

No. **2025-9607**

**Official Order
of the
Texas Commissioner of Workers' Compensation**

Date: 11/14/2025

Subject Considered:

Rafath Quraishi, M.D.
PO Box 6582
McAllen, Texas 78502-6582

Consent Order
DWC Enforcement File No. 36849

General remarks and official action taken:

This is a consent order with Rafath Quraishi, M.D. (Respondent). The commissioner of the Texas Department of Insurance, Division of Workers' Compensation (DWC) considers whether DWC should take disciplinary action against Respondent.

Waiver

Respondent acknowledges that the Texas Labor Code and other applicable laws provide certain rights. Respondent waives all of these rights, and any other procedural rights that apply, in consideration of the entry of this consent order.

Findings of Fact

1. On [REDACTED], the Texas Medical Board issued physician license K7374 to Respondent.
2. Respondent is a designated doctor (DD) in the Texas workers' compensation system. On [REDACTED], Respondent was first certified as a DD to rate maximum medical improvement (MMI) and assign impairment ratings (IRs). Respondent's certification as a DD to rate MMI and assign IRs will expire on Aug. 11, 2025.
3. Respondent was not selected to be tiered in the 2021_73 or 2023_73 Performance Based Oversight (PBO) assessments. Respondent was classified as "high" tier in the 2021_69 PBO assessment and "average" tier in the 2023_69 PBO assessment.

Failure to Properly Reschedule a DD Examination and Failure to Attend a DD Examination

4. On [REDACTED], DWC ordered Respondent to conduct a DD examination on [REDACTED], at 9:00 am to determine an injured employee's MMI and IR.
5. The deadline to reschedule the DD examination was [REDACTED].
6. On [REDACTED], Respondent submitted to DWC a request for approval to change the examination location due to scheduling conflicts with the original examination location.
7. DWC did not approve the change in examination location before the examination was to occur on [REDACTED].
8. Around [REDACTED] on [REDACTED], Respondent determined he could not arrive at the unapproved examination location by the rescheduled time of [REDACTED]. Respondent instructed his staff to try to reschedule the examination to occur at [REDACTED] on the same day. The attempt to reschedule the examination was one day late.
9. The injured employee did not agree to the rescheduled time and timely arrived at the unapproved examination location. However, Respondent failed to appear.
10. On [REDACTED], Respondent asked DWC to designate another DD because he could not reschedule the DD examination to occur within 21 days of [REDACTED].
11. Respondent's failure to attend the DD examination led to delays in determining the injured employee's MMI and IR, and DWC's dispute resolution process.

Assessment of Sanction

1. Failure to attend a DD examination without good cause unnecessarily delays the resolution of medical disputes and the injured employee's ability to obtain necessary medical treatment in a timely manner. It also unnecessarily prevents an injured employee's ability to receive income benefits in a timely and cost-effective manner, which is harmful to injured employees and the Texas workers' compensation system.

2. The examinations and reports from a DD have significant consequences on workers' compensation claims, the benefits of injured employees, and the Texas workers' compensation system. DWC relies on DDs to comply with the rules to provide a fair and accessible dispute resolution process.
3. In assessing the sanction for this case, DWC fully considered the following factors in Tex. Lab. Code § 415.021(c) and 28 Tex. Admin. Code § 180.26(e):
 - the seriousness of the violation, including the nature, circumstances, consequences, extent, and gravity of the prohibited act;
 - the history and extent of previous administrative violations;
 - the violator's demonstration of good faith, including actions it took to rectify the consequences of the prohibited act;
 - the penalty necessary to deter future violations;
 - whether the administrative violation had a negative impact on the delivery of benefits to an injured employee;
 - the history of compliance with electronic data interchange (EDI) requirements;
 - the economic benefit resulting from the prohibited act; and
 - other matters that justice may require, including, but not limited to:
 - PBO assessments;
 - prompt and earnest actions to prevent future violations;
 - self-report of the violation;
 - the size of the company or practice;
 - the effect of a sanction on the availability of health care; and
 - evidence of heightened awareness of the legal duty to comply with the Texas Workers' Compensation Act and DWC rules.
4. DWC found the following factors in Tex. Lab. Code § 415.021(c) and 28 Tex. Admin. Code § 180.26(e) to be aggravating:
 - a. the violation is serious because it delayed the determination of the injured employee's MMI and IR and the dispute resolution process;
 - b. Respondent received a prior warning letter involving the failure to attend a DD examination in Enforcement File No. 32554;
 - c. a penalty is necessary to deter future violations; and
 - d. Respondent has a heightened awareness of the legal duty to comply with the Texas Workers' Compensation Act and DWC rules as evidenced by the warning letter received in Enforcement File No. 32554.

