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To: Texas Workers' Compensation System Participants

From: Kara Mace, General Counsel

Date: [October 10, 2025](#)

Subject: Proposed Repeal of 28 TAC Sections 133.4, 133.5, and 133.309

The Texas Department of Insurance, Division of Workers' Compensation (DWC) is accepting public comments on a proposal repealing 28 Texas Administrative Code Sections [133.4](#), [133.5](#), and [133.309](#). Repealing Sections 133.4 and 133.5 is necessary because they expired on January 1, 2011. Repealing Section 133.309 is necessary because the Court of Appeals of Texas, Austin, declared it invalid in 2008.

The proposed repeal will be published in the October 10, 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 proposed repeal on the website at www.tdi.texas.gov/wc/rules/2025rules.html.

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

DWC Legal Services, MC-LS
Texas Department of Insurance, Division of Workers' Compensation
P.O. Box 12050
Austin, Texas 78711-2050

The deadline to submit comments is 5 p.m., Central time, on November 10, 2025.