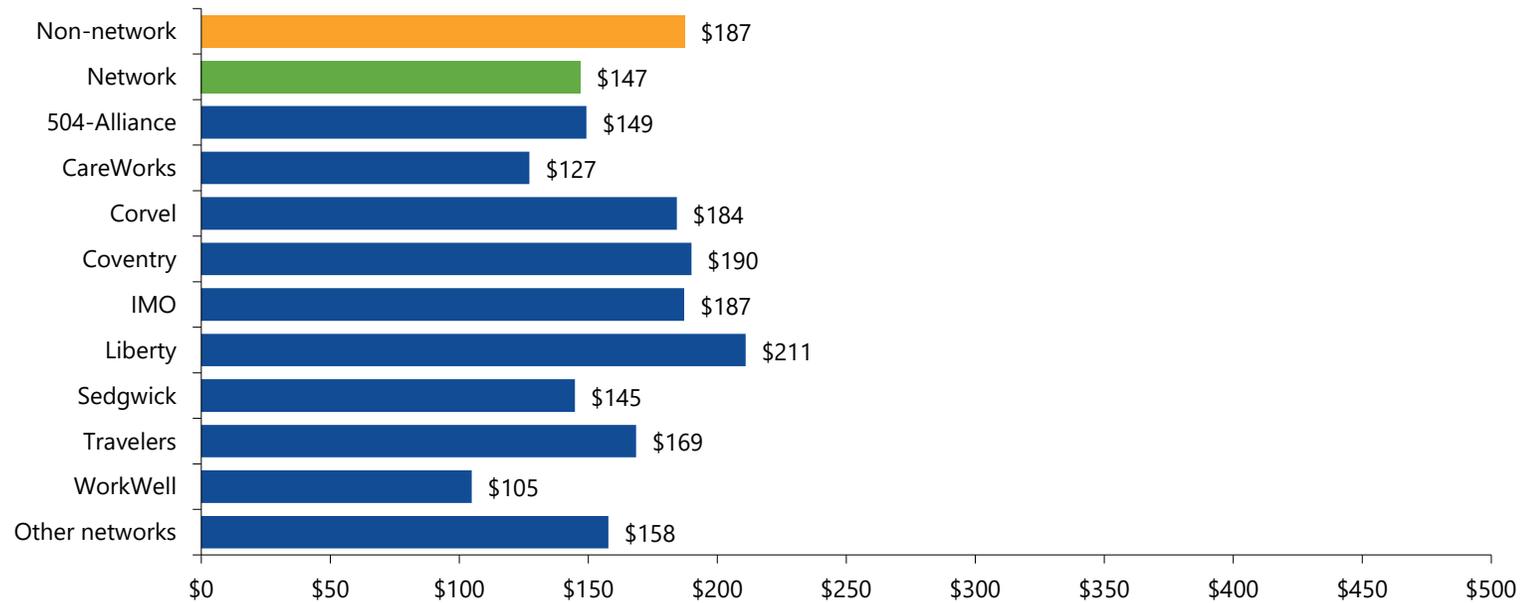
Average cost per claim for hospital services

Figure 7: All claims



Average cost per claim for pharmacy services

Figure 10: All claims



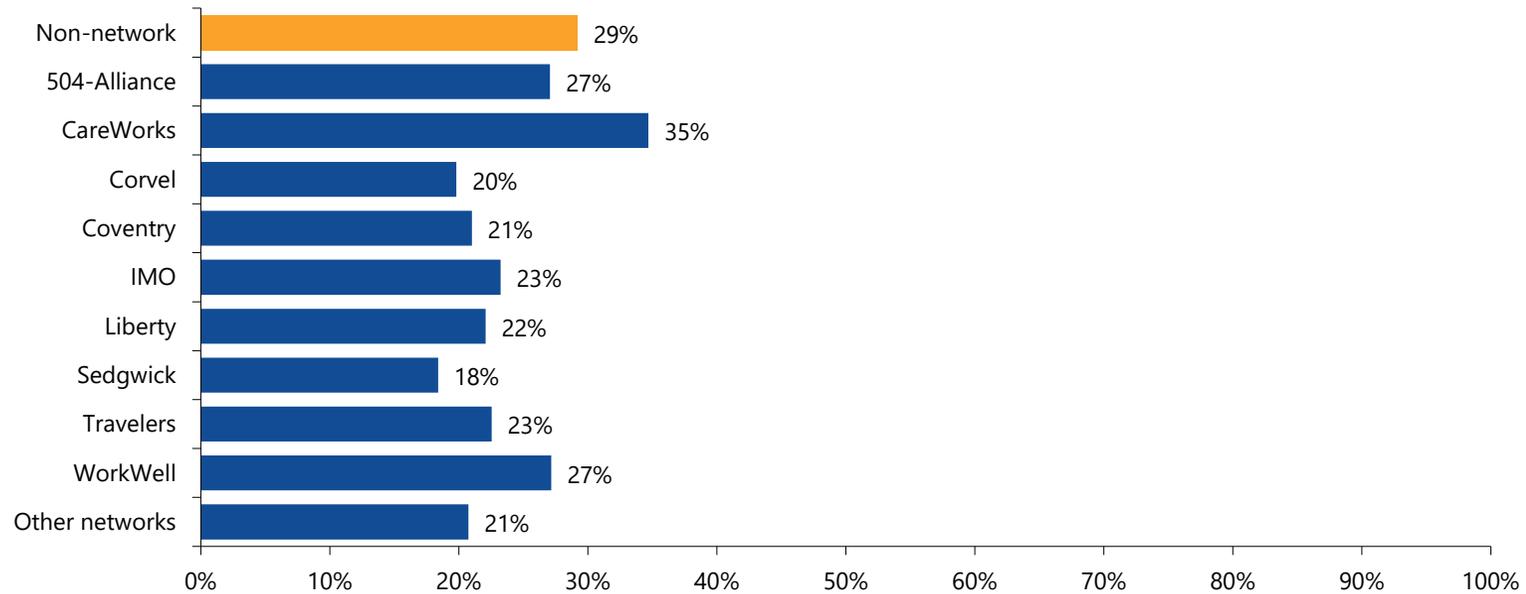
Percent of injured employees receiving professional services by type

