

Amend the committee printing of CSSB 5 as follows:

(1) On page 3, by striking lines 46 through 48 and substituting the following:

"(b) A violation of Subsection (a) is an [~~a Class A~~] administrative violation and constitutes a ground for removal from office or termination of employment."

(2) On page 5, by striking lines 32 and 33 and substituting the following:

"(11) correct clerical errors in the entry of orders; and

(12) exercise other powers and perform other duties as necessary to implement and enforce this title."

(3) On page 7, line 8, by striking "governor's office" and substituting "Texas Workforce Commission".

(4) On page 10, line 15, by inserting a new subdivision (3) to read as follows:

"(3) identification of whether the claimant is receiving medical care through a workers' compensation health care network certified under Chapter 1305, Insurance Code;"

and renumbering the subsequent subdivisions appropriately.

(5) On page 28, by striking lines 57 through 60 and substituting the following:

"(h) A person who makes a frivolous request for a medical examination under Subsection (b), as determined by the commissioner, commits a violation."

(6) On page 30, by striking lines 11 through 15, and substituting the following:

"(i) [~~(h)~~] An employee who, without good cause as determined by the commissioner, fails or refuses to appear at the time scheduled for an examination under Subsection (a) or (f), commits a violation."

(7) On page 30, by striking lines 36 through 39, and substituting the following:

"(1) A person who makes a frivolous request for a medical examination under Subsection (a) or (f), as determined by the commissioner, commits a violation."

(8) On page 32, by striking lines 11 through 13, and

substituting the following:

"(g) A person required to comply with Subsection (f) who does not comply commits a violation."

(9) On page 34, line 65, by striking "or accept" and substituting ", accept, or pay".

(10) On page 66, by striking lines 24 through 28, and substituting the following:

"(e) An employer who willfully applies for or receives reimbursement from the account under this section knowing that the employer is not an eligible employer commits a violation."

(11) On page 75, between lines 47 and 48, by adding a new SECTION 3.2751 to read as follows:

"SECTION 3.2751. Chapter 415, Labor Code, is amended by adding a new Section 415.025 to read as follows:

Sec. 415.025. REFERENCES TO A CLASS OF VIOLATION OR PENALTY. A reference in this code or other law, or rules of the Texas Workers' Compensation Commission or the Department of Workers' Compensation, to a particular class of violation, administrative violation, or penalty, means that the penalty shall not exceed \$25,000 per day per occurrence, and each day of noncompliance constitutes a separate violation."

(12)(a) On page 85, by striking lines 24 through 33; (b) on page 86, between lines 46 and 47, by inserting the following:

"(5) health care facility;

(6) health care practitioner;

(7) health care provider;" and striking ll. 47-49; and

and renumbering the remaining subdivisions accordingly.

(13) On page 92, line 14, by inserting "PHYSICIAN OR" between "CARE" and "PROVIDER".

(14) On page 92, line 19, by inserting "physician or" between "care" and "provider".

(15) On page 92, line 19, by inserting ", as the terms "physician" and "provider" are defined in that chapter" between "Chapter 843" and ".""

(16) On page 94, line 36, by inserting ", to the extent covered under the employee's accident or health benefit plan," between "carrier" and "or".

(17) On page 94, line 41, by inserting "health care" before "services".

(18) On page 98, line 7, by striking "employers" and substituting "policyholders who have selected a network".

(19) On page 100, by inserting a new subsection (h) between lines 48 and 49, to read as follows:

"(h) Treatments and services for an emergency do not require preauthorization."