

Amend CSHB 2468 (house committee printing) as follows:

(1) On page 1, lines 5-6, between "by" and "adding", insert "amending Subsection (j) and".

(2) On page 1, between lines 6 and 7, insert the following:

(j) An employee is not entitled to temporary income benefits, or to lifetime income benefits under Section 408.1615, if applicable to the employee, and an insurance carrier is authorized to suspend the payment of those [~~temporary income~~] benefits, during and for a period in which the employee fails to submit to an examination required by Subsection (a) or (f) or if applicable, Section 408.1615(h), unless the commissioner determines that the employee had good cause for the failure to submit to the examination. The commissioner may order temporary income benefits or lifetime income benefits under Section 408.1615, as applicable, to be paid for the period for which the commissioner determined that the employee had good cause. The commissioner by rule shall ensure that:

(1) an employee receives reasonable notice of an examination and the insurance carrier's basis for suspension; and

(2) the employee is provided a reasonable opportunity to reschedule an examination for good cause.

(3) On page 1, line 9, strike "eligible to receive" and substitute "entitled to".

(4) On page 3, line 23, strike "eligibility for" and substitute "continuing entitlement to".

(5) On page 4, line 5, strike "eligibility for" and substitute "continuing entitlement to".

(6) On page 4, between lines 6 and 7, insert the following subsections, reletter subsequent subsections, and correct cross-references to those relettered subsections accordingly:

(g) Notwithstanding Subsection (f), an insurance carrier may review an employee's continuing entitlement to lifetime income benefits under this section regardless of the date on which the insurance carrier most recently reviewed the employee's continuing entitlement, if:

(1) the employee certifies to the insurance carrier under Subsection (e) that the employee was not employed in any

capacity during the preceding year;

(2) the insurance carrier provides evidence to the commissioner that the certification provided by the employee under Subsection (e) is not accurate; and

(3) the commissioner notifies the insurance carrier that the commissioner has determined that the evidence provided by the insurance carrier is sufficient to show that the certification provided by the employee under Subsection (e) may not be accurate.

(h) An insurance carrier reviewing an employee's continuing entitlement under Subsection (f) or (g) shall request the commissioner to order a medical examination conducted by a designated doctor under Section 408.0041. Except as otherwise provided by this section, the requirements of Section 408.0041 apply to an examination ordered under this subsection to the same extent as if the examination were ordered under Section 408.0041(a).

(7) On page 4, lines 10-11, strike "certify the employee's eligibility under" and substitute "complete the annual certification required by".

(8) On page 4, line 12, strike "408.0041(k-1)" and substitute "408.0041(j) or (k-1)".

(9) On page 4, line 16, strike "certify the employee's eligibility" and substitute "complete the annual certification".

(10) On page 4, line 20, strike "form and manner for" and substitute "deadline for the submission and the form and the manner of the submission of".

(11) On page 4, strike lines 23 through 27 and substitute the following:

(A) the review of an employee's continuing entitlement to lifetime income benefits under this section;

(B) the suspension and reinstatement of lifetime income benefits under this section; and

(C) the termination of lifetime income benefits under this section on a final determination that an employee is no longer entitled to the benefits.