

By: Duncan
(Elkins)

S.B. No. 800

A BILL TO BE ENTITLED

AN ACT

relating to the qualifications and operations of workers' compensation data collection agents.

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

SECTION 1. Section 401.024, Labor Code, is amended by amending Subsection (c) and adding Subsections (e), (f), and (g) to read as follows:

(c) The commissioner may designate and contract with one or more ~~[a]~~ data collection agents ~~[agent]~~ to fulfill the data collection requirements of this subtitle. To qualify as a data collection agent, an organization must demonstrate at least five years of experience in data collection, data maintenance, data quality control, accounting, and related areas.

(e) A data collection agent may collect from a reporting insurance carrier, other than a governmental entity, any fees necessary for the agent to recover the necessary and reasonable costs of collecting data from that reporting insurance carrier.

(f) A reporting insurance carrier, other than a governmental entity, shall pay the fee to the data collection agent for the data collection services provided by the data collection agent.

(g) The commissioner may adopt rules necessary to implement this section.

SECTION 2. Subsection (c), Section 406.009, Labor Code, is

1 amended to read as follows:

2 (c) The commissioner may designate a data collection agent,
3 implement an electronic reporting and public information access
4 program, and adopt rules as necessary to implement the data
5 collection requirements of this subchapter. The commissioner may
6 establish the form, manner, and procedure for the transmission of
7 information to the division. A data collection agent designated
8 under this subsection must be qualified and may collect fees in the
9 manner described by Section 401.024.

10 SECTION 3. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2011.