



## Texas Department of Insurance

### Division of Workers' Compensation

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## REQUESTS FOR A LETTER OF CLARIFICATION OF THE DESIGNATED DOCTOR'S REPORT

### KEY LETTER OF CLARIFICATION STATISTICS

Beginning September 1, 2010, all requests for a Letter of Clarification of a designated doctor's report are approved or denied by the TDI-DWC Benefit Review Officers (BROs) and Benefit Contested Case Hearings Officers (BCCHOs). The requests for clarification received by the TDI-DWC prior to a proceeding being scheduled will be approved or denied by a BRO.

Hearings management reviews the performance of all BROs and BCCHOs to ensure general, statewide consistency with TDI-DWC's rules and policies. A sample of up to five requests for a Letter of Clarification per reviewing officer is selected by Central Hearings for review each month for quality assurance.

These monthly reviews are performed retrospectively and are intended to be used as training opportunities to ensure consistency in determinations regarding letters of clarification. Parties who disagree with an approval or denial of a request for clarification from the designated doctor should continue to avail themselves of TDI-DWC's dispute resolution processes.

### Approved and Denied TDI-DWC Requests for a Letter of Clarification

Fiscal Year	Total Number Approved	Total Number Denied
2013	2,809	989
2012	1,866	1,270
2011	1,894	2,055

*NOTE: A decision by a presiding officer to issue a request for a Letter of Clarification may be based on new information or further development of the facts and issues by the parties at the proceeding.*

Source: Texas Department of Insurance, Division of Workers' Compensation, 2013.