

ADVISORY NO. 371
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TOPIC: PLAIN LANGUAGE NOTICES

TWCC has promulgated eleven Plain Language Notices. Those are electronically attached to this advisory.

Plain Language Notice 1 and 11 (PLN1) and (PLN11) replace the TWCC-21 Notice of Refusal form. The free text portion of the letters replaces Box 43 on the TWCC-21. You should immediately begin to use Plain Language Notices in lieu of TWCC-21 notices. Rule 124.2 was amended in 1999 to provide for Plain Language Notices. Subsection “d” requires the carrier to notify the Commission and the claimant of a denial of the claim, but does not prescribe the use of the TWCC-21 form. Subsection “f” requires Carriers to file denials/disputes by “plain language notices with language and content prescribed by the Commission”. Per Advisory 2004-07, the TWCC noted that Plain Language Notices will be used to provide information to the employee *and* to provide the Commission with information not available via EDI. TWCC has confirmed this interpretation of Advisory 2004-07.

Accordingly, Plain Language Notices should be used as soon as business convenience permits. These notices become mandatory on August 1, 2004. We are attaching an electronic version for your use in creating templates to simplify this process.

Please note that, in addition to the Plain Language Notices, you must continue to submit EDI edits for all EDI events, including denials of claims. The rule specifically provides that:

Notification to the Commission . . . requires the carrier to use electronic filing In addition to the electronic filing requirements of this section, when a carrier notifies the Commission of a denial . . . it must provide the Commission a written copy of the notice provided to the claimant. The notification requirements of this section are not considered completed until the copy of the notice provided to the claimant is received by the Commission.

Rule 124.2(g).

Accordingly, as before, you must notify the claimant of all changes in benefit and compensability status by plain language notices, you must notify TWCC of denials and disputes

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by notices PLN1 and PLN11, and you must notify the TWCC of all changes (including denials) by EDI.