Table 5: Percentage of employees receiving professional services by type

	Evaluation & management	Radiology	Physical medicine	Pathology & laboratory	Spinal surgery	Other surgery	DWC-specific services	All others
Non-network	94%	57%	28%	9%	0.20%	20%	66%	48%
504-Alliance	*97%	*58%	*24%	*6%	0.20%	*15%	*70%	*44%
CareWorks	94%	*60%	*33%	*5%	*0.0%	*13%	*70%	*40%
Corvel	*95%	*56%	*33%	*11%	0.20%	*15%	*68%	*40%
Coventry	*97%	*60%	*35%	*12%	0.30%	20%	*79%	*53%
IMO	*97%	*60%	*25%	*7%	0.30%	*17%	*88%	*49%
Liberty	*98%	*60%	*40%	*6%	*0.8%	20%	*87%	*55%
Sedgwick	*100%	*66%	*47%	*6%	0.30%	*16%	*91%	*57%
Travelers	*98%	*63%	*39%	*11%	0.30%	*24%	*85%	*57%
WorkWell	*97%	*59%	28%	9%	0.20%	*25%	*74%	*55%
Other networks	*97%	*61%	*34%	*7%	0.20%	*17%	*82%	*49%

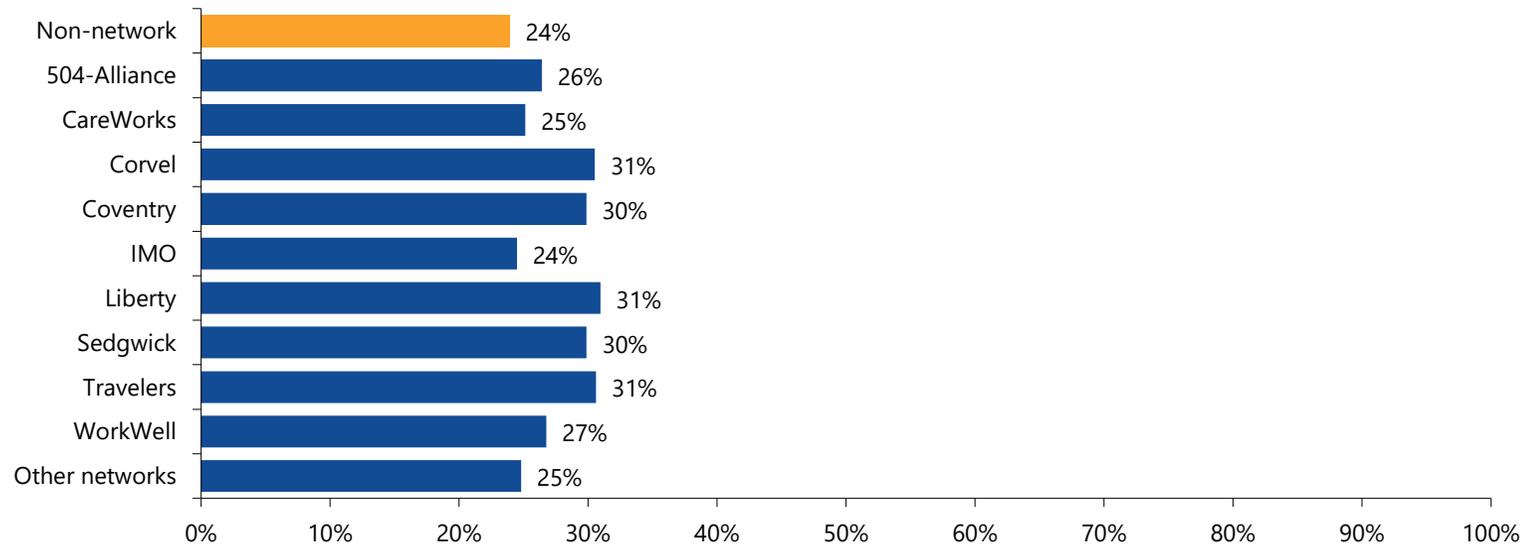
Percent of injured employees receiving hospital services

Figure 13: Percentage of injured employees who received hospital services



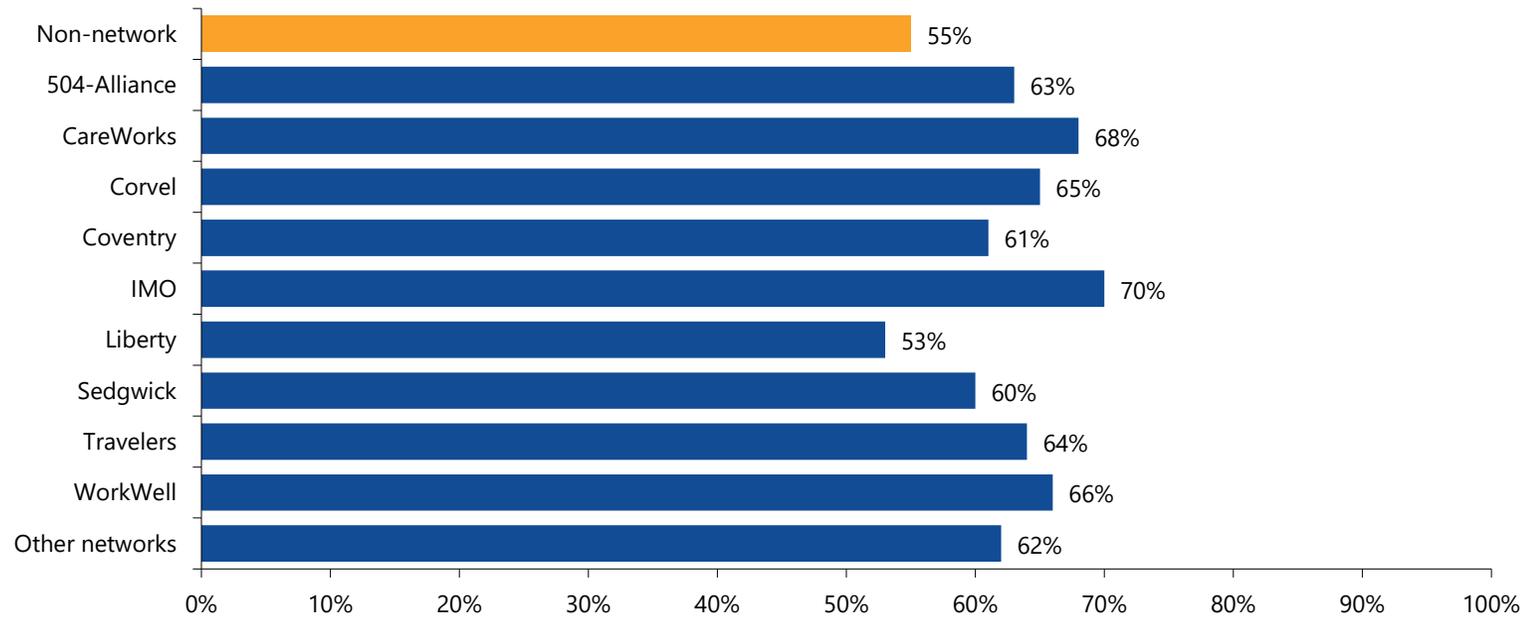
Percent of injured employees receiving pharmacy services

