

ADVISORY NO. 58

TOPIC: TWCC MEDICAL REVIEW EDUCATION SEMINAR

Flahive, Ogden & Latson has attended TWCC's Medical Review Seminar for purposes of monitoring the current information provided to the Health Care Providers (hereinafter referred to as "HCP"). The following items will be of interest to our clients.

I. Preauthorization - Rule 134.600

The 16 items listed in 134.600(h) includes in item number 6 "Repeat baseline diagnostic studies and lab tests." This is interpreted to include CT Scan, MRI, x-Ray and other repeated test.

The Carrier must respond to preauthorization requests within 3 days, however, the clock starts when all the required information is received by the Carrier. It is vital that complete and accurate records be kept for audit purposes (including phone call records). TWCC is telling the HCP to confirm telephone approvals with a fax. TWCC is also encouraging the HCP to report any violations of this procedure to Medical Review Division, Regulatory and Analysis Section. This is Medical Review Division's highest priority for dispute resolution.

Dispute Resolutions for Denied Preauthorizations, Rule 134.600(g). Send requests to:

Dispute Resolutions Program Section
4000 IH-35 South
Austin, Texas 78704-7491

It is the responsibility of the HCP to provide the information outlined on the attached form. The HCP must provide medical documentation to support the level-necessity of the case being preauthorized. The doctor's opinion or prescriptions will not suffice. This form is a proposed TWCC-60.

II. Treating Doctor Responsibility - Rule 133.3

Approves or recommends all non-emergency medical services;

Files all TWCC required forms (TWCC-61, TWCC-63, TWCC-64, and TWCC-69);

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Recommends spinal surgery, if needed; and

Certifies MMI and impairment, or reviews MMI and impairment rating if set by other doctors.

III. Other Doctors in TWCC Systems

Referred Doctor - administers case or initiates treatment with approval of Treating Doctor. Referred Doctor must report injured worker's progress to Treating Doctor at least every 60-days. Referred Doctor can use TWCC-64, however TWCC-64 is not required. The Carrier is not liable for the cost of the Referred Doctor's reports.

Consulting Doctor - performs paper review or examination.

Medical Review Division's position is as follows:

The Treating Doctor is the "gate keeper" on all medical-related actions for the claimant. All other medical reports, treatments and diagnosis must be approved and agreed to by the Treating Doctor, including IME's and MEO's. The Treating Doctor cannot assign this responsibility to another doctor. Only the injured employee is able to change the Treating Doctor. The Treating Doctor is responsible for filing TWCC-64 when the claimant changes doctors (Rule 126.7). Medical Review Division reports this practice is not being followed in many cases. Common mistakes/errors that are made when filing include:

- Doctor other than Treating Doctor files report;
- Incorrect information, especially lines 1-16;
- Incorrect carrier listed;
- Incorrect employer; and
- Subsequent Treating Doctor files a TWCC-61, unnecessarily. Referred Doctors do not file TWCC-61, TWCC-64 or TWCC-69.

IV. TWCC-69, Report of Medical Evaluation (MMI) - Rule 130.1

Please use new form for TWCC-69, with signature and date blocks as item 18.

Medical Review Division is stressing to HCPs the necessity of completing block 17 so that the whole body impairment in block 15 can be verified as to its correctness and the use of correct AMA Guide to Evaluation of Permanent Impairment, third edition.

The required information of TWCC-69 has been revised 4-92.

The TWCC-69 must be sent to TWCC Field Office - not Austin.

