

Statement of Tom Douglas, M.D.
Senate Select Interim Committee on Workers' Compensation
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Recommendations for Reform

As a physician that sees workers' compensation injuries, both as a primary care physician and as a designated doctor, I can tell you that the system is definitely broken. I have never seen a medical care system so mired and flawed. I have been practicing medicine for 25 years, mostly in Texas. I have seen how Medicare operates; how Medicaid operates; how HMOs operate; and I have seen how the military medical system operates. They all have their flaws. But, the "workers' comp. system" in Texas as it is operated today really needs some help.

Briefly, I will enumerate the deficiencies as an interested physician sees it:

- Physicians will participate in any medical system as long as they continue to be paid fairly for their services. A good example of not getting paid fairly is the Medicaid system. Most physicians in Texas prefer not to participate in the Medicaid system because it pays them so poorly. Another example is Medicare. Many physicians will not participate in Medicare because it is overburdened with bureaucracy and the pay is too low. Now, look at *workers' comp.* in Texas. It formerly worked halfway decently and physicians got paid. Now, physicians are jumping out of the system because they either cannot make enough money or they do not know if the insurance company will pay their bills.
- HB 2600 is an insurance company's *Trojan horse dream bill*. It was designed to give the greatest balance of power over payment of medical bills to the insurance company. It needs to be replaced. Doctors want to practice medicine and get paid for it. They do not want insurance companies trying to practice medicine for them. Texas physicians are fully qualified to make diagnostic decisions and carry out the appropriate treatment.
- TWCC enacted a rule that called for the creation of an elite group of physicians and chiropractors. It is called the *Approved Doctors List*. It is easy to be approved to the 'ADL.' However, it appears that physicians are being routinely eliminated from this list by a physician named Dr. Nemeth who works for the TWCC. If a physician is eliminated from the list, he or she can no longer practice medicine on workers' comp. patients. In the past, the Industrial Accident Board and the more recent TWCC had another list of approved doctors that served the Texas citizens very well. This list is kept by the TSBME. It is the list of all licensed doctors. In other words, any physician with a license to practice medicine should be allowed to practice on workers' comp patients.

- All Texas citizens that are injured on the job deserve to receive the best medical care available. They should not receive second- or third-rate care. The system needs a complete overhaul if we are to arrive at the point where each injured worker is receiving excellent care in an efficient manner. If I had the resources I would personally study all of the deficiencies in the system and I would study the positive elements of systems in other states in America. Replacing this system with a much better system will not be hard. It requires that the proper priorities be followed in the creation of a new system. After all, the number one priority should be to provide excellent care to each patient in a timely manner so that the injured worker can return to work, and most importantly return to his or her life. Right now, the injured worker has no guarantee of this.

Tom Douglas, M.D. practices medicine in the Dallas area. He is an independent contractor for various workers' comp. clinics and does designated doctor cases in Dallas, Houston, San Antonio, and Austin. Most of his career has been in emergency medicine and he is completing his board certification in emergency medicine next month.