5. DWC found Respondent's "high" PBO tier as mitigating under Tex. Lab. Code § 415.021(c) and 28 Tex. Admin. Code § 180.26(e).
6. Respondent acknowledges communicating with DWC about the relevant statute and rule violations alleged; that the facts establish that the administrative violation(s) occurred; and that the proposed sanction is appropriate, including the factors DWC considered under Tex. Lab. Code § 415.021(c) and 28 Tex. Admin. Code § 180.26(e).
7. Respondent acknowledges that, in assessing the sanction, DWC considered the factors in Tex. Lab. Code § 415.021(c) and 28 Tex. Admin. Code § 180.26(e).

Conclusions of Law

1. The commissioner has jurisdiction over this matter pursuant to Tex. Lab. Code §§ 401.021, 402.001, 402.00111, 402.00114, 402.00116, 402.00128, 408.0041, 408.1225, 413.002, 413.044, 413.0511, 413.0512, 414.002, 415.021, and 415.0215; 28 Tex. Admin. Code § 180.26; and Tex. Gov't Code §§ 2001.051-2001.178.
2. The commissioner has the authority to dispose of this case informally pursuant to Tex. Gov't Code § 2001.056; Tex. Lab. Code §§ 401.021, 402.00128(b)(6)-(7), and 415.034; and 28 Tex. Admin. Code § 180.26(h) and (i).
3. Pursuant to Tex. Lab. Code § 415.021, the commissioner may assess an administrative penalty against a person who commits an administrative violation.
4. Pursuant to Tex. Lab. Code § 415.003(5) and 28 Tex. Admin. Code § 127.210(a)(15), the commissioner may sanction a DD for violating applicable statutes or rules while serving as a DD.
5. Pursuant to 28 Tex. Admin. Code §§ 127.210 and 180.26, the commissioner may revoke or suspend a DD's certification as a DD or sanction a DD for not complying with DWC rules.

Failure to Properly Reschedule the Location of a DD Examination

6. Pursuant to 28 Tex. Admin. Code § 127.5(b), the examination address in the Commissioner Order, Approval of a Request for DD Examination may not be changed by any party or by an agreement of any parties without good cause and the DWC's approval.
7. Pursuant to 28 Tex. Admin. Code § 127.210(a)(4), it is a violation for a DD for to not comply with the rescheduling requirements.
8. Respondent violated Tex. Lab. Code § 415.003(5) and 28 Tex. Admin. Code §§ 127.5(b) and 127.210(a)(4) when he failed to reschedule the physical location of a DD examination in the form and manner DWC prescribed.

Failure to Properly Reschedule the Time of a DD Examination

9. Pursuant to 28 Tex. Admin. Code § 127.5(h), the DD's office and the injured employee must contact each other if a scheduling conflict exists for the DD appointment and must mutually agree to reschedule within one working day before the appointment.
10. Pursuant to 28 Tex. Admin. Code § 127.210(a)(4), failing to comply with DWC's rescheduling requirements is an administrative violation.
11. Respondent violated Tex. Lab. Code § 415.003(5) and 28 Tex. Admin. Code §§ 127.5(h) and 127.210(a)(4) when he failed to timely reschedule the DD examination in the form and manner DWC prescribed.

Failure to Attend a DD Examination

12. Pursuant to Tex. Lab. Code § 415.003(6), a health care provider commits an administrative violation each time the person fails to comply with a provision of the Texas Workers' Compensation Act.
13. Pursuant to Tex. Lab. Code § 415.021(a), a person commits an administrative violation if that person fails to comply with a DWC order.

14. Pursuant to 28 Tex. Admin. Code § 127.210(a)(3), it is a violation for a DD to fail to attend a DD examination.
15. Respondent violated Tex. Lab. Code §§ 415.003(5) and (6) and 415.021(a) and 28 Tex. Admin. Code § 127.210(a)(3) when he failed to perform the scheduled DD examination for the injured employee ordered by DWC.

Order

It is ordered that Rafath Quraishi, M.D. must pay an administrative penalty of \$750 within 30 days from the date the Commissioner signs the order.

After receiving an invoice, Rafath Quraishi, M.D. must pay the administrative penalty by electronic transfer using the State Invoice Payment Service, company check, cashier's check, or money order and make it payable to the "State of Texas." Mail the administrative penalty to the Texas Department of Insurance, Attn: DWC Enforcement Section, MC AO-9999, PO Box 12030, Austin, Texas, 78711-2030.



Jeff Nelson
Commissioner
TDI, Division of Workers' Compensation

Approved Form and Content:



Tyrus Housh
Staff Attorney, Enforcement
Compliance and Investigations
TDI, Division of Workers' Compensation

