

Insurance Carrier Quarterly Meeting

August 31, 2022
1:30 to 3 p.m.

Agenda Items

- Welcome
- Compliance and Investigations Update
- Designated Doctor Rules Update
- EDI Update
- Medical Fee Dispute Update
- Q&A
- Closing

Welcome

Jeff Nelson, Commissioner
Division of Workers' Compensation

Compliance and Investigations Update

Debra Knight, Deputy Commissioner
Compliance and Investigations

CY2022 Complaints

CY2022 - Complaints

1,237 Complaints Received

| | |
|-----|----------------------------|
| 21 | Attendance |
| 416 | Communications |
| 0 | Fraud |
| 395 | Indemnity Benefit Delivery |
| 286 | Medical Benefit Delivery |
| 78 | Other |
| 41 | Quality of Care |

1,255 Complaints Closed

| | |
|-----|-------------------------|
| 388 | Confirmed |
| 330 | DWC Education Complaint |
| 537 | Not Confirmed |

Based on complaint data as of 8/15/2022

CY2022 – Complaints By Respondent Type

| Type of complaint | Injured employee | Insurance carrier | Health care provider | Employer | Attorney | Other |
|--------------------|------------------|-------------------|----------------------|----------|----------|-------|
| Attendance | 7 | 7 | 4 | 0 | 3 | 0 |
| Communications | 0 | 252 | 95 | 42 | 25 | 0 |
| Indemnity benefits | 1 | 378 | 14 | 1 | 1 | 0 |
| Medical benefits | 0 | 221 | 63 | 0 | 0 | 2 |
| Quality of care | N/A | N/A | 41 | N/A | N/A | N/A |
| Other | 2 | 37 | 8 | 28 | 1 | 2 |

Based on complaint data as of 8/15/2022

FY2022 Compliance Audits

FY2022 - Compliance Audits

Death Benefits/Lifetime Income Benefits

- 25 initiated
 - 1 canceled
 - 24 completed

Initial Payment of TIBs

- 11 initiated (round 1)
 - 11 completed
- 7 initiated (round 2)
 - 7 completed

Medical Bill Processing

- 9 initiated (round 1)
 - 8 completed
 - 1 in progress
- 6 initiated (round 2)
 - 6 in progress

Based on audit data as of 8/15/2022

2022 Performance Based Oversight (PBO)

2022 Insurance Carrier PBO General Information

- The insurance carrier PBO methodology was published in January 2022.
 - www.tdi.texas.gov/wc/pbo/documents/pbo2022ic.pdf
- There were no changes to the methodology when compared to the 2020 assessment.
- Payment and medical EDI reports submitted from January through June 2022 will be assessed.
- Preliminary findings memos and workbooks for each carrier selected were sent through the Austin carrier representative SFTP on August 5.

2022 Insurance Carrier PBO Carrier Response

1. Acknowledge that you received the findings by sending an email to PBO@tdi.Texas.gov.
 - Include the carrier's name and "PBO" in the email subject line.
2. Review all tabs of the workbook.
 - Complete the "Response" tabs **if** you disagree with the late findings (list only the late findings that you disagree with).
 - No further action is required if you agree with the findings and the tier rating.
3. Send your response and any supporting documentation by September 9.

2022 Insurance Carrier Performance Based Oversight

Preliminary Assessment Excel Workbook

You must acknowledge your receipt of this workbook by sending an email to PBO@tdi.texas.gov. Include the insurance carrier name and "PBO" in the subject line. Please provide your name, title, and contact information in the email.

This workbook contains:

- Your 2022 insurance carrier performance based oversight (PBO) preliminary assessment.
- Detailed findings of late payment of initial temporary income benefits and late submission of initial payment data by electronic data interchange (EDI), if any.
- Two worksheets you can use to provide management responses if you disagree with any of the findings of late payment of initial temporary income benefits or late submission of initial payment data by EDI. DWC will not review disputed findings related to medical bill processing, medical bill rejections, or requests to reconsider medical bills. Insurance carriers must resubmit incorrect medical bills through the medical state reporting process.

Instructions for Completing Management Response

You do **not** need to complete this workbook if you do not have any late findings.

Send your management responses by **September 9, 2022**. If you do not submit a response, your **preliminary assessment and the regulatory tier rating will become final.**

Tier rating

Detailed lists of late filings

Respond to each late finding you disagree with

Instructions

Preliminary Assessment

Late Payment Findings

Late Reporting Findings

Late TIBS - IC Response

Late EDI - IC Response

2022 Insurance Carrier PBO Review and Results

- If you do not respond by the September 9th deadline, the preliminary assessment and the regulatory tier rating will become final.
- DWC staff will review all responses received by the deadline.
- Results will be published by the end of the year.

