



## TEXAS DEPARTMENT OF INSURANCE

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### General Counsel Division - Legal Section (MS-4D)

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# memo

To: Workers' Compensation System Participants

From: Emily McCoy, Associate General Counsel, Office of General Counsel

Date: August 18, 2017

Re: Informal Posting: Amended 28 TAC §§127.1, 127.5, 127.10, 127.100, 127.110, 127.130, 127.140, and 127.220, regarding Designated Doctor Procedures and Requirements

The Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) is accepting comments on an informal working draft of amended 28 Texas Administrative Code (TAC) §§127.1, 127.5, 127.10, 127.100, 127.110, 127.130, 127.140, and 127.220, available at [www.tdi.texas.gov/wc/rules/drafts.html](http://www.tdi.texas.gov/wc/rules/drafts.html). The informal working draft was posted on the TDI-DWC website on August 18, 2017, and the comment period closes on September 1, 2017 at 5 p.m. Central time.

The informal working draft is not a formal rule proposal and comments received will not be treated as formal public comments for the purposes of the Administrative Procedure Act. There will be an opportunity to formally comment once the rule is proposed and published in the *Texas Register*. Informal comments may be submitted by email to [InformalRuleComments@tdi.texas.gov](mailto:InformalRuleComments@tdi.texas.gov) or by mail or delivery to:

Texas Department of Insurance, Division of Workers' Compensation  
Maria Jimenez  
Workers' Compensation Counsel MS - 4D  
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The division certifies designated doctors to resolve questions about injured employees' medical conditions. Amendments to 28 TAC Chapter 127 include updating requirements for requesting a DD exam, communicating the DD selection process, creating a maintenance log for tracking rescheduled DD appointments, limiting the amount of multiple certifications, and updating qualification, testing and submission requirements. The amendments aim to simplify certain DD processes, retain and recruit doctors to continue to ensure the most optimally qualified doctor is selected for an examination, provide transparency, and allow for better monitoring of designated doctors.