

Summary of Impending Changes to UTHSCH Workers' Compensation Benefits.

The recently enacted House Bill 7 will require that some changes be made to the existing UTHSCH Workers' Compensation program. The program exists to provide benefits to employees injured on the job. When fully enacted, these changes will help UTHSCH provide improved care and services

Effective 9-1-05

- The Texas Workers' Compensation Commission (TWCC) is abolished. Functions are transferred to the Texas Department of Insurance (TDI).
- The state average weekly wage (SAWW) maximum amount will increase to \$540.00 for injuries occurring on or after 9/1/05.
- Employees who are taken off of work by their medical provider due to an on the job injury will be required to choose to use either:
 - (a) their sick time, thus remaining on the UTHSCH payroll for the duration of the claim or until all sick time is exhausted. Use of vacation or other available leave for a specified period of time "from" and "thru" dates. The decision to use vacation or other leave can be decided after the sick leave has been exhausted or
 - (b) go directly onto the workers' compensation payroll. This means the employee will not be paid for the 7 day waiting period before the workers' compensation temporary income benefits begin. (If the employee remains off work for a 2-week period they will then be reimbursed for the 7 day waiting period based on their average weekly wage).

Any employee who returns to work, but is then later taken back off work in connection with the original injury, must adhere to his/her original choice (see a or b above).

Effective 10-1-05

- The Office of Injured Employee Counsel (OIEC), is created. The primary mission of the OIEC is to represent the interests of injured employees in the workers' compensation system. The old Texas Workers' Compensation ombudsman program shall be transferred to the OIEC by 3-1-06.
- The governor shall appoint the Commissioner of workers' compensation. HB 7 gives the Commissioner all executive authority over the functions of the workers' compensation division of the TDI.

Effective 01-01-06

- The insurance carrier (in our case UT System) can establish a certified network of medical providers. Once the network has been certified by TDI all employees will be required to obtain medical care for their work-related injuries through the network if the employee lives within the network service area. However, the insurance carrier will be liable for approved out-of-network referred care, emergency care, or health care for an employee who does not live in the network service area.

- An injured employee, who lives in the network service area, may choose a treating doctor from the list of doctors maintained by the network. If the employee does not make an initial choice within 14 days, the network will assign a treating doctor. Those employees who live outside the network must continue to choose a doctor from the Approved Doctor List. Employees may be responsible for medical care when not following the above guidelines.
- If an injured employee is dissatisfied with his or her initial choice of treating doctors, the employee is entitled to select another treating doctor from the network list. However, any subsequent requests are subject to network approval.
- Employees may continue to get prescriptions filled at any pharmacy that accepts payment from workers' compensation.

Effective 10-1-06

- The state average wage will be 88% in lieu of the current 70%. The maximum and minimum amount will increase at that time.

To aid in making the choice of a doctor easier, UT System is working to enable employees the opportunity to choose a treating doctor at the time of hire.

So that they may continue to provide excellent service to our employees, UT Health Services is working with UT System to be included within the network.

The Risk Management & Insurance program within Environmental Health & Safety is working to update all the current forms and policies as these changes go into effect. HOOP policy 2.17D is also in the process of being updated. RMI will be setting up several training sessions for anyone who handles the workers' compensation paperwork within your area. Please feel free to call Sondra Faul, 713-500-8127 with any questions.