

By: Davis of Harris

H.B. No. 1820

A BILL TO BE ENTITLED

1 AN ACT
2 relating to provision of workers' compensation medical benefits to
3 a police officer or firefighter injured in the line of duty;
4 providing an administrative violation.

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

6 SECTION 1. Subchapter C, Chapter 504, Labor Code, is
7 amended by adding Section 504.054 to read as follows:

8 Sec. 504.054. EXPEDITED PROVISION OF MEDICAL BENEFITS FOR
9 LINE OF DUTY INJURIES. (a) This section applies only to a police
10 officer or firefighter injured in the line of duty.

11 (b) A political subdivision that is the employer of a police
12 officer or firefighter who incurs a compensable injury sustained in
13 the line of duty shall ensure that the medical benefits provided to
14 the injured employee include all health care required to cure or
15 relieve the effects naturally resulting from the compensable
16 injury, including payment of reasonable expenses incurred by the
17 employee for necessary treatment, promotion of recovery,
18 and enhancement of the ability of the employee to return to or
19 retain employment.

20 (c) Medical benefits provided under this section must
21 include, if necessary or appropriate to the nature of the
22 compensable injury:

23 (1) a medical or surgical appliance, brace, artificial
24 member, including an artificial eye, or prosthetic or orthotic

1 device; and

2 (2) any necessary fitting of, change or repair to, or
3 training in the use of the appliance, brace, member, or device.

4 (d) Notwithstanding any other provision of this title, the
5 employing political subdivision shall ensure that medical benefits
6 subject to this section are initiated not later than the 10th day
7 after the date on which the notice of injury required under Section
8 409.001 is submitted to the political subdivision.

9 (e) If the political subdivision provides workers'
10 compensation benefits through a workers' compensation insurance
11 policy, the insurance carrier shall comply with the time period
12 required under Subsection (d). A violation of this subsection by an
13 insurance carrier constitutes an administrative violation under
14 Section 415.002.

15 SECTION 2. (a) Except as provided by Subsection (b), the
16 change in law made by this Act applies only to a claim for workers'
17 compensation benefits based on a compensable injury that occurs on
18 or after the effective date of this Act. A claim based on a
19 compensable injury that occurs before that date is governed by the
20 law in effect on the date that the compensable injury occurred, and
21 the former law is continued in effect for that purpose.

22 (b) Sections 504.054(b) and (c), Labor Code, as added by
23 this Act, are for purposes of clarification and do not change the
24 law or create any new entitlement to benefits.

25 SECTION 3. This Act takes effect September 1, 2009.