Email PBO@tdi.texas.gov, if you have questions.

DWC Fraud & Prosecution Units

CY2022 – DWC Fraud Unit

751 fraud referrals received

58 fraud cases open*

71 fraud cases closed

2 fraud referrals for prosecution

CY2022 – DWC Fraud & Prosecution Units

2 indictments

- 1 injured employee
- 1 employer

**Based on data received as of 8/15/2022*

CY2022 – DWC Fraud & Prosecution Units

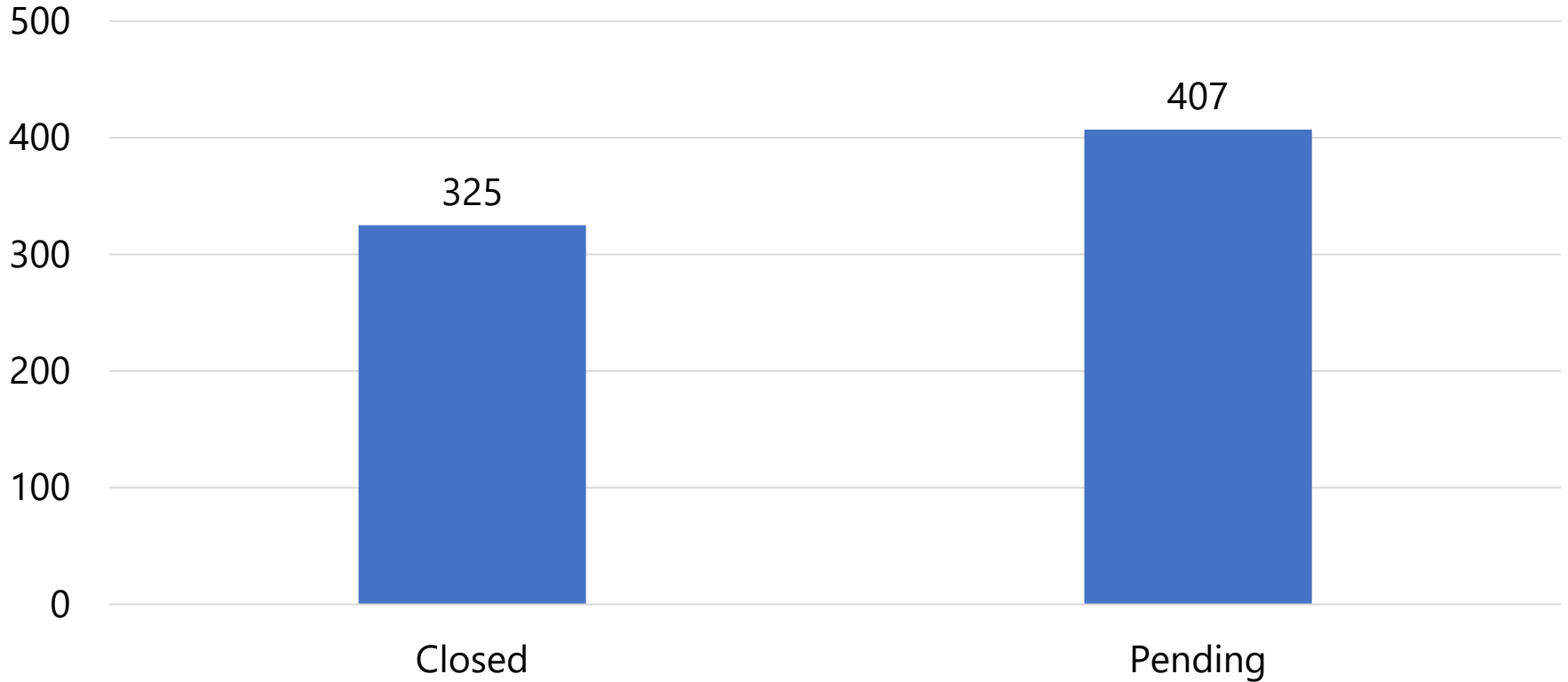
4 convictions

- 1 health care provider
- 1 injured employee
- 2 employers

Enforcement Update

CY2022 Enforcement Case Status

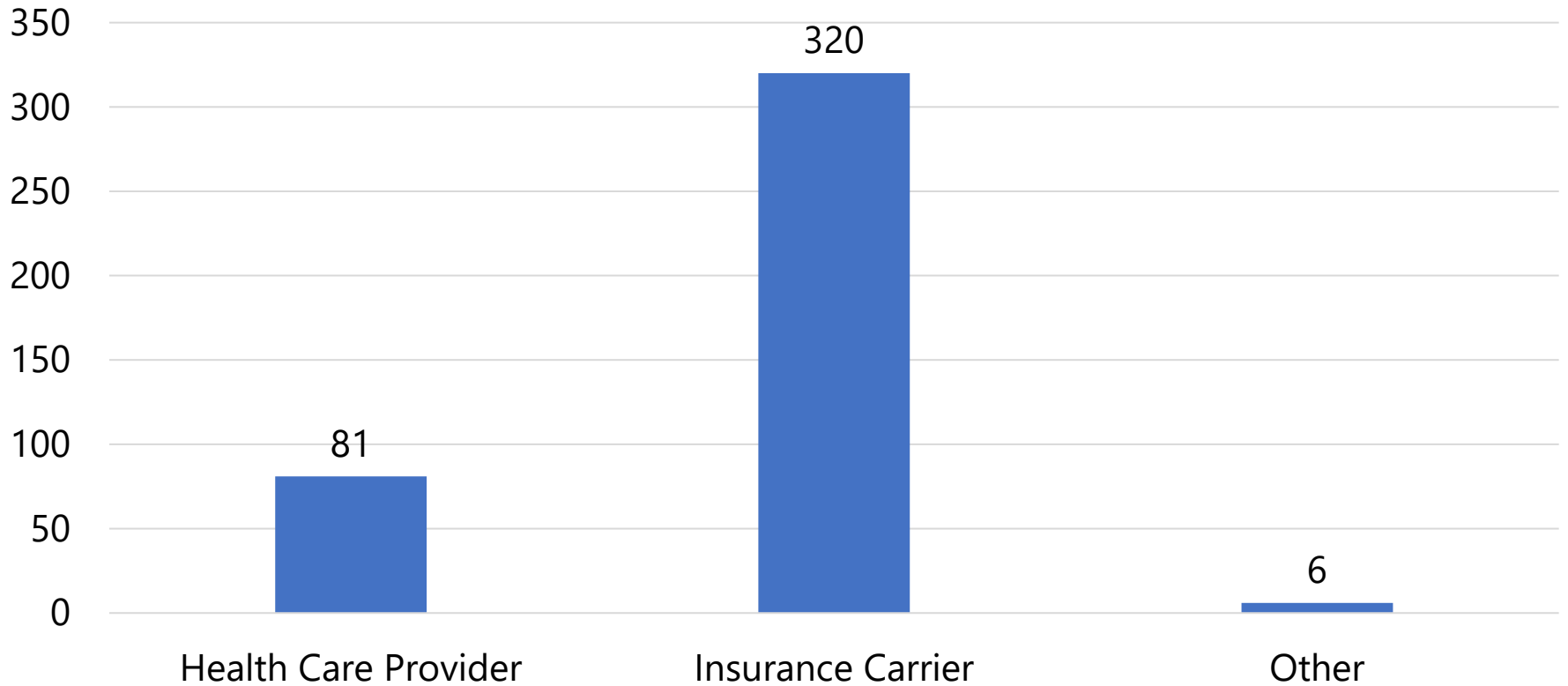
Based on enforcement data as of 8/3/2022



| 2022 | Closed Cases | Pending Cases |
|-------|--------------|---------------|
| Cases | 325 | 407 |

