



TEXAS DEPARTMENT OF INSURANCE

Division of Workers' Compensation

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memo

To: Texas Employers

From: Tim Riley, Deputy Commissioner, Compliance and Investigations

Date: February 1, 2018

RE: Annual reporting for employers without workers' compensation coverage

The Texas Department of Insurance, Division of Workers' Compensation (DWC) reminds all Texas employers without workers' compensation insurance coverage (non-subscribers) that by law, they must notify DWC annually of their decision not to obtain workers' compensation insurance coverage or to terminate workers' compensation insurance coverage. Employers can do this by submitting the DWC Form-005, *Employer Notice of No Coverage or Termination of Coverage*. The current reporting period is **February 1, 2018, through April 30, 2018**.

Non-subscribers must also report each on-the-job injury, occupational illness, or fatality resulting in more than one day of lost time to DWC by filing DWC Form-007, *Employer's Report of Non-Covered Employee's Occupational Injury or Disease*.

Non-subscribers can file the DWC Form-005 online, by fax, or by mail. The DWC Form-007 can be filed by fax or by mail.

Non-subscriber Reporting Requirements

DWC recently revised the DWC Form-005 to make it easier for employers to know what is needed on the form and to include updated frequently asked questions. Employers should use the new form for the 2018 reporting period.

A non-subscriber must file the [DWC Form-005, Employer Notice of No Coverage or Termination of Coverage](#) to DWC:

- between February 1 and April 30 each year;
- within 30 days of hiring its first employee; or
- within 10 days of DWC's request.

Non-subscribers with five or more employees must report each fatality, occupational disease, and on-the-job injury that results in more than one day of lost time to DWC. Non-subscribers must submit the [DWC Form-007, Employer's Report of Non-Covered Employee's Occupational Injury or Disease](#) to DWC within the seventh day of the month following when:

- the death occurred;
- the employee was absent from work for more than one day as a result of the on-the-job injury; or
- the employer acquired knowledge of the occupational disease.

Failure to file the required notifications with DWC can result in enforcement actions and/or administrative penalties.

Information on non-subscriber reporting requirements is available on the TDI website at www.tdi.texas.gov/wc/employer/cb007.html.