

By: Jones of Dallas

H.B. No. 2307

A BILL TO BE ENTITLED

AN ACT

relating to certain determinations of impairment for purposes of workers' compensation benefits.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 408, Labor Code, is amended by adding Section 408.009 to read as follows:

Sec. 408.009. EFFECT OF RECEIPT OF SOCIAL SECURITY DISABILITY BENEFITS BY INJURED EMPLOYEE. (a) This section applies only to an injured employee who is receiving social security disability insurance benefits due to an injury compensable under this subtitle.

(b) For purposes of the eligibility of an employee described by Subsection (a) for benefits under this subtitle, in a dispute regarding the impairment or attainment of maximum medical improvement of the employee the commission shall consider the fact that the employee remains eligible for the social security disability insurance benefits as determinative of the fact that the employee continues to be impaired as a result of the injury.

SECTION 2. The change in law made by this Act applies to a claim for workers' compensation benefits based on a compensable injury regardless of whether the injury occurs before, on, or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2003.