

1-1 By: Solomons (Senate Sponsor - Carona) H.B. No. 625
1-2 (In the Senate - Received from the House April 27, 2011;
1-3 May 2, 2011, read first time and referred to Committee on State
1-4 Affairs; May 6, 2011, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 6, 2011, sent to printer.)

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

1-8 relating to notice of staff leasing services company workers'
1-9 compensation claim and payment information; providing an
1-10 administrative violation.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. The heading to Section 91.042, Labor Code, is
1-13 amended to read as follows:

1-14 Sec. 91.042. WORKERS' COMPENSATION INSURANCE;
1-15 ADMINISTRATIVE VIOLATION.

1-16 SECTION 2. Section 91.042, Labor Code, is amended by adding
1-17 Subsections (g), (h), and (i) to read as follows:

1-18 (g) On the written request of a client company, a license
1-19 holder that elects to provide workers' compensation insurance for
1-20 assigned employees shall provide to the client company a list of:

1-21 (1) claims associated with that client company made
1-22 against the license holder's workers' compensation policy; and

1-23 (2) payments made and reserves established on each
1-24 claim.

1-25 (h) The license holder shall provide the information
1-26 described by Subsection (g) in writing from the license holder's
1-27 own records, if the license holder is a qualified self-insurer, or
1-28 from information the license holder received from the license
1-29 holder's workers' compensation insurance provider following the
1-30 license holder's request under Section 2051.151, Insurance Code,
1-31 not later than the 60th day after the date the license holder
1-32 receives the client company's written request. For purposes of
1-33 this subsection, information is considered to be provided to the
1-34 client company on the date the information is:

1-35 (1) received by the United States Postal Service; or

1-36 (2) personally delivered to the client company.

1-37 (i) A license holder that fails to comply with Subsection
1-38 (g) or (h) commits a Class D administrative violation as provided by
1-39 Section 415.011.

1-40 SECTION 3. Subchapter A, Chapter 415, Labor Code, is
1-41 amended by adding Section 415.011 to read as follows:

1-42 Sec. 415.011. NOTICE OF STAFF LEASING SERVICES COMPANY
1-43 WORKERS' COMPENSATION CLAIM AND PAYMENT INFORMATION;
1-44 ADMINISTRATIVE VIOLATION. (a) Except as provided by Subsection

1-45 (c), a staff leasing services company license holder commits a
1-46 violation if the license holder fails to provide the information
1-47 required by Sections 91.042(g) and (h).

1-48 (b) A violation under Subsection (a) is an administrative
1-49 violation.

1-50 (c) A staff leasing services company license holder does not
1-51 commit an administrative violation under this section if the
1-52 license holder requested the information required by Sections
1-53 91.042(g) and (h) from the license holder's workers' compensation
1-54 insurance provider and the provider does not provide the
1-55 information to the license holder within the required time. A
1-56 license holder shall notify the Texas Department of Insurance of a
1-57 provider's failure to comply with the requirements of Section
1-58 2051.151, Insurance Code.

1-59 SECTION 4. This Act takes effect September 1, 2011.

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