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To: Texas Workers' Compensation System Participants

From: Kara Mace, General Counsel

Date: [August 12, 2024](#)

Subject: Proposed rule on Chapter 134, Subchapter F, Pharmaceutical Benefits

The Texas Department of Insurance, Division of Workers' Compensation (DWC) is accepting public comments on a proposed rule that updates and reorganizes 28 Texas Administrative Code Chapter 134, [Subchapter F](#), concerning pharmaceutical benefits. The proposed changes repeal Sections [134.506](#) and [134.510](#), and amend Sections [134.500](#), [134.501](#), [134.502](#), [134.503](#), [134.504](#), [134.520](#), [134.530](#), [134.540](#), and [134.550](#). Subchapter F implements Texas Labor Code Sections [408.028](#) and [413.011](#), and Texas Insurance Code Chapter [1305](#). The DWC medical advisor recommends the amendments to the commissioner of workers' compensation under Labor Code Section [413.0511\(b\)](#).

The changes are necessary to remove obsolete provisions and to update references and language to be consistent with other rules. When the rules were originally adopted, they included transition provisions to move workers' compensation to a closed formulary system. Those transition provisions are no longer necessary, so the proposed amendments remove them. The changes also include nonsubstantive editorial and formatting updates for plain language and agency style to improve the rule's clarity.

The proposed rule will be published in the August 23, 2024, issue of the *Texas Register* and available at [www.sos.state.tx.us/texreg/index.shtml](http://www.sos.state.tx.us/texreg/index.shtml) once published. We will also post a copy of the proposed rule on the website at [www.tdi.texas.gov/wc/rules/2024rules.html](http://www.tdi.texas.gov/wc/rules/2024rules.html).

Submit any written comments on the proposed rule to [RuleComments@tdi.texas.gov](mailto:RuleComments@tdi.texas.gov), or mail or deliver your comments to:

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

The deadline to submit all comments is 5 p.m., Central time, on September 23, 2024.