Figure 14: Percentage of injured employees who received pharmacy services



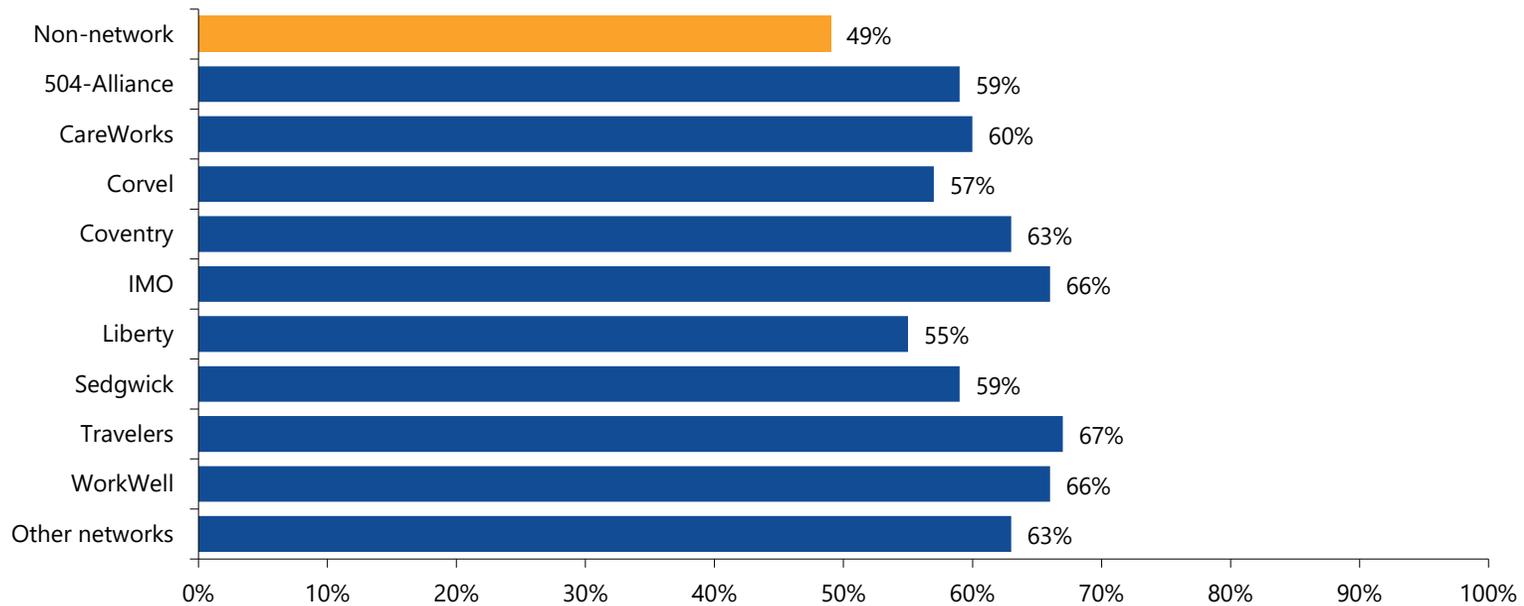
Percent of injured employees satisfied with overall health care

Figure 16: Overall satisfaction with health care



Percent of injured employees who feel they got needed care

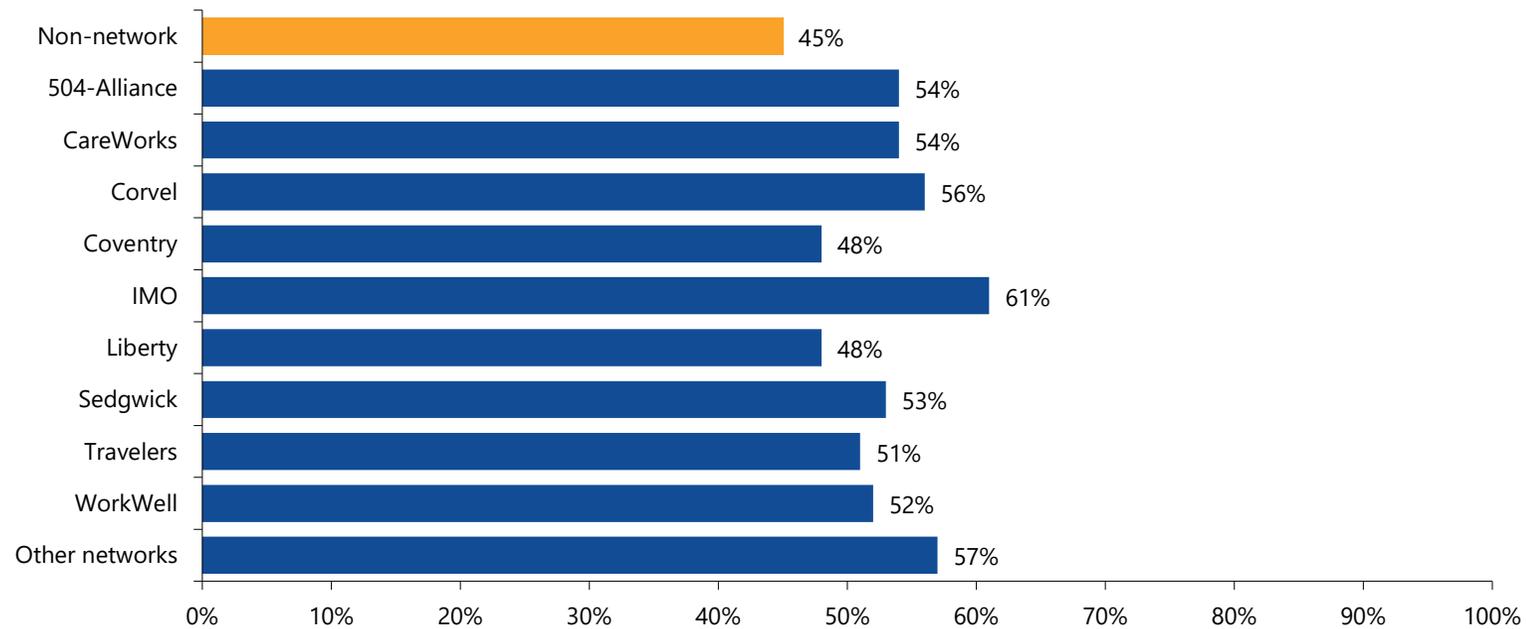
Figure 19: Getting needed care



Reported no problem getting a personal doctor they like, seeing a specialist, getting necessary tests or treatment, or receiving timely approvals for care.

