

1 **Policy Concept**  
2 **Chapter 856, Vocational Rehabilitation Services**  
3 **Rule Project #2021-16-850-PC#2 – Medical Services/MAPS Rates**  
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5 **Introduction and Background**

6 On October 17, 2017, TWC adopted rules under 40 TAC Chapter 856, Vocational Rehabilitation (VR)  
7 Services, to align with the integration of Texas Workforce Commission (TWC), VR, and Blind Services.  
8 Further amendments to Chapter 856 were adopted on July 31, 2018, to incorporate the Criss Cole  
9 Rehabilitation Center.

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11 Texas Labor Code, §352.054, Rates for Medical Services, requires TWC to adopt by rule standards  
12 governing the determination of rates paid for medical services provided under Texas Labor Code,  
13 Chapter 352. Texas Labor Code, §352.054, also requires TWC to reevaluate the rates on an annual basis  
14 and provide notice to interested individuals to provide comment before adopting the standards and  
15 schedule of rates. TWC's 40 TAC §856.57, Alternative Purchasing Methods - Rates for Medical  
16 Services, sets forth the standards for determining the rates paid for medical services provided by TWC  
17 and the annual reevaluation of those rates as required by Texas Labor Code, §352.054.  
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19 **Purpose for the Proposed Rule**

20 The purpose for this proposed rule is to amend 40 TAC §856.57 to increase efficiency in the process of  
21 establishing the annual rates for medical services.  
22

23 **Rule Revisions Required by Federal Regulation or State Statute**

24 None  
25

26 **Other Rule Revisions**

27 **Issue #1: Rates for Medical Services**

28 Pursuant to Texas Labor Code, §352.054 and 40 TAC §856.57, TWC is required to reevaluate rates for  
29 medical services annually and to provide notice of the proposed schedule of rates for public comment.  
30 Currently, the rates for medical services are reviewed and established by TWC's three-member  
31 Commission (Commission). After reviewing the current process for establishing the annual rates for  
32 medical services, staff identified that efficiency could be increased by allowing the executive director or  
33 deputy executive director to establish the rates for medical services annually based on the standards set  
34 forth in rule by the Commission.  
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36 **PC Decision Point**

37 Staff recommends amending 40 TAC §856.57 to add that TWC's executive director or deputy executive  
38 director may establish the rates annually based on the standards adopted by the Commission, and to  
39 include the process for providing the notice of the proposed schedule of rates for public comment.