

By: Collier

H.B. No. 1005

A BILL TO BE ENTITLED

AN ACT

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

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

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

Sec. 408.0273. MEDICAL CAUSATION NARRATIVE REPORT. (a) In this section, "medical causation narrative report" means an original report created by a doctor that explains a causal connection, if any, between a compensable injury and the diagnoses or conditions specified in the insurance carrier's plain language notice disputing the extent of the injured employee's compensable injury.

(b) On receipt of a plain language notice from the insurance carrier disputing the extent of an injured employee's compensable injury, if the employee does not agree with the statements in the plain language notice, the injured employee may request a medical causation narrative report addressing the extent of the employee's compensable injury from:

(1) the treating doctor; or

(2) a doctor to whom the treating doctor has previously referred the injured employee and who has treated the injured employee.

(c) An insurance carrier is required to provide

1 reimbursement for one medical causation narrative report for each  
2 plain language notice disputing the extent of the injured  
3 employee's compensable injury.

4 (d) The commissioner shall adopt rules implementing this  
5 section to ensure the efficient use of medical causation narrative  
6 reports and resolution of disputes regarding the extent of an  
7 injured employee's compensable injury.

8 SECTION 2. The change in law made by this Act applies to a  
9 medical causation narrative report requested in response to a plain  
10 language notice disputing the extent of the injured employee's  
11 compensable injury that is issued on or after the effective date of  
12 this Act, regardless of whether the compensable injury occurred  
13 before, on, or after that date.

14 SECTION 3. This Act takes effect September 1, 2019.