

By: Bhojani

H.B. No. 1066

A BILL TO BE ENTITLED

AN ACT

1
2 relating to conducting certain medical examinations using
3 telehealth services and telemedicine medical services under the
4 workers' compensation system.

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

6 SECTION 1. Section 408.0041, Labor Code, is amended by
7 adding Subsection (d-1) to read as follows:

8 (d-1) In this subsection, "telehealth service" and
9 "telemedicine medical service" have the meanings assigned by
10 Section 111.001, Occupations Code. The commissioner may order an
11 examination under this section to be conducted using telehealth
12 services or telemedicine medical services if the commissioner
13 determines conducting the examination in that manner is necessary
14 to ensure access to a timely examination by a qualified doctor.
15 During an examination conducted using telehealth services or
16 telemedicine medical services under this subsection, a health care
17 professional must be physically present in the room in which the
18 employee is located to assist in conducting the examination and
19 administering any necessary testing. The commissioner may adopt
20 rules related to examinations performed using telehealth services
21 or telemedicine medical services under this subsection.

22 SECTION 2. Subchapter G, Chapter 408, Labor Code, is
23 amended by adding Section 408.1231 to read as follows:

24 Sec. 408.1231. CONDUCTING CERTAIN MEDICAL EXAMINATIONS

1 USING TELEHEALTH SERVICES OR TELEMEDICINE MEDICAL SERVICES. (a)
2 In this section, "telehealth service" and "telemedicine medical
3 service" have the meanings assigned by Section 111.001, Occupations
4 Code.

5 (b) The employee's treating doctor or another doctor
6 authorized by the division to certify maximum medical improvement
7 or assign an impairment rating under Section 408.123 may certify
8 maximum medical improvement or assign an impairment rating during a
9 medical examination performed by the doctor using telehealth
10 services or telemedicine medical services if:

11 (1) the examination is of a musculoskeletal injury or
12 diagnosis involving:

13 (A) the hand or upper extremities;

14 (B) the foot, including toes and heel; or

15 (C) the spine and musculoskeletal structures of
16 the torso; or

17 (2) the commissioner determines there is good cause to
18 conduct the examination using telehealth services or telemedicine
19 medical services.

20 (c) During an examination conducted using telehealth
21 services or telemedicine medical services under Subsection (b), a
22 health care professional must be physically present in the room in
23 which the employee is located to assist in conducting the
24 examination and administering any necessary testing unless a
25 doctor:

26 (1) determined that the employee is not at maximum
27 medical improvement; or

1 (2) certified maximum medical improvement during an
2 examination and based on the examination concluded there was no
3 possibility of impairment.

4 (d) The commissioner shall adopt rules necessary to
5 implement this section.

6 SECTION 3. Section 408.0041, Labor Code, as amended by this
7 Act, and Section 408.1231, Labor Code, as added by this Act, apply
8 only to a medical examination conducted on or after the effective
9 date of this Act. A medical examination conducted before that date
10 is governed by the law in effect on the date the examination was
11 conducted, and the former law is continued in effect for that
12 purpose.

13 SECTION 4. This Act takes effect January 1, 2026.