

BILL ANALYSIS

Senate Research Center

H.B. 1306
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A forensic death investigator with the Ector County Medical Examiner's Office has raised concerns about the lack of state-mandated benefits for professionals in his field. According to the International Association of Coroners and Medical Examiners, coroners and medicolegal death investigators face many of the same hazards as recognized first responders, including exposure to biohazards, infectious diseases, and potential violence. Despite these risks, they do not currently qualify for many of the same benefits as traditional public safety officers and first responders.

H.B. 1306 would entitle death investigation professionals—including medical examiners, justices of the peace, and death investigators employed by a political subdivision of the state—to reimbursement for medical expenses resulting from exposure to contagious diseases, access to preventative immunizations, expedited medical benefits for work-related injuries, and line-of-duty death benefits for their families.

H.B. 1306 amends current law relating to certain claims for benefits or compensation by a death investigation professional.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 607.001, 607.002, and 607.003, Government Code, as follows:

Sec. 607.001. New heading: DEFINITIONS. (a) Creates this subdivision from existing text and makes no further changes.

(b) Defines "death investigation professional" and "inquest."

Sec. 607.002. REIMBURSEMENT. (a) Creates this subsection from existing text. Entitles a public safety employee or death investigation professional who is exposed to a contagious disease to reimbursement for reasonable medical expenses incurred in treatment for the prevention of the disease, rather than from the employing governmental entity for certain medical expenses, if:

- (1) makes no changes to this subdivision;
- (2) the exposure to the disease occurs during the course of the employment for a public safety employee or while conducting or assisting in an inquest for a death investigation professional; and
- (3) the employee or professional requires preventative medical treatment because of exposure to the disease.

(b) Provides that the governmental entity that employs the public safety employee is responsible for reimbursing the employee for medical expenses described by Subsection (a).

(c) Provides that the county served by the death investigation professional is responsible for reimbursing the professional for medical expenses described by Subsection (a).

Sec. 607.003. PHYSICIAN OF CHOICE. Entitles a public safety employee or death investigation professional who is exposed to a disease described by Section 607.002 to be treated for the prevention of that disease by the physician of the employee's or professional's choice.

SECTION 2. Amends Section 607.004, Government Code, by adding Subsection (a-1) to entitle a death investigation professional to preventative immunization for any disease to which the death investigation professional may be exposed in conducting or assisting in an inquest and for which immunization is possible.

SECTION 3. Amends Section 615.003, Government Code, as follows:

Sec. 615.003. APPLICABILITY. Provides that Chapter 615 (Financial Assistance to Survivors of Certain Law Enforcement Officers, Fire Fighters, and Others) applies only to eligible survivors of the following individuals:

(1)-(8) makes no changes to these subdivisions;

(9) an employee of the Texas Health and Human Services Commission, rather than of the Department of Aging and Disability Services, or Department of State Health Services who meets certain criteria;

(10)-(15) makes no changes to these subdivisions;

(16)-(17) makes nonsubstantive changes to these subdivisions;

(18) a justice of the peace;

(19) a death investigator employed under Article 49.23 (Office of Death Investigator), Code of Criminal Procedure; or

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

SECTION 4. Amends Subchapter C, Chapter 504, Labor Code, by adding Section 504.057, 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) Defines "death investigation professional."

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

(c) Requires the county, division of workers' compensation of the Texas Department of Insurance (division), and insurance carrier to 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) Requires the division to accelerate, under rules adopted by the commissioner of workers' compensation (commissioner), 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). Requires the death investigation professional to provide notice to the division and independent review organization that the contested case or appeal involves a death investigation professional.

(e) Entitles a death investigation professional, except as otherwise provided by this section, to review of a medical dispute in the manner provided by Section 504.054 (Contested Case Hearing on and Judicial Review of Independent Review).

SECTION 5. Amends Section 415.021(c-2), Labor Code, as follows:

(c-2) Requires the commissioner, in determining whether to assess an administrative penalty involving a claim in which the insurance carrier provided notice under Section 409.021(a-3) (relating to providing that an insurance carrier is not required to comply with Subsection (a) if the claim results from an employee's disability or death under certain circumstances), to consider certain information, including whether the insurance carrier conducted an investigation of the claim, applied the statutory presumptions under Subchapter B (Diseases or Illnesses Suffered by Detention Officers, Custodial Officers, Firefighters, Peace Officers, and Emergency Medical Technicians), Chapter 607 (Benefits Relating to Certain Diseases and Illnesses), Government Code, and expedited medical benefits under Section 504.055 (Expedited Provision of Medical Benefits for Certain Injuries Sustained by First Responder in Course and Scope of Employment) or 504.057.

SECTION 6. Makes application of this Act prospective.

SECTION 7. Effective date: September 1, 2025.