

By: Perry

S.B. No. 1035

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to medical causation narrative reports created under the  
3 Texas Workers' Compensation Act.

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

5 SECTION 1. Subchapter B, Chapter 408, Labor Code, is  
6 amended by adding Section 408.0273 to read as follows:

7 Sec. 408.0273. MEDICAL CAUSATION NARRATIVE REPORT. (a) In  
8 this section, "medical causation narrative report" means an  
9 original report created by a doctor that explains a causal  
10 connection between a workplace accident and a diagnosed injury.

11 (b) If an insurance carrier disputes the extent of an  
12 employee's compensable injury or if an injured employee does not  
13 agree with the opinion of a designated doctor under Section  
14 408.0041 on that issue, the insurance carrier shall reimburse the  
15 treating doctor or doctor to whom the injured employee is referred  
16 by the treating doctor for the creation of a medical causation  
17 narrative report addressing that issue, regardless of whether the  
18 injured employee, a representative of the injured employee, or the  
19 insurance carrier requests the creation of the report.

20 SECTION 2. The change in law made by this Act applies to a  
21 medical causation narrative report requested on or after the  
22 effective date of this Act, regardless of whether the compensable  
23 injury occurred before, on, or after that date.

24 SECTION 3. This Act takes effect immediately if it receives

1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2017.