

By: Zaffirini

S.B. No. 1640

A BILL TO BE ENTITLED

AN ACT

relating to conducting certain contested case hearings under the Texas workers' compensation system by remote communication.

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

SECTION 1. Section 410.005(a), Labor Code, is amended to read as follows:

(a) Subject to Section 410.0055, unless ~~[Unless]~~ the division determines that good cause exists for the selection of a different location, a contested case hearing may not be conducted at a site more than 75 miles from the claimant's residence at the time of the injury.

SECTION 2. Subchapter A, Chapter 410, Labor Code, is amended by adding Section 410.0055 to read as follows:

Sec. 410.0055. CONDUCTING CERTAIN CONTESTED CASE HEARINGS BY REMOTE COMMUNICATION. (a) This section applies only to a contested case hearing in which the insurance carrier is:

- (1) the State Office of Risk Management;
- (2) The Texas A&M University System;
- (3) the Texas Department of Transportation; or
- (4) The University of Texas System.

(b) The division shall conduct a contested case hearing to which this section applies telephonically or by videoconference on a showing by the insurance carrier or the carrier's representative that conducting the hearing in that manner would reduce the costs

1 incurred by this state, including in employee time, resulting from
2 travel to and from the hearing location.

3 SECTION 3. Section 410.0055, Labor Code, as added by this
4 Act, applies to a contested case hearing requested on or after the
5 effective date of this Act. A contested case hearing requested
6 before the effective date of this Act is governed by the law in
7 effect on the date the contested case hearing was requested, and the
8 former law is continued in effect for that purpose.

9 SECTION 4. This Act takes effect September 1, 2023.