



PO Box 12050 | Austin, TX 78711 | 800-252-7031 | tdi.texas.gov/wc

To: Texas Workers' Compensation System Participants

From: Kara Mace, General Counsel

Date: [February 15, 2024](#)

Subject: Proposal to Amend Chapter 166, Accident Prevention Services

The Texas Department of Insurance, Division of Workers' Compensation (DWC) is accepting public comments on a proposed rule amending 28 Texas Administrative Code (TAC) Chapter 166, concerning certain submission requirements for insurance companies (companies) about their accident prevention services (APS). The rulemaking will amend 28 TAC Sections [166.1](#), [166.2](#), [166.3](#), and [166.5](#).

The amendments are necessary to:

- Eliminate overly burdensome reporting requirements that companies must adhere to in order to demonstrate the sufficiency of their APS to DWC.
- Bring the administrative rule requirements more in line with the statutory requirements.
- Update citations, remove obsolete references, and apply plain language and agency style editorial changes.

Chapter 166 implements Texas Labor Code Sections [411.061](#), [411.064](#), [411.065](#), and [411.066](#). The Labor Code requires companies to follow comprehensive APS procedures and reporting requirements. DWC requires additional items from these companies in its rules. Removing some of the additional required information will allow companies to focus on their APS by not having to track and submit as much information to DWC.

The amended rules still require companies to submit information on their APS, in compliance with Labor Code § 411.065, and DWC maintains its authority to inspect any company at any time. The statutes and amended rules are sufficient to ensure companies are maintaining proper APS.

The proposed rule will be published in the February 23, 2024, issue of the *Texas Register* and available at www.sos.state.tx.us/texreg/index.shtml once published. We will also post

a copy of the proposed rule on the TDI website at
www.tdi.texas.gov/wc/rules/2024rules.html.

You may also submit written comments on the proposed rule to:
RuleComments@tdi.texas.gov, or mail or deliver your comments to:

Legal Services, MC-LS
Texas Department of Insurance, Division of Workers' Compensation
PO Box 12050
Austin, Texas 78711-2050

The deadline to submit comments is 5 p.m., Central time, on March 25, 2024.