

BILL ANALYSIS

Senate Research Center
78R14423 PB-F

C.S.S.B. 1572
By: Carona
State Affairs
5/2/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

H.B. 2600, enacted by the 77th Texas Legislature, abolished Texas Workers' Compensation Commission's (TWCC) treatment guidelines and required that newly adopted guidelines be nationally recognized, scientifically valid and outcome-based. C.S.S.B. 1572 authorizes TWCC to adopt treatment guidelines and protocols in the workers' compensation system.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Workers Compensation Commission is modified in SECTION 2 (Section 413.011, Labor Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 413.011, Labor Code, to read as follows:

Sec. 413.011. REIMBURSEMENT POLICIES AND GUIDELINES; TREATMENT GUIDELINES AND PROTOCOLS.

SECTION 2. Amends Sections 413.011(e) and (f), Labor Code, as follows:

(e) Authorizes the Texas Workers' Compensation Commission (TWCC) to adopt by rule treatment guidelines, including return-to-work guidelines, and individual treatment protocols. Requires, except as provided by this subsection, the treatment guidelines and protocol to be scientifically valid and outcome-based and designed to reduce excessive or inappropriate medical care while safeguarding necessary medical care. Authorizes TWCC to adopt another treatment guideline or protocol if a nationally recognized treatment protocol or guideline is not available for adoption by TWCC and as long as it is scientifically valid and outcome-based.

(f) Makes a conforming change.

SECTION 3. Effective date: upon passage or September 1, 2003.