CY2022 Cases Pending by Subject Type

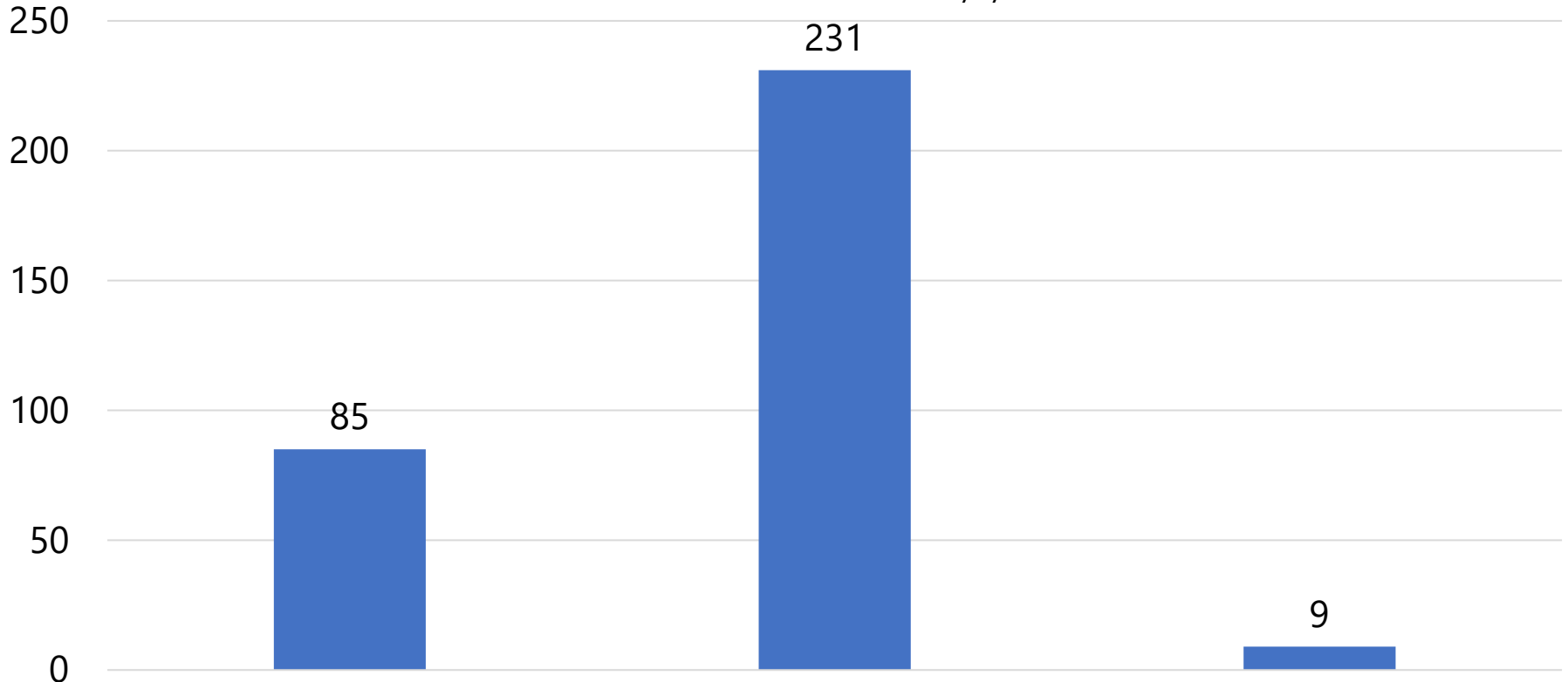
Based on enforcement data as of 8/3/2022



| 2022 | Health Care Provider | Insurance Carrier | Other |
|-------|----------------------|-------------------|-------|
| Cases | 81 | 320 | 6 |

CY2022 Cases Closed by Subject Type

Based on enforcement data as of 8/3/2022

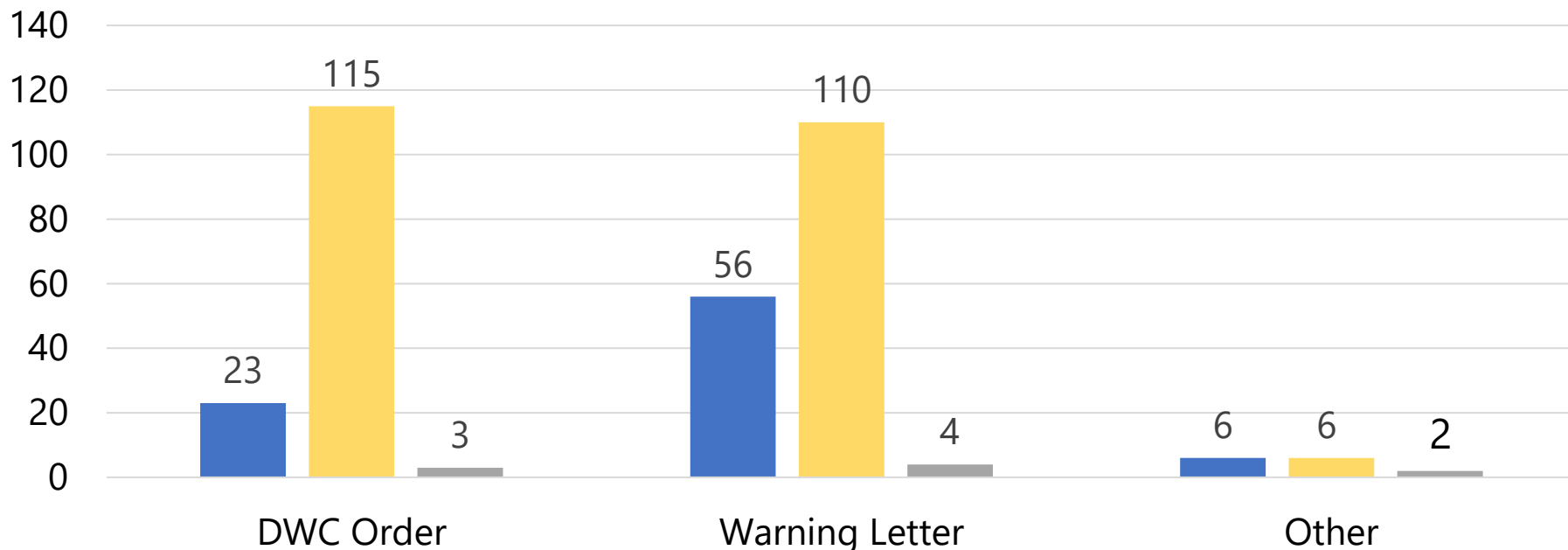


| | Health Care Provider | Insurance Carrier | Other |
|-------|----------------------|-------------------|-------|
| 2022 | 85 | 231 | 9 |
| Cases | 85 | 231 | 9 |

