

By: Walle

H.B. No. 3311

A BILL TO BE ENTITLED

AN ACT

relating to reporting requirements for employers that do not obtain
or otherwise provide workers' compensation insurance coverage.

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

SECTION 1. Subchapter A, Chapter 406, Labor Code, is
amended by adding Section 406.0045 to read as follows:

Sec. 406.0045. EMPLOYER REPORT TO DIVISION. (a) Not later
than February 28 of each year, an employer who does not obtain or
otherwise provide workers' compensation insurance coverage for all
or part of the preceding calendar year shall report to the division
each work-related injury sustained by an employee of the employer
during the preceding calendar year or portion of that year during
which the employer did not provide workers' compensation insurance
coverage, as applicable, that:

(1) resulted in:

(A) the employee being absent from one or more
days of work;

(B) a temporary or permanent modification of the
employee's work assignment; or

(C) a medical diagnosis of a significant
occupational injury or disease; or

(2) required medical treatment beyond the provision of
first aid.

(b) The employer shall report to the division regarding each

1 injury described by Subsection (a):

2 (1) the total cost of medical treatment;

3 (2) the portion of the cost of medical treatment paid

4 for or provided by the employer;

5 (3) the number of days the employee was absent from
6 work;

7 (4) the amount of any wage replacement paid by the
8 employer; and

9 (5) the amount of any other settlement paid by the
10 employer.

11 (c) The commissioner shall:

12 (1) adopt rules for the administration of this
13 section; and

14 (2) prescribe forms to be used for the report required
15 by this section.

16 SECTION 2. An employer is not required to submit the initial
17 report required by Section 406.0045, Labor Code, as added by this
18 Act, before February 28, 2015.

19 SECTION 3. This Act takes effect September 1, 2013.