Percent of injured employees who feel they got care quickly

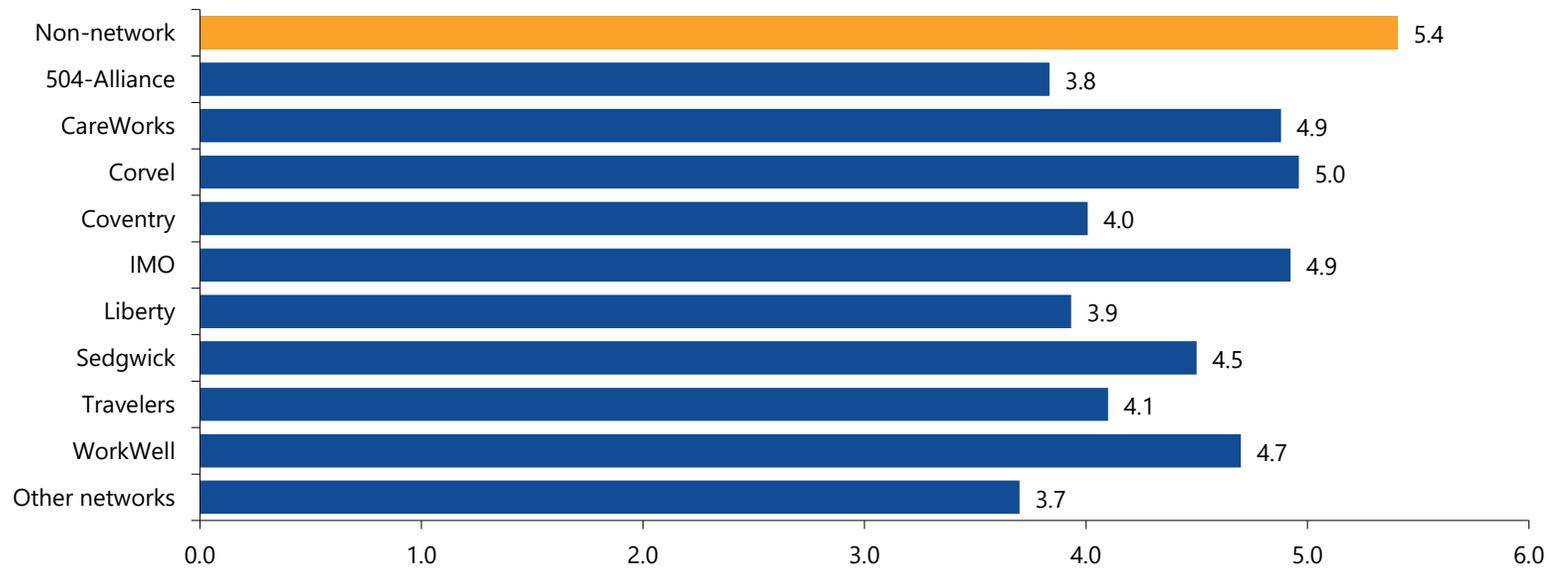
Figure 20: Getting care quickly



Reported that they "always" received care as soon as they wanted, got an appointment as soon as they wanted, and were taken to the exam room within reasonable time of their appointment.

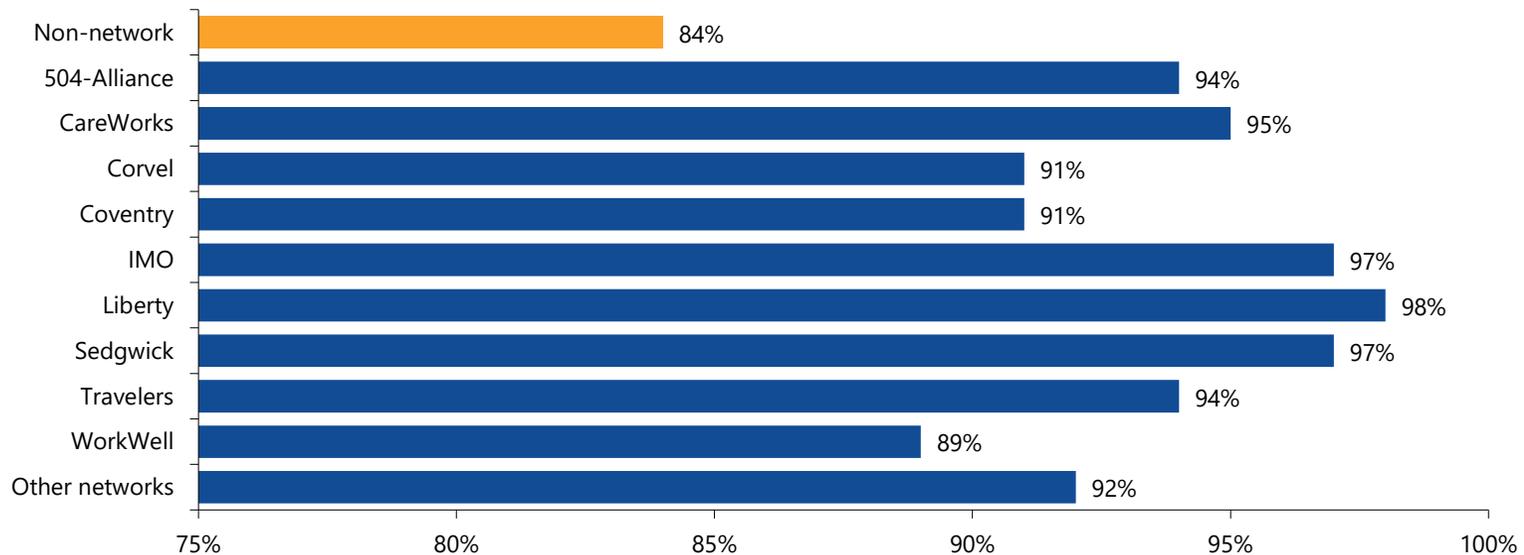
Average number of days from injury to first non-emergency treatment