CY2022 Cases Closed by Disposition Type

Based on enforcement data as of 8/3/2022

■ Health Care Provider ■ Insurance Carrier ■ Other



| 2022 | Health Care Provider | Insurance Carrier | Other |
|----------------|----------------------|-------------------|-------|
| DWC Order | 23 | 115 | 3 |
| Warning Letter | 56 | 110 | 4 |
| Other | 6 | 6 | 2 |

DWC Enforcement Disciplinary Orders Link

www.tdi.texas.gov/wc/orders/index.html

Questions?

Designated Doctor Rules Update

Mary Landrum, Director
Designated Doctor Program

Questions?

EDI and Carrier Forms Updates

Martha Luévano, Director
Enterprise Automation Services (EAS)

Carrier Forms Update

- Claim Administrative Contact Information DWC Form-121
 - Reviewing updates and “no change” responses
- Self-insured Governmental Entities DWC Form-20si
 - Starting review and outreach
- Questions should be directed to coverage.verification@tdi.texas.gov.

Claims EDI R3.1 Reminders

- EDI staff will be reaching out to carriers that have not completed the following:
 - EDI-03 Claim Compliance Coordinator to edisupport@tdi.texas.gov
 - Complete Trading Partner registration at txdwcedi.info.
- Testing begins in January.
- Complete billing registration at txdwcedi.info.

Questions?

Martha Luévano
Director for Enterprise
Automation Services (EAS)
WC coverage | Open
Records | eBill | EDI Reporting
| Informal Networks
martha.luevano@tdi.texas.gov
512-804-4858

Introduction to Document Upload

Martha Luévano, Director
Enterprise Automation Services (EAS)

File Online Coming Soon

- File forms and documents through TXCOMP.
- Get instant acknowledgement for your records.
- Available 24 hours a day.
- Technical specifications:
 - You must have a TXCOMP login,
 - accepts Word, Excel, PDF, and TIF files.
 - file size limit is 10MB,
 - compressed or zipped files are not accepted, and
 - multiple files uploaded at once must each have a unique name.

Forget the Fax, File Online!

- Go to TXCOMP: www.tdi.texas.gov/wc/txcomp.html
- Log on.
 - No login? Select “Online Access Request” and follow the steps to create an “Upload Document User” profile.
- Look for “Upload Documents” on the TXCOMP Menu.
- Upload your forms and documents in the category that applies.
- Click on the submit button.
- View, print, and save your acknowledgment.

Upload Screen Sample

Medical Reports (DWC068, DWC069, DWC073 and Narrative)

Select Files...

1 Files selected

- *J Smith DWC 73 and Narrative.TIF* [Remove](#)

Hearings Documents or BRC Exchange

Select Files...

Contest Case Hearing Documents or Exhibits

Select Files...

Medical Fee Disputes (DWC060 and Attachments)

Select Files...

Any other DWC form

Select Files...

Any other document type

Select Files...

Submit

Reset

Tip: file names with a form number, document type, claim number, or employee name ensure DWC can process them as soon as possible.

Acknowledgment Sample

Texas Department of Insurance, Division of Workers' Compensation (DWC) TXCOMP Upload Document Acknowledgment

Filings that do not meet technical requirements will have an upload status of failed. This means, filings with a failed status have not been received by DWC.

Date and Time Received: 08/22/2022 03:26:16 PM
First Name: Jane
Last Name: Doe
Company Name: One Two Three Therapy

| Filing ID | Document Category | Document File Name | Upload Status | Failure Reason |
|-----------|-------------------|----------------------------------|---------------|----------------|
| 1403 | MedRep | J Smith DWC 73 and Narrative.TIF | Passed | |

Questions?

For help uploading documents, email efilinghelp@tdi.texas.gov.

