

ADVISORY NO. 362
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TOPIC: APPROVED DOCTOR LIST

At a meeting of the Texas Workers' Compensation Commission, the Executive Director, the Director of Employer/Employee Services, and the Medical Director outlined developments with the Approved Doctor List (ADL), which will become effective on September 1, 2003.

While there is very good enrollment from non-surgical MDs, chiropractors, and DOs, there has been a much smaller percentage of applications from orthopedic surgeons and neurosurgeons. In total, for the state of Texas, there are only 335 orthopedics and 66 neurosurgeons who have applied. For a city by city overview, TWCC has received applications for approximately 20% of the total of orthopedics and neurosurgeons in the Dallas area, less than 20% in Lubbock, 6% in Beaumont, 7% in Houston (Galveston area UT Medical Branch is the exception in that 46 orthopedics associated with UTMB have registered) and 30% San Antonio. These numbers approximate registrations compared to surgeons practicing in those respective areas, and they show some willingness on the part of some surgeons to participate in this system, although in much smaller numbers than at present.

TWCC recognizes there will be some transition problems. In some communities, it will be necessary for employees to travel to receive medical care from an orthopedic surgeon. TWCC asked carriers to recognize this potential problem and be lenient in reimbursing travel. This may be necessary because of the unavailability of doctors within the customary treatment area.

TWCC anticipates that some doctors will travel into communities outside their normal service areas. Apparently, some carriers are contemplating providing this service through doctors under contract. In the event this should occur, TWCC has urged that the locations of the examinations occur in professional environments.

TWCC believes these difficulties will be short term. That is certainly supported by the fact that most orthopedics and neurosurgeons provide services to Medicare patients and TWCC provides a reimbursement schedule in excess of the Medicare rates. Surgeons are participants in PPOs and may be contractually obligated to treat all patients within the PPO. Hospitals will certainly want the surgeons to continue to provide services within their own hospitals and will urge doctors admitted to practice within their facility to accept workers compensation patients.

The actual list to determine if a doctor on the ADL is functioning. It is located on the TXCOMP site book marked on the TWCC web site in the left-hand column. Open "Locate Doctor" under "General Public." You can select by doctor name or by city or county. On this site, 1169 physicians are currently listed for Dallas as an example.

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Restating the Rule: According to Rule 180.20, effective September 1, 2003, carriers shall NOT reimburse any doctor (including peer review doctors) for performance of “any function” relating to a workers’ compensation patient unless:

1. The doctor is listed on the ADL;
2. The doctor is not listed on the ADL, but has been granted an exception to the ADL by TWCC. TWCC will approve continued treatment by a non-ADL doctor while the employee is transferring to the care of another doctor under an access of quality care exception. (See TWCC Advisory 2003-16).
3. Doctor has provided emergency care or immediate post-injury medical care. (See TWCC Advisory 2003-15).

There will be a further meeting on August 25, 2003. At that time, we will supplement this advisory with even more current information about registration and potential transition strategies.