

**CHAPTER 63. PROMPTNESS OF FIRST PAYMENT.**  
**[~~28 TAC §63.5.~~]**

**INTRODUCTION.** The Texas Department of Insurance, Division of Workers' Compensation (DWC) adopts the repeal of 28 TAC §63.5, concerning a required Industrial Accident Board quarterly report. The Industrial Accident Board no longer exists, and the authority for the required report was repealed in 1989. DWC adopts §63.5 without changes to the proposal published in the October 17, 2025, issue of the *Texas Register* (50 TexReg 6859). The rule will not be republished.

**REASONED JUSTIFICATION.** Repealing §63.5 is necessary because it was adopted under Vernon's Texas Civil Statutes, Article 8307, §4, which was repealed in 1989 under Acts 1989, 71st Legislature, 2nd Called Session, Chapter 1, §16.01(10), effective January 1, 1991. Article 8307, §4 was not later recodified into the Texas Labor Code.

**SUMMARY OF COMMENTS AND INFORMATION SUBMITTED, AND AGENCY RESPONSE.**

**Commenters:** DWC received one written comment, and no oral comments. No commenters included information, data, research, or analysis about the cost, benefit, or effect of the proposal. The Office of Injured Employee Counsel (OIEC) commented in support of the proposal. DWC did not receive comments that were against the proposal.

**Comment on §63.5.** OIEC commented that they support the repeal of §63.5.

**Agency Response to Comment on §63.5.** DWC appreciates the comment.

## **CHAPTER 63. PROMPTNESS OF FIRST PAYMENT.**

### **~~[28 TAC §63.5.]~~**

**STATUTORY AUTHORITY.** The commissioner of workers' compensation adopts the repeal of 28 TAC §63.5 under Labor Code §§402.00111, 402.00116, and 402.061.

Labor Code §402.00111 provides that the commissioner of workers' compensation shall exercise all executive authority, including rulemaking authority under Title 5 of the Labor Code.

Labor Code §402.00116 provides that the commissioner of workers' compensation shall administer and enforce this title, other workers' compensation laws of this state, and other laws granting jurisdiction to or applicable to the division or the commissioner.

Labor Code §402.061 provides that the commissioner of workers' compensation shall adopt rules as necessary to implement and enforce the Texas Workers' Compensation Act.

### **TEXT.**

#### **§63.5. Quarterly Report.**

**CERTIFICATION.** The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Issued at Austin, Texas, on December 16, 2025.

TITLE 28. INSURANCE  
Part 2. Texas Department of Insurance,  
Division of Workers' Compensation  
Chapter 63. Promptness of First Payment.

Adopted Repeal  
Page 3 of 3



---

Kara Mace  
General Counsel  
TDI, Division of Workers' Compensation

The commissioner adopts the repeal of 28 TAC §63.5.



---

Jeff Nelson  
Commissioner  
TDI, Division of Workers' Compensation

Commissioner's Order No. 2025-9682