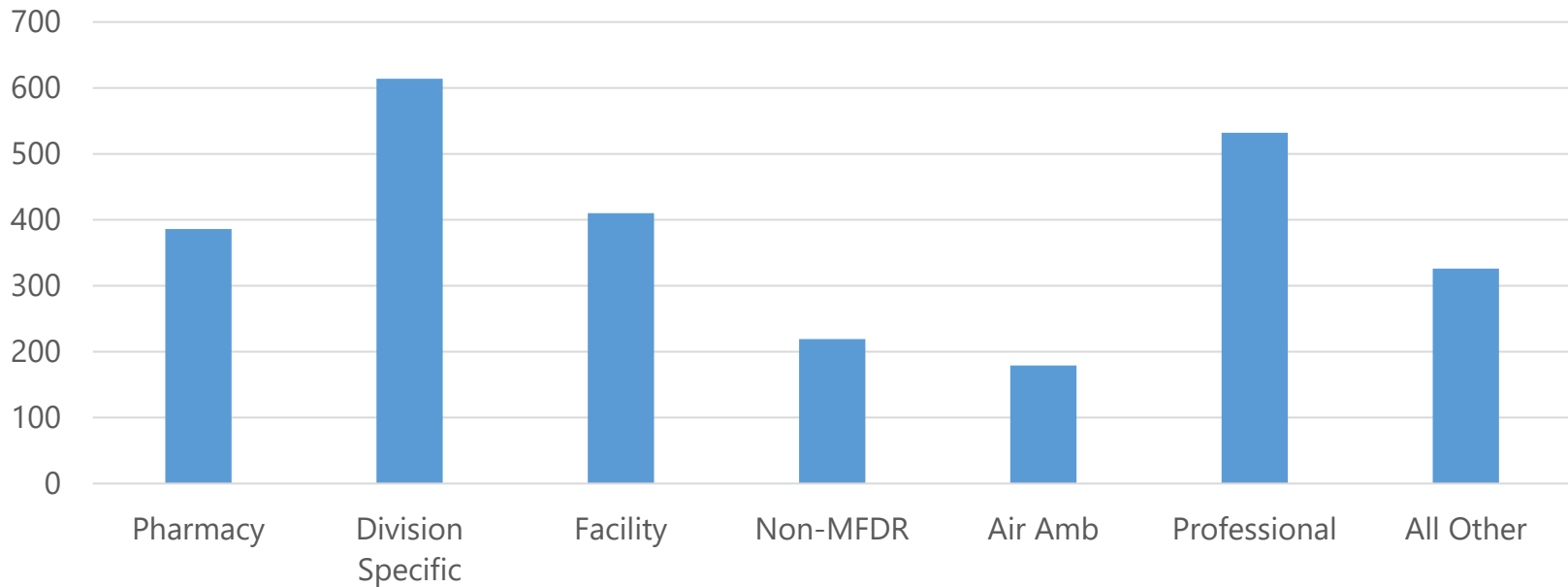
For help logging into TXCOMP, email TXCOMPHelp@tdi.texas.gov.

