



Texas Department of Insurance

Division of Workers' Compensation

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Memorandum

To: Workers' Compensation System Participants
From: Tracey Beaver, Director of the Office of Workers' Compensation Counsel
Date: December 5, 2013
Subject: Adoption: Repeal 28 TAC Chapter 103 Regarding Agency Administration

On November 21, 2013 the Commissioner of Workers' Compensation Rod Bordelon adopted the repeal of 28 Texas Administrative Code Chapter 103 regarding agency administration. The adoption was filed with the Office of the Secretary of State on November 22, 2013. The adoption will be published in the December 6, 2013, issue of the *Texas Register* and may be viewed at that time on the Secretary of State website at <http://www.sos.state.tx.us/texreg/index.shtml>. A courtesy copy of the adoption may be viewed on the Texas Department of Insurance (TDI) website at <http://www.tdi.texas.gov/wc/rules/adopted/index.html>.

The purpose of these adopted rules is to repeal Chapter 103 because they were determined to no longer be necessary following a rule review.

In accordance with Government Code §2001.039, the notice of proposed rule review of Chapter 103, was published in the August 10, 2007, issue of the *Texas Register* (32 TexReg 5035). In this notice, the Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) reviewed and considered all the sections in Chapter 103 for re-adoption, revision, or repeal. The finding of the review was that repeal is necessary because the rules in Chapter 103 are duplicative and unnecessary. The repeal proposal was published in the July 5, 2013 issue of the *Texas Register* (38 TexReg 4245).

House Bill 7, the 79th Legislature, Regular Session, abolished the Texas Workers' Compensation Commission and established the Division of Workers' Compensation within the TDI effective September 1, 2005. Since then the TDI, in accordance with §402.00113 (Administrative Attachment to Department), has provided the facilities and staff necessary to allow the TDI-DWC to perform administrative duties outlined in Chapter 103, including administrative assistance and services; personnel and financial services; and computer equipment and support. The TDI's administrative rules are outlined in Chapter 1 (General Administration) sections §1.2701-1.2703, §1.1601, §1.1101-1.1107, §1.1801-1.1823, and §1.1901-1.1904. These sections are identical or substantially similar to Chapter 103 making Chapter 103 unnecessary. For these reasons the TDI-DWC adopts the repeal of Chapter 103.

The adopted repeals are effective September 1, 2014.

If there are any questions regarding the information in this memo, contact Mayson Pearson at 512-804-4762 or mayson.pearson@tdi.texas.gov.