Figure 21: Average duration from date of injury to date of first non-emergency treatment



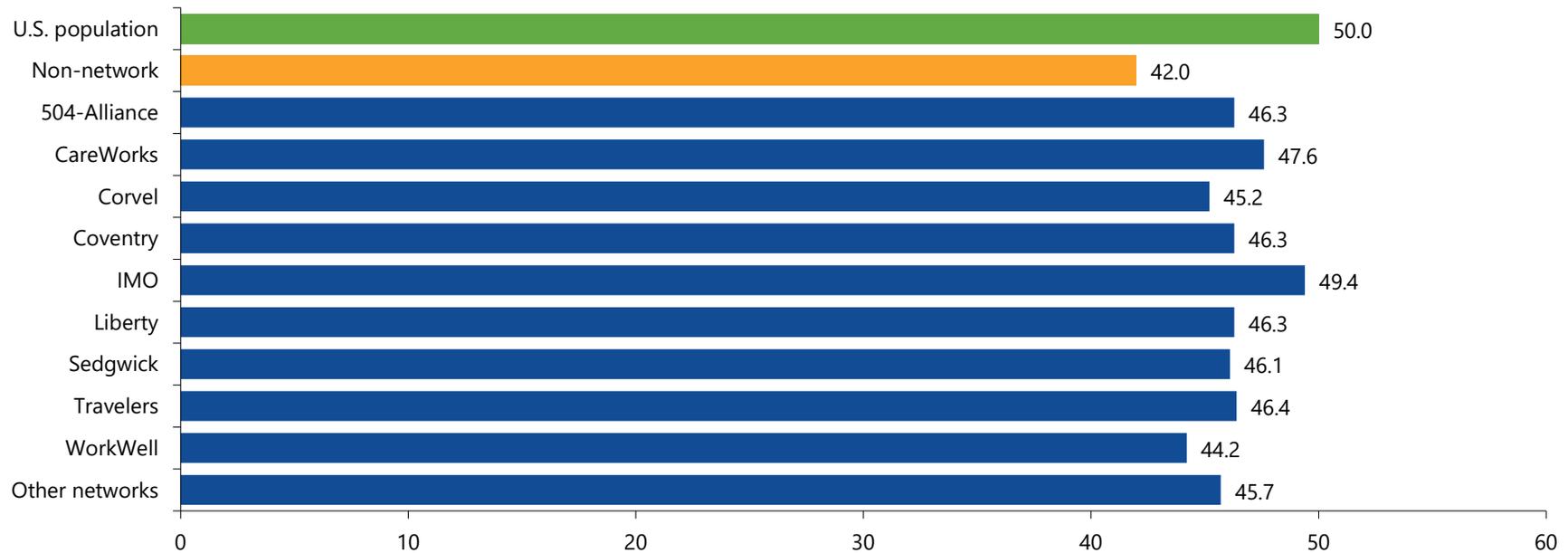
Percent of injured employees that went back to work at some point after injury

Figure 23: Percentage of injured employees who indicated that they went back to work at some point after their injury



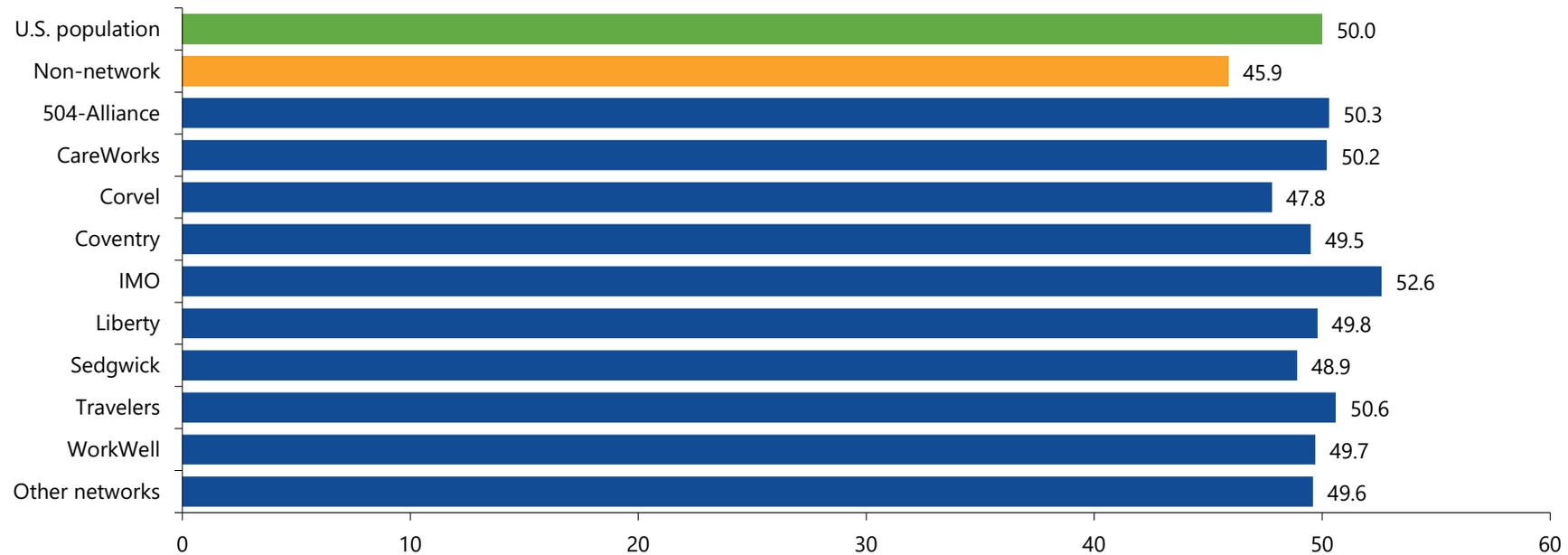
Average physical functioning scores

Figure 25: Average physical functioning scores



Average mental functioning scores

Figure 26: Average mental functioning scores



2025 health care provider PBO

- Updated assessment plan: www.tdi.texas.gov/wc/pbo
- Categories of review:
 - DWC Form-073, *Work Status Reports*.
 - DWC Form-069, *Report of Medical Evaluation*.
- Selection:
 - DWC Form-073 Review – MD, DO, DC, APRN and PA that billed 30 or more work status reports from Oct 2024 to March 2025.
 - DWC Form-069 Review – Designated Doctors that filed 20 or more reports of medical evaluation from Oct 2024 to March 2025.

