

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 19, 2009**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB673** by Solomons (Relating to certain services provided by the office of injured employee counsel under the workers' compensation program of this state.), **Committee Report 2nd House, As Amended**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the responsibilities and duties of the public counsel at the Office of Injured Employee Counsel (OIEC). The bill would amend the ombudsman program to include representing injured employees for an enforcement action against an employee for a violation of the Texas Workers Compensation Act and to represent employees before the State Office of Administrative Hearings. The bill would transfer the approval process of adopting a notice of injured employee rights from the Department of Insurance (TDI) to OIEC. The bill would change the public counsel's confidentiality requirements and access to information. Based on the analysis of OIEC, it is assumed that costs associated with implementing the provisions of the bill could be absorbed within existing resources.

Based on the analysis of TDI, implementing the requirements of this bill would require the agency to educate staff about the changes in the public counsel's confidentiality requirements and access to information, and amend rules to reflect the change in the adoption process for the notice of injured employee rights and responsibilities. Based on the information provided by TDI, it is assumed that costs associated with implementing the provisions of the bill could be absorbed within existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 448 Office of Injured Employee Counsel, 454 Department of Insurance

**LBB Staff:** JOB, KJG, JRO, MW, CH