

**TEXAS DEPARTMENT OF INSURANCE/DIVISION OF WORKERS' COMPENSATION
QUESTION/RESOLUTION LOG
PREPARED BY CUSTOMER SERVICES**

DATE REC'D	QUESTION/PROBLEM	DATE ANS'D	RESOLUTION
<p>2-14-06</p> <p>06-04</p>	<p style="text-align: center;">**READDRESS**</p> <p>What, if any, interest is due after an insurance carrier receives form DWC-3, Employer's Wage Statement, that indicates a higher TIB rate is owed; therefore, the carrier must adjust the TIB rate?</p> <p>Rule 128.1(e).</p>	<p>Readdress 11-2-06</p>	<p>Rule 126.12 requires carriers to pay simple interest on accrued but unpaid income benefits. Accrued but unpaid income benefits are those that have accrued during a period of dispute over liability or entitlement to benefits or that have not been paid by the date the carrier was required to pay them.</p> <p>Per Rule 128.1(e) "If a carrier determines or is notified that the employee's AWW is different than what the carrier had previously determined (either as a result of subsection (c)(2) of this section, receipt of an updated wage statement, or by operation of other adjustments permitted/required under this title), the carrier shall adjust the AWW and begin payment of benefits based upon the adjusted AWW no later than the first payment due at least seven days following the date the carrier receives the new information regarding the AWW. "</p> <p>If a carrier makes a timely payment in accordance with §128.1, no interest would be due.</p>