Medical Fee Dispute Update

Greg Arendt, Director
Medical Fee Dispute

2,666 Disputes Received Fiscal Year 2022

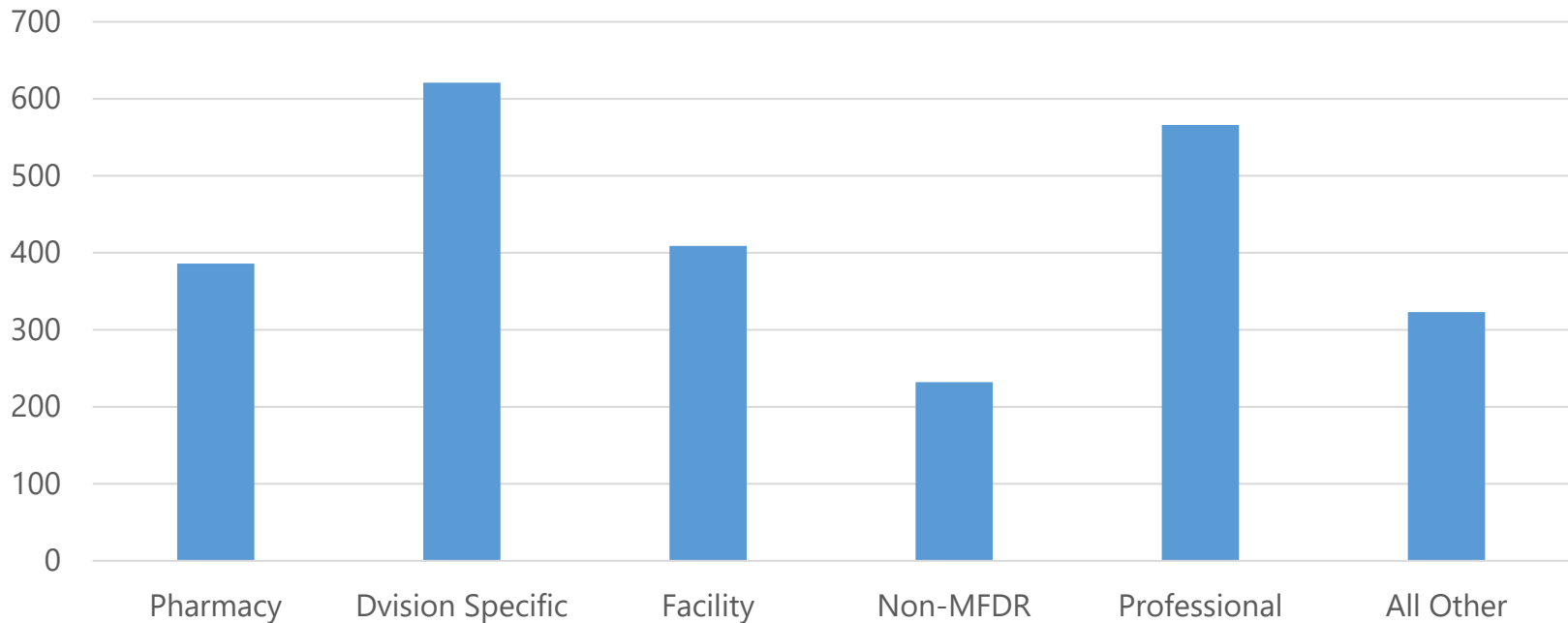
FY 2022



| Pharmacy | Division Specific | Facility | Non-MFDR Issues | Air Ambulance | Professional Services | All Other | Total |
|----------|-------------------|----------|-----------------|---------------|-----------------------|-----------|-------|
| 386 | 614 | 410 | 219 | 179 | 532 | 326 | 2666 |

2,537 Disputes Closed Fiscal Year 2022

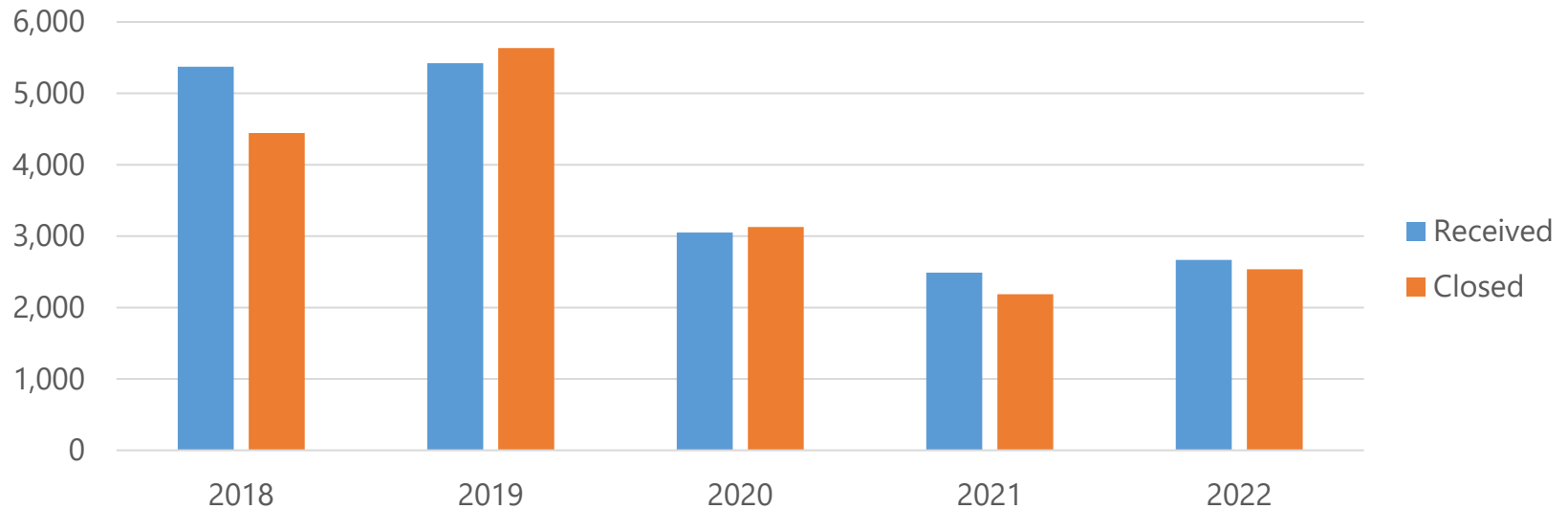
Disputes Closed FY 2022



| Pharmacy | Division Specific | Facility | Non-MFDR Issues | Professional Services | All Other | Total |
|----------|-------------------|----------|-----------------|-----------------------|-----------|-------|
| 386 | 621 | 409 | 232 | 566 | 323 | 2537 |

Disputes Received and Closed Per Year

Received and Closed Per Year



| Year | 2018 | 2019 | 2020 | 2021 | 2022 |
|----------|------|------|------|------|------|
| Received | 5373 | 5421 | 3050 | 2488 | 2666 |
| Closed | 4444 | 5634 | 3128 | 2187 | 2537 |

MFDR Decision Search Tool

Medical Fee Dispute Resolution (MFDR) decisions - 2014 to present

Data in the table below can be filtered, sorted, and exported. See [search tips](#) for more details. Use [Google](#) to search published decisions by topic or keyword.

