

By: Lozano

H.B. No. 2287

A BILL TO BE ENTITLED

AN ACT

1
2 relating to administrative violations committed by certified
3 self-insurer administrators under the Texas Workers' Compensation
4 Act; authorizing an administrative penalty.

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

6 SECTION 1. Section 415.002, Labor Code, is amended by
7 adding Subsections (c) and (d) to read as follows:

8 (c) An administrator, as defined by Section 4151.001,
9 Insurance Code, commits an administrative violation under
10 Subsection (a) if the administrator:

11 (1) is under contract with a certified self-insurer;

12 and

13 (2) engages in conduct described by Subsection (a) in
14 the course of administering a claim on behalf of the certified
15 self-insurer.

16 (d) A certified self-insurer may not be charged with an
17 administrative violation under Subsection (a) if the conduct that
18 is the subject of the violation was engaged in by an administrator,
19 as defined by Section 4151.001, Insurance Code, of the certified
20 self-insurer, unless the certified self-insurer was aware that the
21 administrator was engaging in that conduct.

22 SECTION 2. Sections 415.002(c) and (d), Labor Code, as
23 added by this Act, apply only to an administrative violation
24 committed on or after the effective date of this Act. An

1 administrative violation committed before the effective date of
2 this Act is governed by the law in effect on the date the
3 administrative violation was committed, and the former law is
4 continued in effect for that purpose.

5 SECTION 3. This Act takes effect September 1, 2017.