2025 health care provider PBO schedule

April – DWC asks providers for copies of DWC Form-073 and documents.

August – Initial findings and tier ratings are sent to providers.

October – Final tier ratings are sent to providers and published on DWC's [website](#).

May through July – DWC reviews.

September – Eligible rebuttals are considered.

2025 health care provider PBO

Changes

- Form-073 selection timeframe reduced from nine to six months.
- Form-069 selection timeframe increased from four to six months.
- Form-073s not received by the deadline will automatically receive a negative finding and will **not** be eligible for rebuttal.
- Rebuttals received after the deadline will not be considered and the initial tier rating will be final.
- New addendum – provides guidance on how Form-073 with off-work status will be evaluated by MQRP.

Prepare for 2025 PBO

- DDs that typically file 20 or more DWC Form-069s in a six-month period:
 - DWC will get contact information from DWC's records.
 - DWC will get copies of DWC Form-069 from DWC's systems.
 - We will contact you if we have any questions.
- Providers that typically bill 30 or more work status reports 99080 73 in a six-month period:
 - Update or add your contact information in TXCOMP. You may also send your contact information to PBO@tdi.texas.gov.
 - Save soft copies of DWC Form-073 billed from Oct 2024 – March 2025.

Preview of *Employer E-File for Non-subscribers*

DWC is excited to announce the release of a new online reporting system for non-subscribers. Employer E-File is scheduled to launch January 2025.

The screenshot shows the TDI Division of Workers' Compensation website for Employer E-File. At the top left is the TDI logo and the text "Division of Workers' Compensation". Below this is a blue navigation bar with links for "Log in", "Non-Subscriber home", "DWC home", and "Get help". The main heading is "Employer E-File". Underneath is an "Introduction" section with the text: "If you already have an E-File account, select the Log In link above." A "Note" follows: "If you are an agent that files non-subscriber forms on behalf of employers, and you don't have an E-File account, [request access here](#)." Below the note is a link to a "Questionnaire" with the text: "Am I required to file a Texas notice of no workers' compensation coverage?". At the bottom of the page is a dark footer with the text: "Texas Department of Insurance" and "1601 Congress Avenue, Austin, TX 78701 | PO Box 12050, Austin, TX 78711 | 512-804-4000 | 800-252-7031".

Use your cell phone, tablet, computer or laptop to access Employer E-File 24 hours a day

Business information

Name: Martha's Flower Shop FEIN: 521753558 Type: NonSubscriber NAICS: 459310-Florists

Street or PO box: 1234 Magnolia Dr City: State: TEXAS Country: USA Zip: 78666

Manage your business and contact information

Contact information

Show 2 entries Search:

First name	Last name	Email	Title	Type	Start date	End date
Martha	Luevano	marthapluevano@yahoo.com	Owner	Admin	10/30/2024	<input type="checkbox"/>

Showing 1 to 1 of 1 entries Previous 1 Next

Upload file

DWC 005 XML DWC 007 XML

Add or upload non-subscriber reports

Add form

DWC 005 DWC 007 Save registration

DWC005 Filings

Show 10 entries

Filing Id	Business name	FEIN	Address	Coverage effective	Coverage expiration	Deleted	Action
6611	Martha's Flower Shop	521753558	1234 Magnolia Dr, Austin, TX 78666	05/01/2025	04/30/2026	Delete	Acknowledgement

Showing 1 to 1 of 1 entries 1 row selected Previous 1 Next

**Print acknowledgments
Delete forms filed in error**

Operations and External Relations

Matthew Posey, Deputy Commissioner of Operations and External Relations



DWC biennial report

- Published Nov. 22.
- System overview.
- DWC initiatives.
- Legislative recommendations.

Read the report:



Key trends



workers' compensation rates down

81%

since 2003



percent of private employers with workers' compensation

76%

in 2024



health care costs down

\$338 million

since 2012



percent of claims receiving initial care in seven days or less

82%

in 2022



number of prescriptions down

73%

since 2009

Legislative recommendations

Remove references to the expired Approved Doctors List from Labor Code

- Outdated language: The Approved Doctors List (ADL) statutorily expired on September 1, 2007.
- Labor Code still refers to the ADL, which causes confusion for system participants.

Allow contested case hearings by videoconference

- Amend [Labor Code Section 410.005](#) to allow CCHs to be conducted by videoconference if **all parties** agree to that format.
- Virtual hearings may improve access to legal representation for injured employees living in more remote regions or out of state.
- Permitting all parties to appear at CCHs by videoconference will:
 - Help shorten timelines to resolve disputes.
 - Improve injured employees' access to necessary medical treatment.
 - Allow them to return to work more quickly.

89th Legislative Session

Key dates

November 12, 2024

- First day legislators can file bills.
- Over 1,500 bills filed.

March 14, 2025

- 60-day deadline for bill filing.

January 14, 2025

- First day of 89th legislature – convenes at noon.

June 2, 2025

- Sine die – end of regular session.

Early priorities for workers' compensation

- Virtual contested case hearings:
 - [SB 67](#) and [SB 423](#).
- Telemedicine:
 - [HB 1052](#), [HB 1066](#), [SB 392](#), and [SB 397](#).
- First responders:
 - [HB 331](#), [HB 673](#), and [SB 454](#).
- Exceptions to exclusive remedy:
 - [SB 220](#) and [HB 823](#).
- Scope of practice:
 - [HB 541](#) and [SB 157](#).



2024 Workers' Compensation Conference recap

Thanks for a great event!

AMPLIFY

**Texas
Workers' Comp
Conference**

**338
attendees**

The infographic features a central dark blue circle with the text '338 attendees'. Four lines radiate from this central circle to four surrounding circles of different colors: a yellow circle at the top with '17 Speakers', a light blue circle to the right with '8 Sessions', a yellow circle at the bottom-right with '1,464 Messages in Whova app', and a light blue circle at the bottom with '106 CE credits awarded'. The background is a light blue network of nodes and lines.

