



Texas Department of Insurance

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August 17, 2005

COMMISSIONER'S BULLETIN NO. B-0038-05

TO: WORKERS' COMPENSATION SYSTEM PARTICIPANTS

RE: WORKERS' HEALTH AND SAFETY PROGRAMS

House Bill 7 (HB 7) eliminates the Field Safety Representative, Hazardous Employer, and Drug Free Workplace Programs. These programs will not be administered beginning September 1, 2005. The following information outlines how these changes will affect health and safety services provided by the Texas Department of Insurance, Division of Workers' Compensation (Division).

HB 7 removes the requirement for workers' compensation insurance carriers to employ field safety representatives with specific qualifications, and provides that insurance carriers will no longer be required to report annually the number and qualifications of these representatives. As a result, the Division will not process field safety representative applications or perform related activities. However, the statute still requires a carrier to provide accident prevention services to its policyholders, and these services may continue to be reviewed by the Division at the discretion of the Commissioner of Workers' Compensation.

Since the Hazardous Employer Program (HE) and the related Approved Professional Source Program are eliminated beginning September 1, 2005, the Division will not carry out HE employer notifications, safety data verifications, employer identifications, inspections, consultations, and other associated HE activities. Additionally, beginning September 1, 2005, employers will not be required to adopt and distribute Drug Abuse Policies.

The existing functions of the Safety Education and Training, Occupational Safety and Health Consultation (OSHCON), Safety Violations Hotline, Job Safety Information Systems, Accident Prevention Services, and the Rejected Risk Program are being transferred to the Texas Department of Insurance, Division of Workers' Compensation (Division) on September 1, 2005. The Division will provide OSHCON consultations, as well as make available training, reference materials, and research to assist employers with their health and

safety programs and encourage them to maintain safe and healthy work places as required by statute.

Questions regarding this bulletin should be directed to:

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Sincerely,

Mike Geeslin
Commissioner of Insurance