

## **BILL ANALYSIS**

Senate Research Center  
76R10134 PB-F

H.B. 2510  
By: Dukes (Shapleigh)  
State Affairs  
5/9/1999  
Engrossed

### **DIGEST**

Currently, the Texas Workers' Compensation Commission, the Research and Oversight Council on Workers' Compensation, health care facilities, insurance carriers, the Medical Advisory Committee, and the Texas Department of Insurance are all involved in the administration of the workers' compensation program of Texas. H.B. 2510 makes several changes including updates, specifications, and clarifications to the worker's compensation program of this state.

### **PURPOSE**

As proposed, H.B. 2510 makes several changes including updates, specifications, and clarifications to the worker's compensation program of this state.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 401.023(b), Labor Code, to require the Texas Workers' Compensation Commission (TWCC) to compute and publish the interest and discount rate, plus seven percent.

SECTION 2. Amends Sections 402.011(b) and (c), Labor Code, to entitle a member to use of leave benefits for attendance at commission hearings and Texas Certified Self-Insured Guaranty, rather than Guarantee, Association, meetings. Prohibits reimbursement from exceeding \$5,000, rather than \$12,000, a year. Deletes text limiting a member's entitlement.

SECTION 3. Amends Section 402.085(a), Labor Code, to require TWCC to release information on a claim to the Research and Oversight Council on Workers' Compensation, rather than research center. Deletes a reference to Chapter 76, Human Resources Code.

SECTION 4. Amends Section 404.007(a), Labor Code, to require the board of directors of the Research and Oversight Council on Workers' Compensation to receive testimony and reports from the State Office of Risk Management, rather than the attorney general. Deletes text regarding the Texas workers' compensation insurance facility. Makes conforming changes.

SECTION 5. Amends Section 404.010, Labor Code, by amending Subsection (a) and adding Subsection (d), to allow access to the files and records of the Texas Workforce, rather than Employment, Commission. Provides that the identity of a survey participant is confidential and not subject to public disclosure. Makes conforming changes.

SECTION 6. Amends Section 408.025(d), Labor Code, to require a health care provider, rather than facility, to furnish certain records. Makes a conforming change.

SECTION 7. Amends Section 408.027(a), Labor Code, to require an insurance carrier to pay the fee allowed under Section 413.011, rather than charged.

SECTION 8. Amends Section 408.150(b), Labor Code, to provide that a certain employee loses entitlement to supplemental, rather than supplementary, income benefits.

SECTION 9. Amends Section 413.005(b), Labor Code, to include an insurance carrier representative in

the composition of a medical advisory committee. Makes conforming changes.

SECTION 10. Amends Article 5.61, Insurance Code, to require reserves to be computed in accordance with any rules adopted, rather than approved, by the commissioner of insurance, rather than the Board of Insurance Commissioners. Deletes text regarding workers' compensation insurers. Makes conforming changes.

SECTION 11. (a) Effective date: September 1, 1999, except as provided by Subsection (b).

(b) Effective date for Section 401.023(b), Labor Code, as amended by this Act: October 1, 1999.

SECTION 12. Emergency clause.