

By: Zedler

H.B. No. 2630

A BILL TO BE ENTITLED

AN ACT

relating to waiver of an insurer's right to contest compensability of certain workers' compensation claims.

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

SECTION 1. Section 409.021, Labor code, is amended by adding Subsection (c-1) to read as follows:

(c-1) After the expiration of the 60-day period under Subsection (c), if the insurance carrier receives written notice of a new manifestation of the original injury, an additional injury, or an additional diagnosis and does not contest the compensability of that injury or diagnosis on or before the 60th day after the date on which it receives the notice described by this subsection, the insurance carrier waives its right to contest the extent or compensability of the new manifestation of the original injury, additional injury, or diagnosis. This subsection may not be construed as limiting an insurance carrier's ability to reopen the issue of compensability under Subsection (d) based on newly discovered evidence.

SECTION 2. Section 409.021(f), Labor Code, as added by Chapter 939 (S.B. 1282), Acts of the 78th Legislature, Regular Session, 2003, is repealed.

SECTION 3. The change in law made by this Act applies only to a claim for workers' compensation benefits based on a compensable injury that occurs on or after the effective date of

1 this Act. A claim based on a compensable injury that occurs before
2 that date is governed by the law in effect on the date that the
3 compensable injury occurred, and the former law is continued in
4 effect for that purpose.

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