



ADVISORY NO. 515

TOPIC: COVID-19: Authorizing Pharmacy Prescriptions and Resuming Medical Billing Timelines

On March 13, 2020, Governor Greg Abbott [declared COVID-19 to be a statewide public health disaster](#). Commissioner of Workers' Compensation Cassie Brown has now issued [Commissioner's Bulletin No. B-0004-21](#), affecting certain guidelines she imposed as a result of the Covid-19 pandemic.

Background

On March 25, 2020, the Commissioner of Workers' Compensation advised that workers' compensation insurance carriers must continue or begin authorizing payments to pharmacies up to a 90-day supply for any prescription medication, subject to the remaining number of days authorized by the prescribing provider, regardless of the date the prescription was most recently filled. [Commissioner's Bulletin No. B-0010-20](#).

On that same date, the Commissioner advised that a health care provider's failure to submit a timely medical bill will be deemed an exception due to a catastrophic event under Labor Code Section 408.0272(b)(2).

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The Commissioner has now determined that these specific requirements are no longer necessary, and the 90-day prescription requirement and the tolling of medical billing deadlines will be lifted effective March 1, 2021. The effect of lifting the tolling period means that the "clock" for submitting a medical bill will resume "ticking" on the effective date the tolling period is lifted.

For example, if a medical service was provided on April 1, 2020, the 95-day billing deadline would begin to run on March 1, 2021, the day the tolling period will be lifted.

The result of lifting the 90-day prescription requirement means that effective March 1, 2021, insurance carriers are no longer required to pay for up to a 90-day supply for any prescription medication refill dispensed after this date, regardless of the date the prescription was most recently filled.

Commissioner's Bulletin No. B-0004-21 supersedes the requirements in Commissioner's Bulletin No. B-0010-20 related to those requirements for authorizing pharmacy prescriptions and

medical billing timelines.

If you have questions about this Bulletin, please contact James Sheffield, Steve Tipton, or Bobby Stokes in our office.