

Amend CSHB 1306 (house committee report) as follows:

(1) Strike page 6, line 26, through page 8, line 1.

(2) Add the following appropriately numbered SECTIONS to the bill and renumber the SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 504, Labor Code, is amended by adding Section 504.057 to read as follows:

Sec. 504.057. EXPEDITED PROVISION OF MEDICAL BENEFITS FOR CERTAIN INJURIES SUSTAINED BY CERTAIN DEATH INVESTIGATION PROFESSIONALS IN COURSE AND SCOPE OF EMPLOYMENT. (a) In this section, "death investigation professional" means:

(1) a justice of the peace;

(2) a death investigator employed under Article 49.23, Code of Criminal Procedure; or

(3) a medical examiner or an employee of the medical examiner's office employed under Section 3, Article 49.25, Code of Criminal Procedure.

(b) This section applies only to a death investigation professional who sustains a serious bodily injury, as defined by Section 1.07, Penal Code, in the course and scope of employment.

(c) The county, division, and insurance carrier shall accelerate and give priority to an injured death investigation professional's claim for medical benefits, including all health care required to cure or relieve the effects naturally resulting from a compensable injury described by Subsection (b).

(d) The division shall accelerate, under rules adopted by the commissioner of workers' compensation, a contested case hearing requested by or an appeal submitted by a death investigation professional regarding the denial of a claim for medical benefits, including all health care required to cure or relieve the effects naturally resulting from a compensable injury described by Subsection (b). The death investigation professional shall provide notice to the division and independent review organization that the contested case or appeal involves a death investigation professional.

(e) Except as otherwise provided by this section, a death investigation professional is entitled to review of a medical dispute in the manner provided by Section 504.054.

SECTION _____. Section 415.021(c-2), Labor Code, is amended to read as follows:

(c-2) In determining whether to assess an administrative penalty involving a claim in which the insurance carrier provided notice under Section 409.021(a-3), the commissioner shall consider whether:

(1) the employee cooperated with the insurance carrier's investigation of the claim;

(2) the employee timely authorized access to the applicable medical records before the insurance carrier's deadline to:

(A) begin payment of benefits; or

(B) notify the division and the employee of the insurance carrier's refusal to pay benefits; and

(3) the insurance carrier conducted an investigation of the claim, applied the statutory presumptions under Subchapter B, Chapter 607, Government Code, and expedited medical benefits under Section 504.055 or 504.057.