



TEXAS DEPARTMENT OF INSURANCE

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memo

To: Workers' Compensation System Participants

From: Emily McCoy, Associate General Counsel, Division of Workers' Compensation

Date: February 1, 2018

RE: Finalized DWC Form-005, Notice of No Coverage or Termination of Coverage

The Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) finalized revisions to DWC Form-005, Notice of No Coverage or Termination of Coverage.

Revisions to DWC Form-005 change the way that required information is arranged to make it easier for employers to know what is needed on the form. The information requested on the form is the same information that was requested in the previous form. The frequently asked questions portion is updated to include questions that are currently on the division's website, but not currently on the form. Specifically, the FAQs being incorporated into the form are: "How do I determine my filing period start date?"; "How do I determine my filing period end date?"; "What is a NAICS code?"; and "Are any fields on the DWC Form-005 optional?"

The proposed version of the DWC Form-005 also removes the requirement that an employer file a Termination of Coverage notice by certified mail to align with HB 2112 (85th Legislature, Regular Session, 2017), which amended Texas Labor Code § 406.007(a) and removed that requirement. Finally, the notice at the bottom of the form that is required by Texas Govt. Code § 559.003 is updated to include the current approved language and provide a link to the procedure to correct information.

An informal working draft of DWC Form-005 was posted on the TDI-DWC website on November 17, 2017, and the informal comment period ended on December 1, 2017. The finalized DWC Form-005 is available on the TDI-DWC website at: www.tdi.texas.gov/forms/form20employer.html#dwc005, and is effective February 1, 2018.