

Have you received an order to attend a designated doctor examination and aren't sure what to expect?

A **designated doctor** is assigned to your case to provide a fair, unbiased opinion about your medical condition, including impairment, maximum medical improvement, extent of the work-related injury or illness, disability, return to work ability, or similar issues.

The Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) assigns the doctor according to specific criteria related to your injury and treatment.

1-866-EZE-OIEC
(1-866-393-6432)

www.oiec.texas.gov
OIECInbox@oiec.texas.gov

Office of Injured Employee Counsel Central Office
7551 Metro Center Drive, Suite 100, MS-50
Austin, TX 78744-1609

Local field offices exist throughout the State of Texas and are staffed to assist you.



The statutory authority for the Office of Injured Employee Counsel is found in the Texas Labor Code, Chapter 404.

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**What to Expect
at Your**

**DESIGNATED
DOCTOR**

Examination



Texas Labor Code
§§ 408.0041 and 408.1225

Rules 130.1, 127.1, 127.5,
127.10, 127.15, and 127.25



**Office of Injured Employee Counsel:
We're Here to Help**

WHAT TO EXPECT AT YOUR EXAMINATION

- You are **required** to attend the designated doctor examination.
- The designated doctor has presumptive weight, which means that a designated doctor's medical opinions are presumed to be correct unless sufficient medical evidence is produced to overcome the designated doctor's opinion.
- The designated doctor may be from another city and decide to hold the examination in a temporary location. The temporary location may not be in a traditional medical setting but will be adequate for performing a thorough examination.
- The examination location may not be changed by anyone without good reason and the approval of TDI-DWC.
- There is no specific requirement for the length of the examination.
- You will need to provide detailed and thorough information about your injury and treatment.
- Measurements may be taken by the designated doctor's staff, or they may use the measurements already taken by your doctor or therapy facility.
- The designated doctor will not suggest treatment or write prescriptions.
- You may have to travel to attend the examination. You can request reimbursement for travel expenses (Form DWC048, *Request for Travel Reimbursement*) if you must travel more than 30 miles one way.

PREPARE FOR YOUR EXAMINATION

- Prepare to answer the doctor's questions by writing notes about your injury, medications, medical treatment, or medical problems. Review your notes prior to the appointment.



- Take care with how you look and dress. First impressions are important. However, you should wear clothing appropriate for a medical examination.
- Know the location, date, and time of the examination, and arrive on time.
- Ensure your treating doctor understands the issue(s) the designated doctor was appointed to address so that the information the treating doctor sends addresses those issues (such as impairment rating or ability to return to work).
- Ask your treating doctor to review the medical records and analysis from the insurance carrier. The insurance carrier sends this information to your treating doctor and the designated doctor. The medical records may comment on your medical treatment and be from doctors you have never seen. The analysis may only cover your medical condition, functional abilities, and return-to-work abilities.
- Ask your treating doctor to provide his or her analysis regarding your medical condition, functional abilities, and return-to-work abilities. **This is very important and could be critical to the designated doctor's opinion.**
- The treating doctor should send the analysis and your medical records, including films from diagnostic testing, to the designated doctor.
- Remind the treating doctor to send your analysis and medical records to the designated doctor **no later than three working days** before the examination date.

AFTER YOUR EXAMINATION

- You probably will see the designated doctor only once. Occasionally, however, there is a need for a re-examination. The designated doctor may also order additional diagnostic tests or refer you to a doctor of a different specialty. If so, you will be notified.
- The designated doctor should issue a report detailing the opinion within seven working days after your examination. You will receive a copy of that medical report.
- The opinion of the designated doctor is difficult to challenge. Therefore, it is important to ensure that all medical information is provided to the designated doctor on time and that you cooperate fully at the examination so the report is more likely to be accurate.
- If you disagree with the designated doctor's opinion, you must dispute it by requesting a Benefit Review Conference (Form DWC045, *Request to Schedule, Reschedule, or Cancel a Benefit Review Conference (BRC)*). There may be time limits for the dispute. So if you disagree with the designated doctor's report, please contact OIEC for more information as soon as you receive the report.

WHAT ELSE YOU NEED TO KNOW

- You are required to attend the designated doctor examination.
- If you cannot attend the original appointment, you must call the designated doctor's office to reschedule at least 24 hours before the appointment.
- If you miss the designated doctor examination without a good reason, the insurance carrier may stop payment of your temporary income benefits.
- You should not contact the designated doctor outside of the appointment unless it is to ask about administrative matters, such as directions to the appointment, whether your medical records were received, or if the designated doctor report has been finished and sent to you.

CONTACT US

Office of Injured Employee Counsel

Customer Service Representatives or your assigned Ombudsman can answer your questions about designated doctor examinations.

Please call 1-866-EZE-OIEC (1-866-393-6432) for their assistance.