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To: Texas Workers' Compensation System Participants

From: Kara Mace, General Counsel

Date: [June 18, 2026](#)

Subject: Notice and opportunity to comment on DWC Regulatory Efficiency Review

The Texas Department of Insurance, Division of Workers' Compensation (DWC) is working with the Texas Regulatory Efficiency Office (TREGO) to streamline its rules. Under [Texas Government Code §465.0052\(4\)](#), TREGO coordinates with state agencies to reduce rules or other regulatory requirements, including by reducing inefficiencies from rules or other regulatory requirements, and by eliminating those that are unnecessary or ineffective.

As a result of the regulatory efficiency review, DWC is considering [taking the following actions](#). DWC is seeking comments on those actions, and is particularly interested in feedback on possible cost savings. This is preliminary feedback. There will be a separate opportunity for input during formal rule proposals. After this comment period ends, DWC and TREGO will evaluate the feedback and finalize the recommendations.

Submit any written comments to RuleComments@tdi.texas.gov.

Per TREGO's Regulatory Efficiency Review Order of Operations, Step 5, the deadline to submit all comments is 14 days from this notice. Due to the Fourth of July holiday, that deadline has been extended to 5 p.m., Central time, on July 10, 2026.

Actions

Rules to be repealed:

Old Law rules would remain applicable to injuries before January 1, 1991, and would remain available on DWC's website at tdi.texas.gov/wc/rules/index.html after repeal.

- 28 TAC [Chapter 41](#), Practice and Procedure
- 28 TAC [Chapter 42](#), Medical Benefits, except §42.105 (see below)
- 28 TAC [Chapter 43](#), Insurance Coverage
- 28 TAC [Chapter 45](#), Employer's Report of Injury or Disease
- 28 TAC [Chapter 47](#), Employee Notice of Injury or Death and Claim for Benefits
- 28 TAC [Chapter 49](#), Procedures for Formal Hearings by the Board

- 28 TAC [Chapter 51](#), Award of the Board
- 28 TAC [Chapter 53](#), Carrier's Report of Initiation and Suspension of Compensation Payments
- 28 TAC [Chapter 55](#), Lump Sum Payments
- 28 TAC [Chapter 56](#), Structured Compromise Settlement Agreements
- 28 TAC [Chapter 59](#), Notices of Intention to Appeal
- 28 TAC [Chapter 61](#), Prehearing Conferences
- 28 TAC [Chapter 63](#), Promptness of First Payment
- 28 TAC [Chapter 64](#), Representing Claimants Before the Board
- 28 TAC [Chapter 65](#), Unethical or Fraudulent Claims Practices
- 28 TAC [Chapter 67](#), Allegations of Fraud
- 28 TAC [Chapter 69](#), Medical Examination Orders
- 28 TAC [§134.201](#), Medical Fee Guideline for Medical Treatments and Services Provided under the Texas Workers' Compensation Act (repealing with amendments to §42.105)
- 28 TAC [§134.204](#), Medical Fee Guideline for Workers' Compensation Specific Services (repealing with amendments to §42.105)
- 28 TAC [§126.8](#), Commission Approved Doctor List
- 28 TAC [§109.1](#), State Agencies: General Provisions
- 28 TAC [§110.110\(g\)](#), Reporting Requirements for Building or Construction Projects for Governmental Entities

New rule:

- 28 TAC §102.12, Electronic Transmission of Information
 - Informal draft was posted at tdi.texas.gov/wc/rules/2026rules.html
 - Ensure that any information sent to or from DWC can be sent electronically, including through a DWC portal or other online system

Rules to be amended (substantive):

- 28 TAC [§42.105](#), Medical Fee Guidelines for Old Law Claims
 - Informal draft was posted at tdi.texas.gov/wc/rules/2026rules.html
 - Update reimbursement for old law claims to align with current fee guidelines
- 28 TAC [§137.10](#), Return to Work Guidelines
 - Informal draft was posted at tdi.texas.gov/wc/rules/2026rules.html
 - Move from MDGuidelines to ODG by MCG for disability duration values
- 28 TAC [Chapter 148](#), Hearings Conducted by the State Office of Administrative Hearings
 - No postings yet
 - Amend to clean up SOAH rules, harmonize deadlines, remove unnecessary

