

Texas Department of Insurance, Division of Workers' Compensation
Title 28, Part 2
Chapters 41 - 69

Adopted Rule Review

The Texas Department of Insurance, Division of Workers' Compensation (DWC) completed its review of 28 Texas Administrative Code Chapters 41 - 69. DWC conducted the review under Texas Government Code §2001.039.

Notice of the review was published in the March 31, 2023, issue of the *Texas Register* at 48 TexReg 1737. There were no requests for a public hearing.

DWC received one comment by the May 1, 2023, deadline. No comments suggested repealing a rule in its entirety. Commenters for readoption and for readoption with changes were: the Office of Injured Employee Counsel. Commenters against readoption were: none.

Comment on Chapters 41 - 69. The commenter stated that the reasons for initially adopting the rules continue to exist, and that it would be to the detriment of the injured employees of Texas if DWC repeals the old law rules. Agency response to comment on Chapters 41 - 69. DWC appreciates the comment.

As a result of the review, and in accordance with Texas Government Code §2001.039, DWC finds that the reasons for initially adopting the rules continue to exist and readopts all sections in 28 Texas Administrative Code:

- Chapter 41 (Practice and Procedure);
- Chapter 42 (Medical Benefits);
- Chapter 43 (Insurance Coverage);
- Chapter 45 (Employer's Report of Injury or Disease);
- Chapter 47 (Employee Notice of Injury or Death and Claim for Benefits);
- Chapter 49 (Procedures for Formal Hearings by the Board);
- Chapter 51 (Award of the Board);
- Chapter 53 (Carrier's Report of Initiation and Suspension of Compensation Payments);
- Chapter 55 (Lump Sum Payments);
- Chapter 56 (Structured Compromise Settlement Agreements);
- Chapter 59 (Notices of Intention to Appeal);
- Chapter 61 (Prehearing Conferences);
- Chapter 63 (Promptness of First Payment);
- Chapter 64 (Representing Claimants Before the Board);
- Chapter 65 (Unethical or Fraudulent Claims Practices);

- Chapter 67 (Allegations of Fraud); and
- Chapter 69 (Medical Examination Orders).

DWC may consider any suggested repeals or amendments identified during this rule review in future rulemaking under Texas Government Code Chapter 2001 (Administrative Procedure).

This concludes the review of 28 Texas Administrative Code Chapters 41 - 69.



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