



**Division of Workers'
Compensation**

**Medical Quality Review
Calendar Year 2023 Annual Audit Plan**

January 5, 2023

Section 1: Review Categories

The Annual Plan sets the priorities for the Medical Quality Review Panel (MQRP) audits during the upcoming year. In calendar year 2023, the Texas Department of Insurance, Division of Workers' Compensation (DWC) will conduct one audit to evaluate the appropriateness of a health care provider's decision making and recordkeeping for prescribing gabapentin with opioids.

In addition to the review category listed above, MQRP members will assist with the Health Care Provider Performance Based Oversight 2023 Assessment to evaluate documentation of why an injured employee is prevented from returning to work as reported on the DWC Form-073, *Work Status Report*. A copy of the 2023 Health Care Provider Methodology Paper is at www.tdi.texas.gov/wc/pbo/documents/pbo2023hcp.pdf. These medical case reviews are excluded from the Medical Quality Review Process under 28 Texas Administrative Code (TAC) Section 180.68.

If necessary, the medical advisor may modify the *Medical Quality Review Calendar Year 2023 Annual Audit Plan* (Audit Plan). The commissioner of workers' compensation must approve any recommended changes before adoption.

Section 2: General Statement and Overview

DWC is required by Texas Labor Code Section 413.002 to "monitor health care providers, insurance carriers, independent review organizations, and workers' compensation claimants who receive medical services to ensure the compliance of those persons with rules adopted by the commissioner relating to health care, including medical policies and fee guidelines." DWC will manage the Medical Quality Review Process in a manner that is fair, open, and transparent to all workers' compensation system participants to the extent consistent with state confidentiality laws. DWC will also provide the subject of a review the opportunity to participate throughout the Medical Quality Review Process.

Under 28 TAC Section 180.68, the Medical Quality Review Process is a medical case review initiated based on complaints, plan-based audits, or monitoring as a result of a consent order. DWC's medical advisor oversees the Medical Quality Review Process conducted by the MQRP. The MQRP follows the criteria adopted under Labor Code Section 413.05115.

Medical quality reviews help DWC monitor compliance with the Labor Code and DWC rules. They also ensure that injured employees in the workers' compensation system receive medically necessary and appropriate health care that is timely and cost-effective. In addition, these reviews facilitate functional recovery and appropriate return-to-work outcomes.

Section 3: Purpose

Promote health care that is cost-effective and serves the goals of all workers' compensation system participants.

Ensure that health care providers adhere to the *Official Disability Guidelines* and medically accepted standards of care.

Support return-to-work outcomes and avoid unnecessary disability.

Section 4: Scope, Methodology, and Selection Criteria

For each category in the Audit Plan, the medical advisor and DWC staff will define the scope, selection criteria, and individual program area responsibilities for a plan-based audit. DWC will get input from system participants on the development of each individual plan-based audit proposal in the Audit Plan. Individual plan-based audit proposals will specify the program area's responsibilities for all relevant steps and include specific procedures for each step, including, but not limited to:

- inclusion and exclusion criteria;
- service time frame to be audited;
- sample size; and
- subject and case file selection.

The basis for determining the medical necessity and appropriateness of health care services is under the Labor Code; 28 TAC Chapter 180, Subchapter C; and the Medical Quality Review Process.

Section 5: Conflicts

The Audit Plan incorporates the approved Medical Quality Review Process. However, if a specific conflict exists between this plan and the Medical Quality Review Process, this plan prevails.


Section 6: Approvals

Submitted by:

 12/20/23

Graves Owen, M.D. Date
Medical Advisor
TDI, Division of Workers' Compensation

Approved by:

 1/3/2023

Jeff Nelson Date
Commissioner
TDI, Division of Workers' Compensation