Show entries

Search:

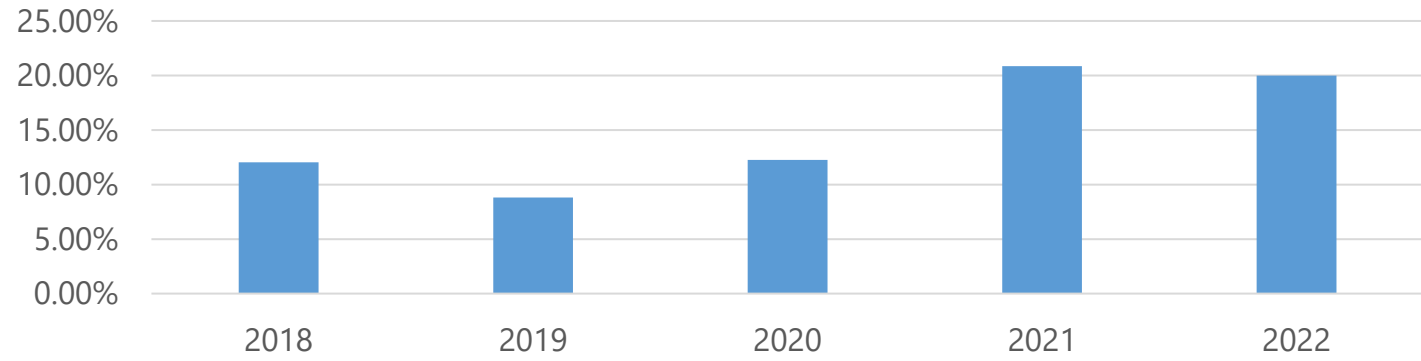
| MFDR tracking number ↑↓ | Date recieved ↑↓ | Date issued ↑↓ | Requestor ↑↓ | Respondent ↑↓ |
|--------------------------|------------------|----------------|--------------------------------|---------------------------------------|
| M4210611 | 12/02/2020 | 01/21/2021 | BAYLOR SURGICARE OF PLANO | Valley Forge Insurance Co |
| M4210413 | 11/12/2020 | 12/03/2020 | BAYLOR SURGICAL HOSPITAL | North American Specialty Insurance Co |
| M4210365 | 10/26/2020 | 01/06/2021 | BAYLOR SURGICARE @BLUE STAR | Starr Indemnity & Liability Co |
| M4210302 | 10/19/2020 | 12/14/2020 | BAYLOR SURGICARE AT PLANO PARK | LM Insurance Corp |
| M4210288 | 10/19/2020 | 11/18/2020 | BAYLOR SURGICARE OF PLANO | LM Insurance Corp |
| M4210135 | 09/28/2020 | 11/02/2020 | BAYLOR SURGICARE OF PLANO | Employers Preferred Ins Co |
| M4210089 | 09/17/2020 | 10/12/2020 | BAYLOR SURGICARE OF PLANO | Hartford Casualty Insurance Co |
| M4203024 | 08/31/2020 | 10/05/2020 | BAYLOR ORTHOPEDIC & SPINE HOSP | Texas Mutual Insurance Co |
| M4202975 | 08/21/2020 | 09/28/2020 | BAYLOR SURGICARE AT MANSFIELD | Hartford Casualty Insurance Co |
| M4202826 | 07/31/2020 | 10/12/2020 | BAYLOR SURGICARE AT MANSFIELD | Hartford Fire Insurance Co |

Showing 1 to 10 of 164 entries (filtered from 15,891 total entries)

Insurance Carrier Responses

Texas Administrative Code 133.307(d)(1) states (1) Timeliness. The response will be deemed timely if received by the division through mail service, personal delivery, or electronic transmission, as described in §102.5 of this title, within 14 calendar days.

Percentage Missing or Untimely Responses



| 2018 | 2019 | 2020 | 2021 | 2022 |
|------|------|--------|--------|------|
| 12% | 8.8% | 12.25% | 20.86% | 20% |

Questions?

Closing

Jeff Nelson, Commissioner
Division of Workers' Compensation