

1-1 By: Duncan S.B. No. 800
1-2 (In the Senate - Filed February 18, 2011; March 1, 2011,
1-3 read first time and referred to Committee on State Affairs;
1-4 March 30, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; March 30, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 800 By: Duncan

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the qualifications and operations of workers'
1-11 compensation data collection agents.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 401.024, Labor Code, is amended by
1-14 amending Subsection (c) and adding Subsections (e), (f), and (g) to
1-15 read as follows:

1-16 (c) The commissioner may designate and contract with one or
1-17 more [a] data collection agents [agent] to fulfill the data
1-18 collection requirements of this subtitle. To qualify as a data
1-19 collection agent, an organization must demonstrate at least five
1-20 years of experience in data collection, data maintenance, data
1-21 quality control, accounting, and related areas.

1-22 (e) A data collection agent may collect from a reporting
1-23 insurance carrier, other than a governmental entity, any fees
1-24 necessary for the agent to recover the necessary and reasonable
1-25 costs of collecting data from that reporting insurance carrier.

1-26 (f) A reporting insurance carrier, other than a
1-27 governmental entity, shall pay the fee to the data collection agent
1-28 for the data collection services provided by the data collection
1-29 agent.

1-30 (g) The commissioner may adopt rules necessary to implement
1-31 this section.

1-32 SECTION 2. Subsection (c), Section 406.009, Labor Code, is
1-33 amended to read as follows:

1-34 (c) The commissioner may designate a data collection agent,
1-35 implement an electronic reporting and public information access
1-36 program, and adopt rules as necessary to implement the data
1-37 collection requirements of this subchapter. The commissioner may
1-38 establish the form, manner, and procedure for the transmission of
1-39 information to the division. A data collection agent designated
1-40 under this subsection must be qualified and may collect fees in the
1-41 manner described by Section 401.024.

1-42 SECTION 3. This Act takes effect immediately if it receives
1-43 a vote of two-thirds of all the members elected to each house, as
1-44 provided by Section 39, Article III, Texas Constitution. If this
1-45 Act does not receive the vote necessary for immediate effect, this
1-46 Act takes effect September 1, 2011.

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