

ADVISORY NO. 322

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TOPIC: TWCC NOTICE TO CARRIERS – DO NOT FILE TWCC-69

Effective January 2, 2002, Rule 135.5(e) was amended to abolish the 90-day rule. TWCC is no longer notifying an employee about the first certification of MMI and impairment. For that reason, TWCC will no longer accept TWCC-69s from the carrier.

This is an amendment of our prior Advisory No. 292. Because the law has now changed, this advisory has been superceded. Please instruct your staff to suspend this process and destroy copies of the form transmittal letter.

Richard F. Reynolds
EXECUTIVE DIRECTOR

TEXAS WORKERS' COMPENSATION COMMISSION

SOUTHFIELD BUILDING, MS-93, 4000 SOUTH IH-35, AUSTIN, TEXAS 78704-7491
(512) 804-4372

March 11, 2002

Dear Insurance Carrier:

The Texas Workers' Compensation Commission is furthering its efforts to reduce unsolicited mail and educate insurance carriers regarding the changes to Rule 130.5 (e) affecting the use and distribution of the TWCC-69 "Report of Medical Evaluation" by the insurance carrier.

Rule 130.5 (e) was revised effective January 2, 2002 which removed the provision of the first certification of MMI and impairment rating assigned to an employee as being final, if the certification of MMI and/or the impairment rating (IR) was not disputed within 90 days after written notification of the MMI and IR was sent by the Commission to the parties.

Therefore, effectively immediately, the Commission will no longer accept TWCC-69's submitted by you, the insurance carrier. It is the responsibility of the health care provider to submit the TWCC-69 form to the Commission.

Please take any appropriate steps to **immediately discontinue** sending the TWCC-69 to the Commission to request that the commission notify all parties of the first certification, as this is no longer a requirement. This effort will reduce unnecessary cost to your office and to the Texas Workers' Compensation system.

If you have any questions, please feel free to give me a call at (512) 804-4372.

Sincerely,

Robin Miksch
Manager of Records Processing