17

Speakers

8

Sessions

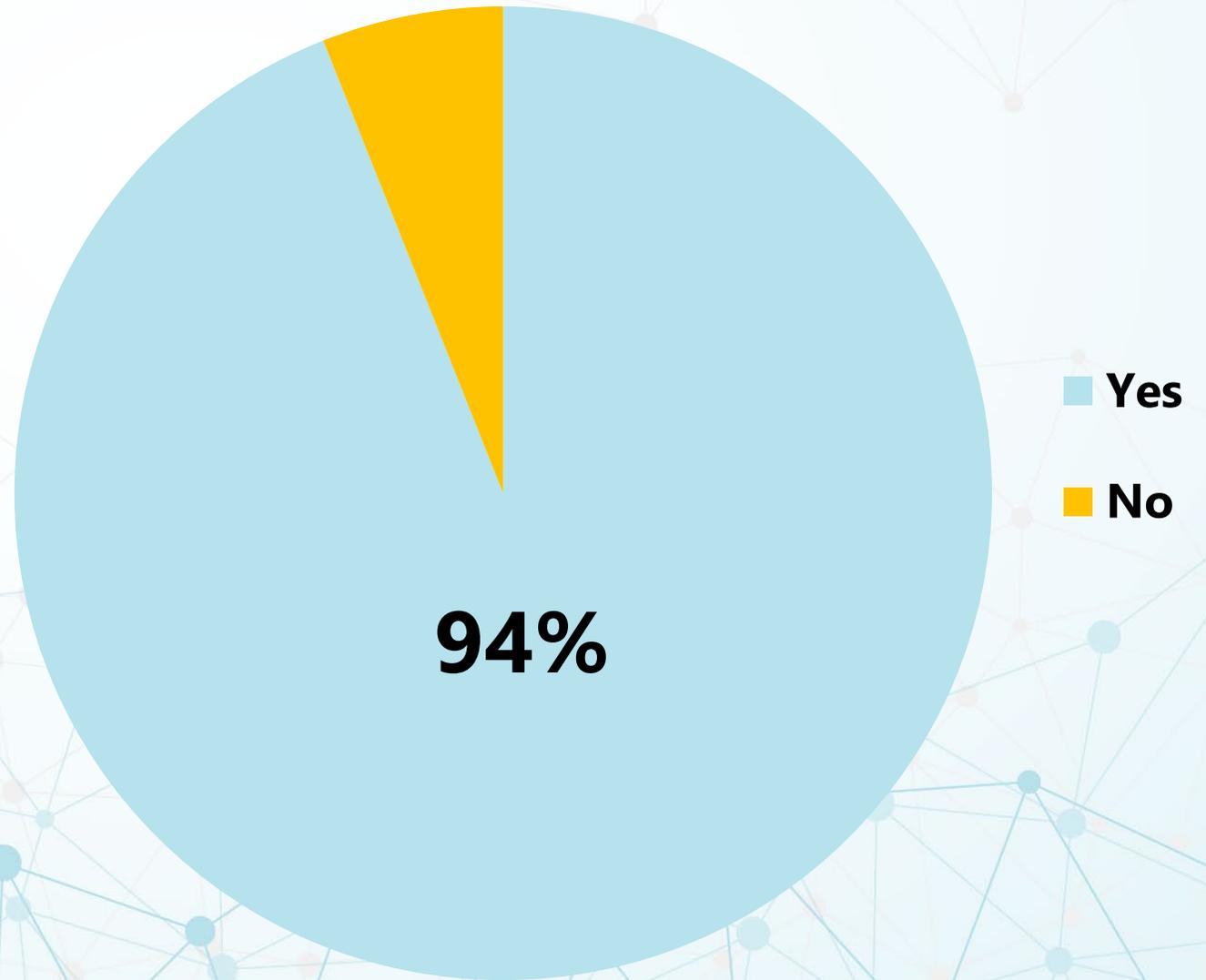
1,464

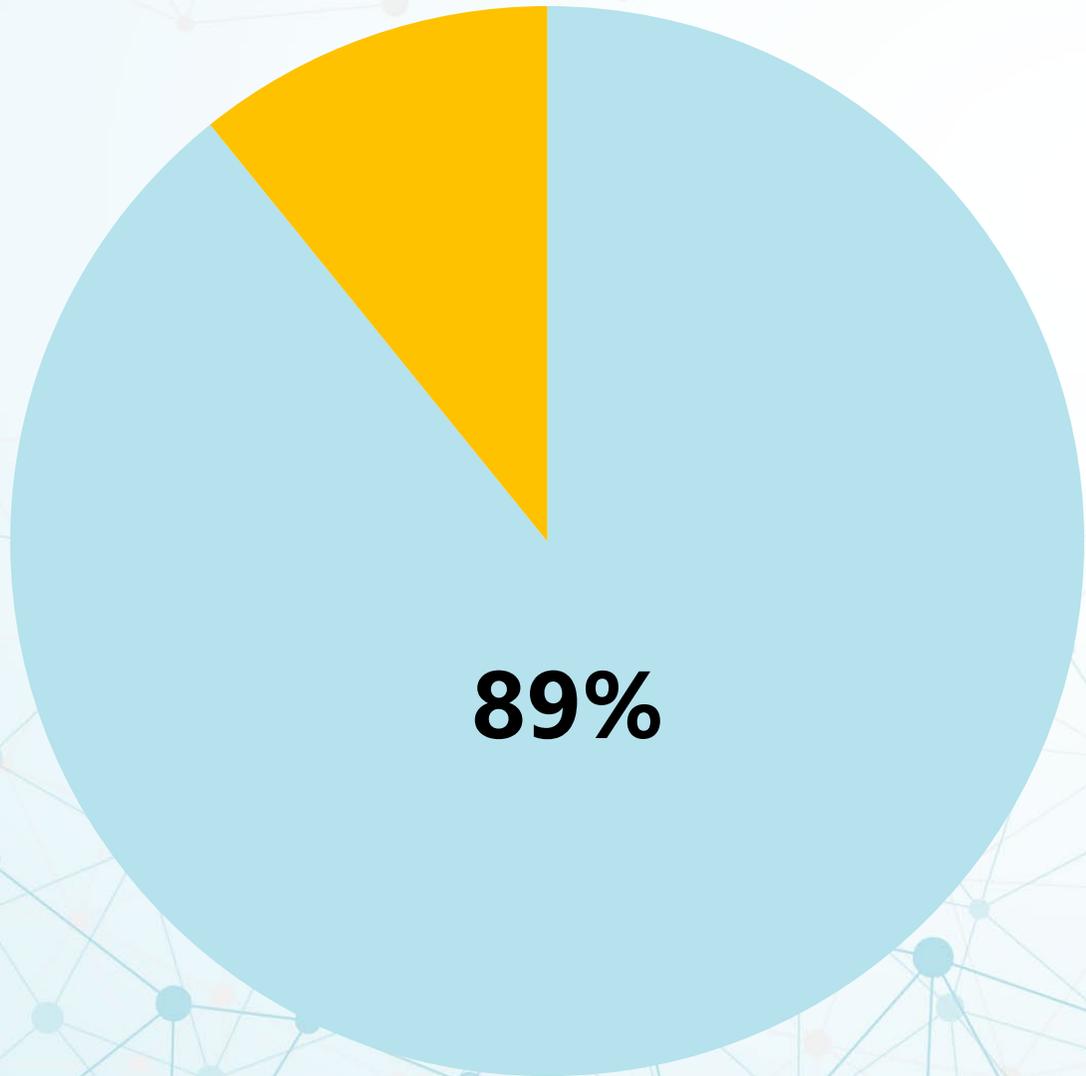
**Messages in
Whova app**

106

**CE credits
awarded**

Were you satisfied with the conference?





