



## Independent Review Organizations

(October 2013)

If a health care plan refuses to pay for your medical care, you might be able to have an independent review organization (IRO) review the decision. IROs are independent third parties certified by the Texas Department of Insurance to review health care services that plans deny because they consider them medically unnecessary, inappropriate, or experimental. The health care plan must comply with the IRO's decision and pay for the review.

### Appeals Process

Every health care plan has an internal appeals process. You may file an appeal with the plan if it denies a treatment or service. Ask the plan or your employer about the process for appeals. You, your doctor, or another doctor may file the appeal. You usually must complete your plan's appeal process before asking for an IRO review. You can bypass your plan's appeal process if you or your doctor believes your condition is life-threatening.

### Asking for an IRO Review

You may ask for an independent review if

- Texas law requires your health care plan to participate in the IRO process, and
- your health plan or its utilization review agent (URA) denies a treatment because it considers the treatment to be experimental, investigational, medically unnecessary, or inappropriate.

A health care plan must base its denial on written screening criteria.

An independent review is not available if

- your policy doesn't cover the service (cosmetic surgery, for instance), or
- Texas law doesn't require your plan to participate in the IRO process. ERISA plans, Medicaid, Medicare (including Medicare HMO plans), and certain other health plans don't have to participate in the IRO process. Contact your health care plan to find out if it is required to participate.

### How to Get an IRO Review

You, your representative, or your doctor may ask for an IRO review. There isn't a deadline for requesting an review, but you should try to ask for a review as soon as possible.

To get a review, complete and return the IRO request form to the plan or URA that denied the services. Your plan or its URA must give you the form when it denies a treatment. If you appeal the decision and lose, the plan or URA should send you the form again.

If your plan didn't tell you about your rights to an appeal or independent review, call **TDI's Consumer Help Line** at 1-800-252-3439 or 512-463-6515 in Austin.

## The IRO Process Time Frame

Once the plan or URA gets your completed request form, it must notify TDI. TDI will assign your case to an IRO within one business day.

If the IRO needs your medical records or other information to review your case, the health plan or URA must send them within three days of the IRO's request. You or your legal guardian might have to sign a release form to let the IRO see your medical records. You also may give your medical records to the IRO yourself. The IRO must keep your medical records and personal information confidential.

Don't send your medical records to TDI.

The IRO must decide whether your health plan will pay for the denied treatment within 15 days of receiving your information, and no later than 20 days after TDI assigns the case. In cases involving life-threatening conditions, the IRO must decide within three days of receiving your information, and no later than eight days after TDI assigns the case.

For more information about IRO's, call **TDI's Managed Care Quality Assurance Office** at 1-866-554-4926 or 512-322-4266 in Austin.

## The IRO Decision

Your plan must comply with the IRO's decision and pay for treatments the IRO decides are medically necessary or appropriate. The IRO's decision will include

- the clinical basis for the decision
- the screening criteria used to make the decision
- a list of qualifications of the IRO staff who reviewed your case
- a written certification stating that the doctor reviewing the case doesn't have a conflict of interest with the treating doctor or any of the doctors who previously reviewed the case.

## For More Information or Assistance

For answers to general insurance questions, for information about filing an insurance-related complaint, or to report suspected insurance fraud, call the **Consumer Help Line** at 1-800-252-3439 or 512-463-6515 in Austin between 8 a.m. and 5 p.m., Central time, Monday-Friday, or visit our website at [www.tdi.texas.gov](http://www.tdi.texas.gov).

You can also visit [HelpInsure.com](http://HelpInsure.com) to help you shop for automobile, homeowners, condo, and renters insurance, and [TexasHealthOptions.com](http://TexasHealthOptions.com) to learn more about health care coverage and your options.

For printed copies of consumer publications, call the 24-hour **Publications Order Line** at 1-800-599-SHOP (7467) or 512-305-7211 in Austin.

To report suspected arson or suspicious activity involving fires, call the State Fire Marshal's 24-hour **Arson Hotline** at 1-877-4FIRE45 (434-7345).

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For more information contact:

[ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov) or 1-800-252-3439

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