



TEXAS DEPARTMENT OF INSURANCE

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memo

To: Workers' Compensation System Participants

From: Tracey Beaver, Director, Office of Workers' Compensation Counsel

Date: December 4, 2015

RE: Proposal: Amend 28 TAC §104.1 regarding Contents of Rule-Making Petitions

The Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) is accepting public comments on proposed amendments to 28 Texas Administrative Code (TAC) §104.1.

If you want to comment on the proposal, submit your written comments by 5:00 p.m. Central time on Monday, January 11, 2016. A request for public hearing must be sent separately from your written comments. Send written comments or hearing requests by email to rulecomments@tdi.texas.gov or by mail to:

Texas Department of Insurance, Division of Workers' Compensation
Maria Jimenez
Workers' Compensation Counsel MS – 4D
7551 Metro Center Drive, Suite 100
Austin, Texas 78744-1645

If a hearing is held, TDI-DWC will consider written comments and public testimony presented at the hearing.

The proposal will be published in the December 11, 2015 issue of the *Texas Register* and will be available at www.sos.state.tx.us/texreg/index.shtml once published. A courtesy copy will also be available on the TDI website at www.tdi.texas.gov/wc/rules/proposedrules/index.html.

Proposed amendments to §104.1 implement House Bill 763, 84th Legislature, Regular Session (2015) by aligning TDI-DWC's rules regarding contents of rulemaking petitions with the statutory changes provided by Government Code §2001.021. The proposed amendments require a statement that the petitioner is an interested person under Government Code §2001.021(d), and remove the requirement that a rulemaking petition include the petitioner's signature. The amendments also expand the options for submitting a rule petition by allowing a petition to be filed by email to rulecomments@tdi.texas.gov, and include some minor updates to reflect the current TDI-DWC organizational structure and change in name.