

ADVISORY NO. 314
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TOPIC: PREAUTHORIZATION REQUIREMENTS
AMENDMENTS TO RULE 134.600

We are attaching TWCC Advisory 2001-14. In this advisory, TWCC provides clarification regarding preauthorization requirements prompted by amendments to Rule 134.600:

The clarification applies to:

- a. Those treatment(s) and service(s) that are initiated **on or before** December 31, 2001 and that will continue **on or after** January 1, 2002; and
- b. Those recommendations for spinal surgery that are received **on or before** December 31, 2001 for surgeries to be performed **on or after** January 1, 2002.

This advisory specifically addresses and clarifies situations involving:

- 1. Inpatient hospital admissions including principal procedure and length of stay;
- 2. Spinal Surgery; and
- 3. Work Hardening, Work Conditioning Programs, & Rehabilitation Programs.

TWCC

Advisory 2001-14

Clarification for the Transition to Amended §134.600 Concerning Preauthorization, Concurrent Review and Voluntary Certification of Health Care, Effective January 1, 2002.

The Texas Workers' Compensation Commission (Commission) provides clarification for the transition from the preauthorization requirements effective prior to January 1, 2002, to the amended requirements for preauthorization effective beginning January 1, 2002. The clarification applies to:

- a. Those treatment(s) and service(s) that are initiated **on or before** December 31, 2001 and that will continue **on or after** January 1, 2002; and
- b. those recommendations for spinal surgery that are received **on or before** December 31, 2001 for surgeries to be performed **on or after** January 1, 2002.

This advisory specifically addresses and clarifies the following situations:

Situation I - Inpatient hospital admissions including principal procedure and length of stay:

Prior to January 1, 2002, preauthorization is required for non-emergency inpatient hospitalizations, but is not required for the principal procedure or the length of stay. On or after January 1, 2002, amended §134.600 requires preauthorization for non-emergency inpatient hospital admissions including the principal procedure and the length of stay.

Preauthorization requested **on or before** December 31, 2001 will be governed by the rule in effect on the date the preauthorization request was submitted to the carrier. No additional preauthorization for either the procedure or the length of stay will be required if the preauthorization request was submitted **on or before** December 31, 2001 and subsequently approved. Preauthorization requests submitted **on or after** January 1, 2002, must comply with the Commission's amendments to §134.600 effective January 1, 2002.

Situation II - Spinal Surgery:

Prior to January 1, 2002, recommendations for spinal surgery are governed by §133.206, Spinal Surgery Second Opinion Process. Effective January 1, 2002, non-emergency spinal surgery requires preauthorization under amended §134.600.

Pursuant to §133.206, the Commission will accept recommendations for spinal surgery (TWCC-63 forms) until 5:00 P.M. CST on December 31, 2001. For recommendations received **on or before** December 31, 2001, a second opinion concurrence or carrier waiver will allow surgery to be performed without preauthorization **on or after** January 1, 2002, and within the timeframes established by §133.206.

Pursuant to amended §134.600, requests for preauthorization submitted **on or after** January 1, 2002, must be preauthorized by the insurance carrier prior to performing non-emergency spinal surgery.

Situation III - Work Hardening, Work Conditioning Programs, & Rehabilitation Programs:

Prior to January 1, 2002, only work hardening and work conditioning programs in excess of six and four weeks respectively require preauthorization. Amended §134.600 provides an exemption from preauthorization and concurrent review for work hardening or work conditioning programs, if provided by a facility that is both accredited by the Commission on the Accreditation of Rehabilitation Facilities ([CARF](#)) for work hardening (CARF-Comprehensive Occupational Rehabilitation) or work conditioning (CARF-General Occupational Rehabilitation) and exempted by the Commission. Work hardening and work conditioning programs require preauthorization if the facility is not accredited by CARF and not exempted by the Commission.

Prior to January 1, 2002, services by pain clinics require preauthorization. Amended §134.600 requires preauthorization and concurrent review for rehabilitation programs, to include outpatient medical rehabilitation and chronic pain management/interdisciplinary pain rehabilitation.

A work hardening or work conditioning program or an outpatient medical rehabilitation or chronic pain management/interdisciplinary pain rehabilitation program for an injured employee initiated **before** January 1, 2002, will require preauthorization for continuation of the program **past** January 31, 2002, unless the program is exempted by the Commission. Preauthorization requested **on or before** December 31, 2001 for such a program will be subject to the rule in effect at the time the request was submitted. However, preauthorization is required for any above-referenced program **initiated on or after** January 1, 2002, unless exempted by the Commission in accordance with [§134.600 \(h\)\(9\)](#) and [Advisory 2001-11](#).

Programs exempted by the Commission will be posted under "What's New?" on the TWCC web site, www.twcc.state.tx.us.

Signed this 28th day of December, 2001

Richard F. Reynolds, Executive Director

