

1-1 By: Watson S.B. No. 458
1-2 (In the Senate - Filed February 5, 2007; February 21, 2007,
1-3 read first time and referred to Committee on State Affairs;
1-4 March 7, 2007, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; March 7, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to workers' compensation medical benefits for certain
1-9 prosthetic or orthotic devices.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 401.011, Labor Code, is amended by
1-12 amending Subdivision (19) and adding Subdivisions (34-a) and (35-a)
1-13 to read as follows:

1-14 (19) "Health care" includes all reasonable and
1-15 necessary medical aid, medical examinations, medical treatments,
1-16 medical diagnoses, medical evaluations, and medical services. The
1-17 term does not include vocational rehabilitation. The term
1-18 includes:

1-19 (A) medical, surgical, chiropractic, podiatric,
1-20 optometric, dental, nursing, and physical therapy services
1-21 provided by or at the direction of a doctor;

1-22 (B) physical rehabilitation services performed
1-23 by a licensed occupational therapist provided by or at the
1-24 direction of a doctor;

1-25 (C) psychological services prescribed by a
1-26 doctor;

1-27 (D) the services of a hospital or other health
1-28 care facility;

1-29 (E) a prescription drug, medicine, or other
1-30 remedy; and

1-31 (F) a medical or surgical supply, appliance,
1-32 brace, artificial member, or prosthetic or orthotic device
1-33 [~~prosthesis~~], including the fitting of, change or repair to, or
1-34 training in the use of the appliance, brace, member, or device
1-35 [~~prosthesis~~].

1-36 (34-a) "Orthotic device" means a custom-fitted or
1-37 custom-fabricated medical device that is applied to a part of the
1-38 human body to correct a deformity, improve function, or relieve
1-39 symptoms related to a compensable injury or occupational disease.

1-40 (35-a) "Prosthetic device" means an artificial device
1-41 designed to replace, wholly or partly, an arm or leg.

1-42 SECTION 2. Subsection (b), Section 1305.004, Insurance
1-43 Code, is amended to read as follows:

1-44 (b) In this chapter, the following terms have the meanings
1-45 assigned by Section 401.011, Labor Code:

1-46 (1) "compensable injury";

1-47 (2) "doctor";

1-48 (3) "employer";

1-49 (4) "health care";

1-50 (5) "health care facility";

1-51 (6) "health care practitioner";

1-52 (7) "health care provider";

1-53 (8) "injury";

1-54 (9) "insurance carrier"; [~~and~~]

1-55 (10) "orthotic device";

1-56 (11) "prosthetic device"; and

1-57 (12) "treating doctor."

1-58 SECTION 3. This Act takes effect September 1, 2007.

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