

BILL ANALYSIS

H.B. 1155
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Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under the Texas Workers' Compensation Act, if an injured worker fails to attend a designated doctor examination without good cause, the insurance carrier is authorized to suspend the payment of temporary income benefits. However, the insurance carrier is required to reinstate temporary income benefits if the examination is rescheduled and the injured worker attends the examination.

Interested parties observe that the use of designated doctors has grown as a result of workers' compensation reforms and that designated doctors are often used when an injured worker is no longer entitled to temporary income benefits but may be entitled to other income benefits. These parties contend that, in such cases, if the injured worker refuses to attend a designated doctor examination, the insurance carrier is not authorized to suspend the worker's benefits because the worker does not receive temporary income benefits. According to the interested parties, measures are needed to protect the integrity of the designated doctor process by encouraging the injured employee to attend the scheduled examination. H.B. 1155 seeks to resolve this issue and establish consistency with the workers' compensation reforms by authorizing an insurance carrier to suspend any workers' compensation income benefits if an injured worker fails to submit to a required doctor examination without good cause.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1155 amends the Labor Code, in a provision under the Texas Workers' Compensation Act establishing that an employee who fails to submit to a required medical examination by a designated doctor except for good cause is not entitled to temporary income benefits and that an insurance carrier is authorized to suspend the payment of such benefits to the employee, to expand the applicability of this provision to include all income benefits rather than only temporary income benefits.

EFFECTIVE DATE

September 1, 2013.