

Contact OIEC for help

The Office of Injured Employee Counsel (OIEC) can answer your questions about disputing your MMI date or IR and help you file the correct dispute with TDI-DWC.

To contact OIEC for help, email oiecinbox@oiec.texas.gov or call 1-866-393-6432.

Details about MMI, IR, and the designated doctor process are available in the OIEC handouts

“How to Dispute your Maximum Medical Improvement Date or Impairment Rating” & “What You Can Expect at Your Designated Doctor Examination.”



You can obtain these handouts at your field office or on the OIEC website www.oiec.texas.gov

What You Need to Know as An Injured Employee



MAXIMUM MEDICAL IMPROVEMENT & Impairment Rating



Office of Injured Employee Counsel
www.oiec.texas.gov

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Has a Doctor Told You That You Have Reached Maximum Medical Improvement? Do You Know What That Means?



MAXIMUM MEDICAL IMPROVEMENT

Each person recovers at a different pace. When a doctor thinks that you are not getting any better and are the “best you are going to get,” the doctor may say that you have reached “maximum medical improvement” (also known as MMI).

MMI does not always mean you will be able to do your old job, have no pain, or no longer need medical treatment. The doctor can say that you have reached MMI even if you cannot return to your old job or are in pain.

When a doctor thinks that you have reached MMI, the doctor must complete a Form DWC069, Report of Medical Evaluation. That doctor could be your treating doctor, a referral doctor, a designated doctor, or a required medical examination doctor.



IMPAIRMENT RATING

A doctor who determines that you have reached MMI will also assign an impairment rating. Your impairment rating measures the permanent damage to your body caused by your injury.

The doctor will examine you and use the 4th Edition of the **American Medical Association Guides to the Evaluation of Permanent Impairment** to give you an impairment rating.

Statutory MMI

In some cases, even if you are still getting better, the law will require an MMI date to be assigned if two years have passed since you started to lose time from work due to your injury.



EFFECT ON INCOME BENEFITS

Temporary income benefits (TIBS) end on the date you reach MMI. Impairment income benefits (IIBS) start the day after MMI. IIBS are paid to injured employees based on the permanent damage to the body caused by a work-related injury. You could receive impairment income benefits (IIBS) if you have at least a 1% impairment rating.

- ★ Injured employees receive three weeks of IIBS for each percent of impairment. **(For example: For a 5% impairment rating, 3 weeks x 5 = 15 weeks of IIBS)**
- ★ Weekly IIBS are paid at 70% of average weekly wage. **(For example: For a \$500 average weekly wage, 70% x 500 = \$350 weekly IIBS rate)**
- ★ It is possible for injured employees to receive IIBS and work at the same time. Work status and income have no effect on the ability to receive IIBS.

There are maximum and minimum impairment income benefit rates depending on your date of injury. The “Maximum and Minimum Weekly Benefits” table is on the Division of Workers’ Compensation website: www.tdi.texas.gov/wc/employee/maxminbens.html.

IF YOU DON’T AGREE WITH THE MMI DATE OR IMPAIRMENT RATING YOU MUST ACT QUICKLY!

There are certain steps to take if you don’t agree with your MMI date and/or the impairment rating. If you disagree, please contact the Office of Injured Employee Counsel (OIEC) as soon as you receive the Form DWC069. We can help determine what type of dispute you must file.

- ★ ***You have 90 days*** from date of receipt to let the Division of Workers’ Compensation know that you disagree with an impairment rating or MMI date. OIEC can help you with your dispute.