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To: Texas Workers' Compensation System Participants

From: Kara Mace, Deputy Commissioner for Legal Services

Date: [March 27, 2023](#)

RE: Notice of Proposed Rule Review: 28 TAC Chapters 41-69 (Old Law)

The Texas Department of Insurance, Division of Workers' Compensation (DWC) will review all sections in the following chapters in Title 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).

The notice of proposed review will be published in the March 31, 2023, issue of the *Texas Register* and will be available at [www.sos.state.tx.us/texreg/index.shtml](http://www.sos.state.tx.us/texreg/index.shtml) once published. DWC will also post a copy on the TDI website at [www.tdi.texas.gov/wc/rules/rulereview.html](http://www.tdi.texas.gov/wc/rules/rulereview.html).

DWC is accepting public comments on whether the reasons for initially adopting these rules continue to exist, and whether these rules should be repealed, readopted, or

readopted with amendments in accordance with Texas Government Code §2001.039.

Send your written comments or hearing request to [RuleComments@tdi.texas.gov](mailto:RuleComments@tdi.texas.gov) or to:

Legal Services, MC-LS  
Texas Department of Insurance, Division of Workers' Compensation  
PO Box 12050  
Austin, Texas 78711-2050

The deadline to submit comments is 5 p.m., Central time, on May 1, 2023.

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