

AN ACT

1
2 relating to notice of staff leasing services company workers'
3 compensation claim and payment information; providing an
4 administrative violation.

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

6 SECTION 1. The heading to Section 91.042, Labor Code, is
7 amended to read as follows:

8 Sec. 91.042. WORKERS' COMPENSATION INSURANCE;
9 ADMINISTRATIVE VIOLATION.

10 SECTION 2. Section 91.042, Labor Code, is amended by adding
11 Subsections (g), (h), and (i) to read as follows:

12 (g) On the written request of a client company, a license
13 holder that elects to provide workers' compensation insurance for
14 assigned employees shall provide to the client company a list of:

15 (1) claims associated with that client company made
16 against the license holder's workers' compensation policy; and

17 (2) payments made and reserves established on each
18 claim.

19 (h) The license holder shall provide the information
20 described by Subsection (g) in writing from the license holder's
21 own records, if the license holder is a qualified self-insurer, or
22 from information the license holder received from the license
23 holder's workers' compensation insurance provider following the
24 license holder's request under Section 2051.151, Insurance Code,

1 not later than the 60th day after the date the license holder
2 receives the client company's written request. For purposes of this
3 subsection, information is considered to be provided to the client
4 company on the date the information is:

5 (1) received by the United States Postal Service; or

6 (2) personally delivered to the client company.

7 (i) A license holder that fails to comply with Subsection
8 (g) or (h) commits a Class D administrative violation as provided by
9 Section 415.011.

10 SECTION 3. Subchapter A, Chapter 415, Labor Code, is
11 amended by adding Section 415.011 to read as follows:

12 Sec. 415.011. NOTICE OF STAFF LEASING SERVICES COMPANY
13 WORKERS' COMPENSATION CLAIM AND PAYMENT INFORMATION;
14 ADMINISTRATIVE VIOLATION. (a) Except as provided by Subsection
15 (c), a staff leasing services company license holder commits a
16 violation if the license holder fails to provide the information
17 required by Sections 91.042(g) and (h).

18 (b) A violation under Subsection (a) is an administrative
19 violation.

20 (c) A staff leasing services company license holder does not
21 commit an administrative violation under this section if the
22 license holder requested the information required by Sections
23 91.042(g) and (h) from the license holder's workers' compensation
24 insurance provider and the provider does not provide the
25 information to the license holder within the required time. A
26 license holder shall notify the Texas Department of Insurance of a
27 provider's failure to comply with the requirements of Section

1 2051.151, Insurance Code.

2 SECTION 4. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 625 was passed by the House on April 26, 2011, by the following vote: Yeas 147, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 625 was passed by the Senate on May 17, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor