

By: Smithee

H.B. No. 1155

A BILL TO BE ENTITLED

AN ACT

relating to suspension of payment of certain income benefits under the workers' compensation system for failure to submit to a designated doctor examination.

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

SECTION 1. Section 408.0041(j), Labor Code, is amended to read as follows:

(j) An employee is not entitled to ~~temporary~~ income benefits, and an insurance carrier is authorized to suspend the payment of ~~temporary~~ income benefits, during and for a period in which the employee fails to submit to an examination required by Subsection (a) or (f) unless the commissioner determines that the employee had good cause for the failure to submit to the examination. The commissioner may order ~~temporary~~ income benefits to be paid for the period for which the commissioner determined that the employee had good cause. The commissioner by rule shall ensure that:

(1) an employee receives reasonable notice of an examination and the insurance carrier's basis for suspension; and

(2) the employee is provided a reasonable opportunity to reschedule an examination for good cause.

SECTION 2. This Act applies to a suspension of payment of income benefits authorized under Section 408.0041(j), Labor Code, as amended by this Act, on or after the effective date of this Act.

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1 A suspension of payment of income benefits authorized before the  
2 effective date of this Act is governed by the law in effect at the  
3 time of the suspension of payment of income benefits, and the former  
4 law is continued in effect for that purpose.

5 SECTION 3. This Act takes effect September 1, 2013.