



Texas Department of Insurance

Division of Workers' Compensation

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

CORRECTION OF A MATHEMATICAL ERROR IN A DESIGNATED DOCTOR'S REPORT

A request for a Letter for Clarification (LOC) may not be appropriate if the Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) can correct a simple mathematical error without the need for clarification. The TDI-DWC has the authority to correct such errors in a designated doctor's impairment rating certification without a designated doctor opinion. This issue is addressed in the TDI-DWC's Appeals Panel (AP) Decision Manual which states:

Mistakes in Calculating the IR. The AP has held that a hearing officer may apply a mathematical correction to a certification of an impairment rating when doing so merely corrects an obvious mathematical error and does not involve the exercise of judgment as to what the proper figures were. [APD 040863](#). A clerical error made by the doctor in using the Combined Values Chart of the American Medical Association's *Guides to the Evaluation of Permanent Impairment*, 4th Edition may also be corrected. [APD 041424](#); Old Republic Ins. Co. v. Rodriguez, 966 S.W.2d 208 (Tex. App.—El Paso 1998, no pet.). A hearing officer may not piecemeal doctors' reports to assemble an impairment rating. [APD 50729-s](#).

The issue has also been addressed by the Court of Appeals:

The Court may correct an impairment rating for a miscalculation such as use of Combined Values Chart.

Pacific Employers Ins. Co. v. Brown, 86 S.W. 3rd 353 (Tex-App.-Texarkana 2003, no pet.)