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To: Texas Workers' Compensation System Participants

From: Kara Mace, General Counsel

Date: October 17, 2024

Subject: Rule Review and Readoption: 28 TAC Chapters 126-128

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 [126](#) (General Provisions Applicable to All Benefits);
- Chapter [127](#) (Designated Doctor Procedures and Requirements); and
- Chapter [128](#) (Benefits--Calculation of Average Weekly Wage).

The notice of proposed review was published in the August 16, 2024, issue of the *Texas Register* at 49 TexReg 6285. DWC received two public comments and no hearing requests by the September 16, 2024, comment deadline. Two commenters were for readoption or readoption with amendments.

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 October 18, issue of the *Texas Register* at 49 TexReg 6285 and will be available at [www.sos.state.tx.us/texreg/index.shtml](http://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](http://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).