

By: Zedler

H.B. No. 2629

A BILL TO BE ENTITLED

1 AN ACT
2 relating to utilizing the range of motion model incorporated into
3 the 4th Edition of the American Medical Association Guides to
4 determine the impairment rating of the lumbar spine.

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

6 SECTION 1. Section 408.124, Labor Code, is amended by
7 adding Subsection (d) to read as follows:

8 Sec. 408.124. IMPAIRMENT RATING GUIDELINES. (a) An award
9 of an impairment income benefit, whether by the commissioner or a
10 court, must be based on an impairment rating determined using the
11 impairment rating guidelines described by this section.

12 (b) For determining the existence and degree of an
13 employee's impairment, the division shall use "Guides to the
14 Evaluation of Permanent Impairment," third edition, second
15 printing, dated February 1989, published by the American Medical
16 Association.

17 (c) Notwithstanding Subsection (b), the commissioner by
18 rule may adopt the fourth edition of the "Guides to the Evaluation
19 of Permanent Impairment," published by the American Medical
20 Association, or a subsequent edition of those guides, for
21 determining the existence and degree of an employee's impairment.

22 (d) The Division shall use the range of motion model from
23 the fourth edition of the "Guides to the Evaluation of Permanent
24 Impairment" to determine impairment for all lumbar injuries rather

1 than the injury or diagnosis-related estimates model regardless of
2 the which edition of the Guides the Division adopts pursuant to
3 subsection (b) or (c) of this section.

4 SECTION 2. This Act takes effect September 1, 2013.