

BILL ANALYSIS

H.B. 2488
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Trade, Workforce & Economic Development
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The division of workers' compensation of the Texas Department of Insurance (TDI) oversees dispute resolution for workers' compensation claims, which may include an informal meeting such as a benefit review conference, a formal contested case hearing, or an appeal to the division. According to TDI's biennial report to the 89th Legislature, the division holds about 4,500 contested case hearings annually and allows parties and witnesses to appear by telephone if good cause exists. The report further states that due to the impact of the COVID-19 pandemic, the division successfully held both benefit review conferences and contested case hearings by videoconference or telephone for a period, leading to the passage of H.B. 1752, 87th Legislature, Regular Session, which now allows the division to conduct benefit review conferences by videoconference unless good cause exists to hold them in person. H.B. 2488 seeks to modernize and streamline the dispute resolution process by authorizing the division to hold contested case hearings virtually using existing videoconference technology.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of workers' compensation in SECTION 1 of this bill.

ANALYSIS

H.B. 2488 amends the Labor Code to authorize the division of workers' compensation of the Texas Department of Insurance (TDI) to conduct a contested case hearing under the Texas Workers' Compensation Act by videoconference on a determination by the division that good cause exists for conducting the hearing in that manner or on the mutual agreement of the parties. The bill requires the commissioner of workers' compensation, as soon as practicable after the bill's effective date, to adopt rules as necessary to implement the bill's provisions.

H.B. 2488 applies to a contested case hearing requested on or after the bill's effective date. A contested case hearing requested before the bill's effective date is governed by the law in effect on the date the contested case hearing was requested, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.