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To: Texas Workers' Compensation System Participants

From: Kara Mace, General Counsel

Date: [February 3, 2025](#)

Subject: Adopted rule on verification of lifetime income benefits recipient information by the Subsequent Injury Fund

The Texas Department of Insurance, Division of Workers' Compensation (DWC) adopted new 28 Texas Administrative Code Section 131.5, concerning Subsequent Injury Fund (SIF) verification of lifetime income benefits (LIBs) recipient information.

The new rule is necessary to prevent the waste of public funds by notifying DWC of the employee's death before the SIF issues a LIBs payment to the employee.

DWC adopted the rule with changes to the proposed text. DWC received two written comments on the rule by the October 28, 2024, deadline. In response to comments, DWC replaced the terms "lifetime income benefits recipient" and "recipient" with "injured employee" to be consistent with other income benefit rules. DWC also added a sentence to clarify that, if the injured employee is unable to provide the required information, the SIF will hold any pending benefit payments until verification is complete. The rule will be effective on February 18, 2025.

The rule will be published in the February 14, 2025, 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 rule on the website at www.tdi.texas.gov/wc/rules/2025rules.html.