- Yes
- No

Were you satisfied with the conference app?

EDI

**DWC
Forms**

Fraud

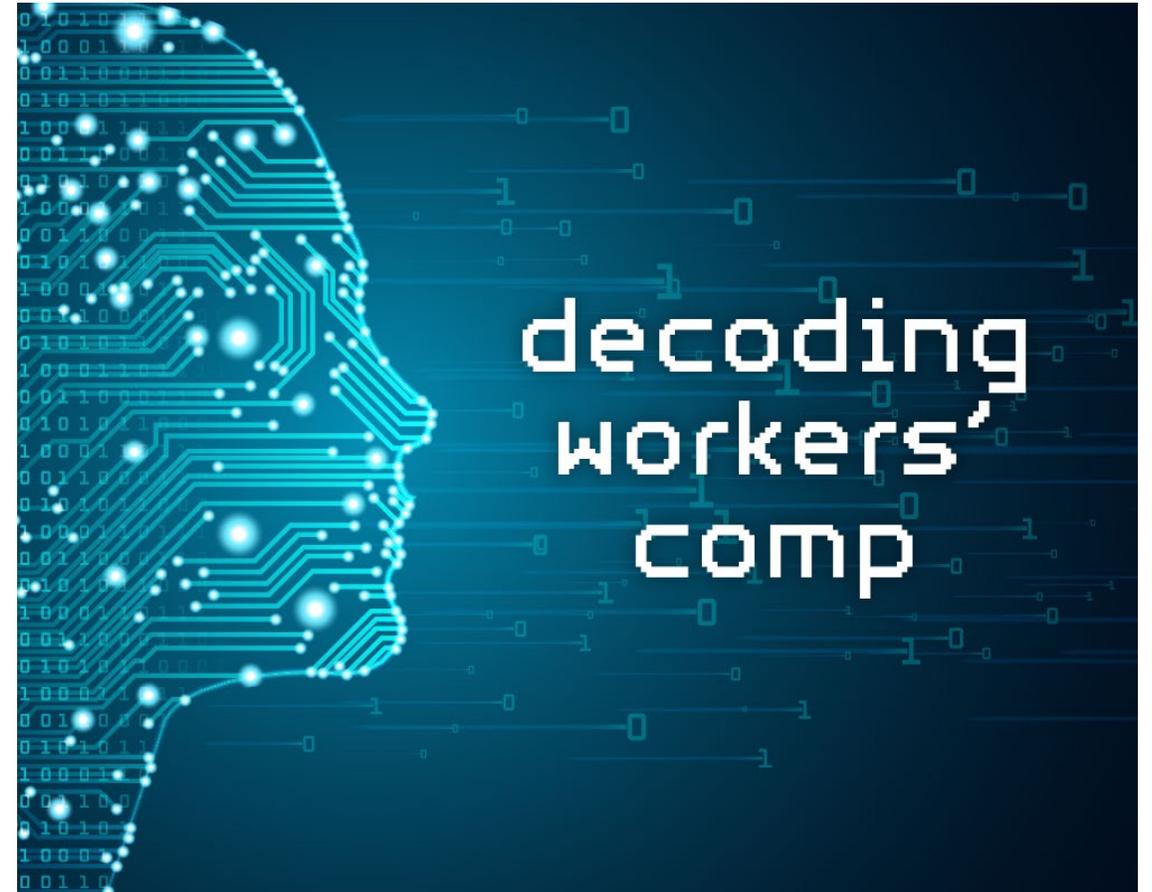
**Topics
for 2025**

**Decisions
and
orders**

**Case law
and
legislative
update**

2025 Workers' Compensation Conference

- Theme: Decoding workers' comp.
- Date and format of conference will be announced soon.
- Be watching for a call for presenters!



CompCourses

2024

1,386 participants, 615 credits awarded

- [Return to work.](#)
- [Employer's Wage Statement.](#)
- [Presiding officer directives.](#)
- Workers' comp compliance 101.

2025

Next year's agenda

- Health care provider roles in workers' comp.
- Top 10 most cited OSHA violations.
- Understanding disputes.
- Employer responsibilities in workers' comp system.



Claims and Customer Services

Erica De La Cruz, Deputy Commissioner of Claims and Customer Services



New benefits estimator tool

Purpose:

- Provide a tool for stakeholders and agency staff to estimate wage and benefit amounts.
- Give injured employees insight into various factors that impact benefit amounts.

Keep in mind:

- This is just an estimator.
- This tool may not include all factors that need to be considered.
- You are responsible for accurately calculating benefit amounts.



Hurt at work?
Curious about your benefit amount?

Check your math with DWC's new

BENEFITS ESTIMATOR

- ✓ Enter your wages or use our average weekly wage estimator.
- ✓ Get estimates for income and death benefits.
- ✓ Use on your laptop or mobile device.

New benefits estimator tool

Try it out:



Topics: [A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#) [N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) [X](#) [Y](#) [Z](#) [All](#)

TDI Texas Department of Insurance

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Insurance State Fire Marshal **Workers' Compensation**

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[Home](#) > [Workers' Compensation](#) > [Injured employee resources](#) > [Income and medical benefits](#) > Benefits Estimator

Benefits Estimator

This tool is designed to help you estimate your benefits. The tool does not apply to school district employees.

Average weekly wage (AWW) estimator

For the employer where the injury occurred:

Date of injury:

How often was the injured employee paid?:

[Add a non-claim employer](#) [Reset form](#) [Estimate AWW](#)

Click here for [definitions](#) or information on [average weekly wage](#). If you need help call 800-252-7031 for assistance.

Version: 1.0.0

Questions?

TDI Division of Workers'
Compensation

Closing remarks

Jeff Nelson, Commissioner of Workers' Compensation

