

Adopted Fiscal Year 2023 Research Agenda Workers' Compensation Research and Evaluation Group

Introduction

The commissioner of workers' compensation considers the Fiscal Year (FY) 2023 Research Agenda for the Workers' Compensation Research and Evaluation Group (REG) at the Texas Department of Insurance, Division of Workers' Compensation (DWC).

Texas Labor Code §405.0025 requires the REG to conduct professional studies and research related to how effectively the workers' compensation system operates. Section 405.0026 requires the REG to annually publish a workers' compensation research agenda listing the topics the REG will study for that year.

DWC published the proposed research agenda in the September 9, 2022, issue of the *Texas Register* (47 TexReg 5520) and sought public review and comment. DWC received one comment and no requests for a public hearing.

Summary of Comments and Agency Response

Comment: One commenter recommends that the REG include as part of its proposed agenda an analysis of adopting the latest (sixth) edition of *American Medical Association (AMA) Guides to the Evaluation of Permanent Impairment for Mental and Behavioral Disorders*. The commenter adds that the current (fourth) edition that TDI uses is outdated in terms of mental health treatment and disorders.

Response: DWC appreciates the comment. Given the requirements of the REG this fiscal year and serving as a resource during the upcoming legislative session, the REG does not currently have the resources to take on this project at this time. However, the REG will consider the feasibility of such a study in a future research agenda if this data is readily available.

Order

It is ordered that the FY 2023 Research Agenda for the Workers' Compensation Research and Evaluation Group is adopted as follows:

1. An update of medical costs and utilization in the Texas workers' compensation system, with additional attention on the cost and utilization of office visits and physical medicine services.

2. An analysis of injured employee access to medical care provided under the workers' compensation system, including an analysis of access to medical care through TDI-certified workers' compensation health care networks.
3. An update of return-to-work outcomes for injured employees, including an examination of injured Texas employees' initial and sustained return-to-work rates and wage-recovery rates.
4. An updated analysis of the impact of the pharmacy closed formulary on the utilization and cost patterns in pharmacy prescriptions for new and legacy claims and post-formulary trends in the utilization of physical medicine in the Texas workers' compensation system.

The REG will consider expanding the scope of the research projects or conducting more projects to accommodate stakeholder suggestions, subject to the resources and data available.

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Jeff Nelson

Commissioner

TDI, Division of Workers' Compensation