- procedural requirements, clarify, organize, modernize
- 28 TAC [§110.1](#), Insurance Carrier Requirements for Notifying the Division of Insurance Coverage
 - No postings yet
 - Amend to clarify proof of coverage data reporting
 - 28 TAC [§130.1](#), Certification of Maximum Medical Improvement and Evaluation of Permanent Impairment
 - No postings yet
 - Amend to update the edition of the AMA Guides from the 4th edition (2000) to the 6th edition (2025)
 - 28 TAC [§133.10](#), Required Billing Forms/Formats
 - No postings yet
 - Amend to update the version of the dental claim form
 - 28 TAC [§116.11](#), Request for Reimbursement from the Subsequent Injury Fund
 - No postings yet
 - Amend to consolidate the parallel documentation requirements in (c)-(g) into one unified documentation list with short, type-specific additions
 - 28 TAC [§133.307](#), Medical Fee Dispute Resolution
 - No postings yet
 - Amend to condense the appeal provisions in (g)
 - 28 TAC [§134.600](#), Preauthorization, Concurrent Utilization Review, and Voluntary Certification of Health Care
 - No postings yet
 - Amend to consolidate the utilization review procedural provisions and simplify the definitions with cross-references
 - 28 TAC [§140.8](#), Procedures for Health Care Insurers to Pursue Reimbursement of Medical Benefits under Labor Code [§409.0091](#)
 - No postings yet
 - Amend to replace any restated procedural detail with concise cross-references and retain only the filing mechanics left to DWC by statute
 - 28 TAC [§180.22](#), Health Care Provider Roles and Responsibilities
 - No postings yet
 - Replace restatements of duties with statutory and rule cross-references; combine general credentialing and compliance statements
 - 28 TAC [§129.5](#), Work Status Reports
 - No postings yet
 - Amend to consolidate transmission obligations in (f)-(h)

Rules to be amended (fast-track updates to correct citations and references, and for plain language):

- 28 TAC [§134.130](#), Interest for Late Payment on Medical Bills and Refunds
- 28 TAC [§122.3](#), Exposure to Communicable Diseases: Reporting and Testing Requirements for Emergency Responders
- 28 TAC [§122.4](#), State Employees Exposed to Human Immunodeficiency Virus (HIV): Reporting and Testing Requirements
- 28 TAC [§129.4](#), Adjustment of Temporary Income Benefit Amount
- 28 TAC [§130.3](#), Certification of Maximum Medical Improvement and Evaluation of Permanent Impairment by a Doctor other than the Treating Doctor
- 28 TAC [§130.4](#), Presumption that Maximum Medical Improvement (MMI) has been Reached and Resolution when MMI has not been Certified
- 28 TAC [§130.7](#), Acceleration of Impairment Income Benefits
- 28 TAC [§130.8](#), Initiating Payment of Impairment Income Benefits
- 28 TAC [§130.11](#), Agreement for Monthly Payment of Impairment Income Benefits
- 28 TAC [§130.12](#), Finality of the First Certification of Maximum Medical Improvement and/or First Assignment of Impairment Rating
- 28 TAC [§126.2](#), Payment of Benefits to Minors
- 28 TAC [§126.3](#), Payment of Benefits to Legally Incompetent Persons
- 28 TAC [§126.4](#), Advance of Benefits Based on Financial Hardship
- 28 TAC [§126.5](#), Entitlement and Procedure for Requesting Required Medical Examinations
- 28 TAC [§126.6](#), Required Medical Examination
- 28 TAC [§133.240\(q\)](#), Medical Payments and Denials
- 28 TAC [§126.11](#), Extension of the Date of Maximum Medical Improvement for Spinal Surgery