

By: Landgraf, Holt

H.B. No. 1306

A BILL TO BE ENTITLED

AN ACT

relating to certain claims for benefits or compensation by a death investigation professional.

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

SECTION 1. Sections 607.001, 607.002, and 607.003, Government Code, are amended to read as follows:

Sec. 607.001. DEFINITIONS [~~DEFINITION~~]. (a) In this chapter, "public safety employee" means a peace officer, fire fighter, detention officer, county jailer, or emergency medical services employee of this state or a political subdivision of this state.

(b) In this subchapter:

(1) "Death investigation professional" means:

(A) a justice of the peace;

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

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

(2) "Inquest" has the meaning assigned by Article 49.01, Code of Criminal Procedure.

Sec. 607.002. REIMBURSEMENT. (a) A public safety employee or death investigation professional who is exposed to a contagious disease is entitled to reimbursement [~~from the employing~~]

1 ~~governmental entity~~] for reasonable medical expenses incurred in  
2 treatment for the prevention of the disease if:

3 (1) the disease is not an "ordinary disease of life" as  
4 that term is used in the context of a workers' compensation claim;

5 (2) the exposure to the disease occurs:

6 (A) during the course of the employment for a  
7 public safety employee; or

8 (B) while conducting or assisting in an inquest  
9 for a death investigation professional; and

10 (3) the employee or professional requires  
11 preventative medical treatment because of exposure to the disease.

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

15 (c) The county served by the death investigation  
16 professional is responsible for reimbursing the professional for  
17 medical expenses described by Subsection (a).

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

23 SECTION 2. Section 607.004, Government Code, is amended by  
24 adding Subsection (a-1) to read as follows:

25 (a-1) A death investigation professional is entitled to  
26 preventative immunization for any disease to which the death  
27 investigation professional may be exposed in conducting or

1 assisting in an inquest and for which immunization is possible.

2 SECTION 3. Section 615.003, Government Code, is amended to  
3 read as follows:

4 Sec. 615.003. APPLICABILITY. This chapter applies only to  
5 eligible survivors of the following individuals:

6 (1) an individual:

7 (A) elected, appointed, or employed as a peace  
8 officer by the state or a political subdivision of the state under  
9 Article 2A.001, Code of Criminal Procedure, or other law; or

10 (B) employed as a peace officer by a private  
11 institution of higher education, including a private junior  
12 college, that is located in this state under Section 51.212,  
13 Education Code;

14 (2) a paid probation officer appointed by the director  
15 of a community supervision and corrections department who has the  
16 duties set out in Section 76.002 and the qualifications set out in  
17 Section 76.005, or who was appointed in accordance with prior law;

18 (3) a parole officer employed by the Texas Department  
19 of Criminal Justice who has the duties set out in Section 508.001  
20 and the qualifications set out in Section 508.113 or in prior law;

21 (4) a paid jailer;

22 (5) a member of an organized police reserve or  
23 auxiliary unit who regularly assists peace officers in enforcing  
24 criminal laws;

25 (6) a member of the class of employees of the  
26 correctional institutions division formally designated as  
27 custodial personnel under Section 615.006 by the Texas Board of

1 Criminal Justice or its predecessor in function;

2 (7) a jailer or guard of a county jail who is appointed  
3 by the sheriff and who:

4 (A) performs a security, custodial, or  
5 supervisory function over the admittance, confinement, or  
6 discharge of prisoners; and

7 (B) is certified by the Texas Commission on Law  
8 Enforcement;

9 (8) a juvenile correctional employee of the Texas  
10 Juvenile Justice Department;

11 (9) an employee of the Health and Human Services  
12 Commission [~~Department of Aging and Disability Services~~] or  
13 Department of State Health Services who:

14 (A) works at the department's maximum security  
15 unit; or

16 (B) performs on-site services for the Texas  
17 Department of Criminal Justice;

18 (10) an individual who is employed by the state or a  
19 political or legal subdivision and is subject to certification by  
20 the Texas Commission on Fire Protection;

21 (11) an individual employed by the state or a  
22 political or legal subdivision whose principal duties are aircraft  
23 crash and rescue fire fighting;

24 (12) a member of an organized volunteer fire-fighting  
25 unit that:

26 (A) renders fire-fighting services without  
27 remuneration; and

(B) conducts a minimum of two drills each month, each two hours long;

(13) an individual who:

(A) performs emergency medical services or operates an ambulance;

(B) is employed by a political subdivision of the state or is an emergency medical services volunteer as defined by Section 773.003, Health and Safety Code; and

(C) is qualified as an emergency care attendant or at a higher level of training under Section 773.046, 773.047, 773.048, 773.049, or 773.0495, Health and Safety Code;

(14) an individual who is employed or formally designated as a chaplain for:

(A) an organized volunteer fire-fighting unit or other fire department of this state or of a political subdivision of this state;

(B) a law enforcement agency of this state or of a political subdivision of this state; or

(C) the Texas Department of Criminal Justice;

(15) an individual who is employed by the state or a political subdivision of the state and who is considered by the governmental employer to be a trainee for a position otherwise described by this section;

(16) an individual who is employed by the Department of Public Safety and, as certified by the director, is:

(A) deployed into the field in direct support of a law enforcement operation, including patrol, investigative,

1 search and rescue, crime scene, on-site communications, or special  
2 operations; and

3 (B) given a special assignment in direct support  
4 of operations relating to organized crime, criminal interdiction,  
5 border security, counterterrorism, intelligence, traffic  
6 enforcement, emergency management, regulatory services, or special  
7 investigations; ~~or~~

8 (17) an individual who is employed by the Parks and  
9 Wildlife Department and, as certified by the executive director of  
10 the Parks and Wildlife Department, is:

11 (A) deployed into the field in direct support of  
12 a law enforcement operation, including patrol, investigative,  
13 search and rescue, crime scene, on-site communications, or special  
14 operations; and

15 (B) given a special assignment in direct support  
16 of operations relating to organized crime, criminal interdiction,  
17 border security, counterterrorism, intelligence, traffic  
18 enforcement, emergency management, regulatory services, or special  
19 investigations;

20 (18) a justice of the peace;

21 (19) a death investigator employed under Article  
22 49.23, Code of Criminal Procedure; or

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

26 SECTION 4. Subchapter C, Chapter 504, Labor Code, is  
27 amended by adding Section 504.057 to read as follows:

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

5           (1) a justice of the peace;

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

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

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

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

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

1 professional.

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

5 SECTION 5. Section 415.021(c-2), Labor Code, is amended to  
6 read as follows:

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

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

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

16 (A) begin payment of benefits; or

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

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

23 SECTION 6. The changes in law made by this Act apply to a  
24 claim for benefits or compensation pending on or filed on or after  
25 the effective date of this Act. A claim for benefits or  
26 compensation filed before that date, other than a claim pending on  
27 that date, is governed by the law in effect on the date the claim was



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1 made, and the former law is continued in effect for that purpose.

2 SECTION 7. This Act takes effect September 1, 2025.