

By: Giddings

H.B. No. 3121

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the continuation and operation of the workers'
3 compensation system of this state.

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

5 SECTION 1. Section 401.002, Labor Code, is amended to read
6 as follows:

7 Sec. 401.002. APPLICATION OF SUNSET ACT. The Texas
8 Workers' Compensation Commission is subject to Chapter 325,
9 Government Code (Texas Sunset Act). Unless continued in existence
10 as provided by that chapter, the commission is abolished September
11 1, 2017 [~~2005~~].

12 SECTION 2. Subchapter A, Chapter 401, Labor Code, is
13 amended by adding Section 401.004 to read as follows:

14 Sec. 401.004. LEGISLATIVE INTENT. It is the intent of the
15 legislature that the workers' compensation system of this state:

16 (1) promote safe and healthy workplaces;

17 (2) encourage the safe and timely return of injured
18 employees to the workforce;

19 (3) provide appropriate and cost-effective income
20 benefits and medical benefits; and

21 (4) provide appropriate and high-quality medical care
22 to restore the injured employee's physical condition and earning
23 capacity.

24 SECTION 3. Section 401.011, Labor Code, is amended by

1 adding Subdivision (35-a) to read as follows:

2 (35-a) "Provider network" means a health benefit plan
3 under which health care services are provided through contracts
4 with health care providers to individuals covered under the plan
5 and that requires those individuals to use health care providers
6 participating in the plan and procedures covered by the plan. The
7 term includes a network operated by:

8 (A) a health maintenance organization;

9 (B) a preferred provider benefit plan issuer; or

10 (C) another entity that offers a managed care
11 plan, including an insurance company.

12 SECTION 4. Subchapter B, Chapter 408, Labor Code, is
13 amended by adding Section 408.031 to read as follows:

14 Sec. 408.031. STUDY ON PROVIDER NETWORKS. The commission
15 shall study the use of provider networks in the provision of medical
16 benefits for injured employees.

17 SECTION 5. Subchapter A, Chapter 410, Labor Code, is
18 amended by adding Section 410.007 to read as follows:

19 Sec. 410.007. PRECEDENT MANUAL FOR CERTAIN DISPUTES. The
20 commissioner by rule shall adopt a precedent manual for workers'
21 compensation disputes regarding income benefits.

22 SECTION 6. Sections 408.0221, 408.0222, and 408.0223, Labor
23 Code, are repealed.

24 SECTION 7. This Act takes effect September 1, 2005.