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To: Texas Workers' Compensation System Participants

From: Kara Mace, General Counsel

Date: [July 20, 2023](#)

RE: Rule Review and Readoption: 28 TAC Chapters 41 - 69

The Texas Department of Insurance, Division of Workers' Compensation (DWC) is readopting all sections in the following chapters in Title 28, Texas Administrative Code:

- Chapter 41 (Practice and Procedure);
- Chapter 42 (Medical Benefits);
- Chapter 43 (Insurance Coverage);
- Chapter 45 (Employer's Report of Injury or Disease);
- Chapter 47 (Employee Notice of Injury or Death and Claim for Benefits);
- Chapter 49 (Procedures for Formal Hearings by the Board);
- Chapter 51 (Award of the Board);
- Chapter 53 (Carrier's Report of Initiation and Suspension of Compensation Payments);
- Chapter 55 (Lump Sum Payments);
- Chapter 56 (Structured Compromise Settlement Agreements);
- Chapter 59 (Notices of Intention to Appeal);
- Chapter 61 (Prehearing Conferences);
- Chapter 63 (Promptness of First Payment);
- Chapter 64 (Representing Claimants Before the Board);
- Chapter 65 (Unethical or Fraudulent Claims Practices);
- Chapter 67 (Allegations of Fraud); and
- Chapter 69 (Medical Examination Orders).

The notice of proposed review was published in the March 31, 2023, issue of the *Texas Register* at 48 TexReg 1737. DWC received one public comment and no hearing requests by the May 1, 2023, comment deadline. The commenter was for readoption.

DWC is readopting these rules in accordance with Texas Government Code §2001.039, which requires a state agency to review each rule every four years and readopt, readopt with amendments, or repeal the rule. DWC has determined that the reasons for initially

adopting these rules continue to exist.

The readoption will be published in the July 14, 2023, issue of the *Texas Register* and will be available at www.sos.state.tx.us/texreg/index.shtml once published. DWC will also post a copy on the TDI website at www.tdi.texas.gov/wc/rules/rulereview.html.

DWC may consider any suggested repeals or amendments identified during this rule review in future rulemaking under Texas Government Code Chapter 2001 (Administrative Procedure).