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To: Texas Workers' Compensation System Participants

From: Kara Mace, General Counsel

Date: February 26, 2024

Subject: Adopted rules on billing and reimbursement for certain workers' compensation-specific services, including designated doctor examinations

The Texas Department of Insurance, Division of Workers' Compensation (DWC) has adopted new and amended rules in 28 Texas Administrative Code (TAC) [Chapter 133](#), General Medical Provisions and 28 TAC [Chapter 134](#), Benefits--Guidelines for Medical Services, Charges, and Payments to improve billing and reimbursement for certain workers' compensation-specific services, including designated doctor (DD) examinations, required medical examinations (RMEs), work status reports, and maximum medical improvement evaluations and impairment rating examinations by treating and referred doctors. The rules will be effective on June 1, 2024.

The rules:

- Adjust the fees once by applying the Medicare Economic Index (MEI) percentage adjustment factor for the period 2009-2024.
- Adjust the fees annually on January 1 (after that initial adjustment) by applying the MEI percentage adjustment factor in Section 134.203(c)(2).
- Round the fees to whole dollars.
- Create a \$100 missed appointment fee and a \$300 specialist fee.
- Eliminate tiering so that for DDs and RME doctors, all issues addressed within one exam will be paid at the established fee and not reduced.
- Require an assignment number in the prior authorization field of medical billing forms to identify DD-associated billing.
- Clarify the start of the 95-day period for timely submission of a DD exam bill.
- Contain editorial and formatting changes throughout to improve clarity.

The rules will be published in the March 8, 2024, issue of the *Texas Register* and available at www.sos.state.tx.us/texreg/index.shtml once published. We will also post a copy on the website at www.tdi.texas.gov/wc/rules/2024rules.html.