



Legislative Appropriations Request For Fiscal Years 2010 and 2011

**Submitted to the
Governor's Office of Budget, Planning and Policy
And the Legislative Budget Board**

By

Office of Injured Employee Counsel

Signed by: _____

Norman Darwin, Public Counsel
August 26, 2008

**OFFICE OF INJURED EMPLOYEE COUNSEL
REQUEST FOR LEGISLATIVE APPROPRIATIONS
FISCAL YEARS 2010 AND 2011**

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ADMINISTRATOR'S STATEMENT

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Agency name: **Office of Injured Employee Counsel**

The Office of Injured Employee Counsel (OIEC) was formally established on March 1, 2006, based upon the adoption of House Bill (HB) 7, 79th Texas Legislature, Regular Session, 2005. OIEC serves as an advocacy agency to protect the rights of injured employees by participating in the workers' compensation rulemaking processing; providing Ombudsman assistance to unrepresented injured employees at no cost in proceedings before the Texas Department of Insurance (TDI); and by providing services, referrals, and educational information to the injured employees of Texas.

OIEC is governed by a single Public Counsel who is appointed by the Governor and confirmed by the Senate for a two-year term, which expires February 1st of each odd numbered year. The Public Counsel serves as executive director of OIEC with authority over day-to-day operations and legal decisions. The current Public Counsel is Norman Darwin, appointed by Governor Rick Perry in December of 2005. OIEC's central office is located at 7551 Metro Center Drive in Austin, Texas, and there are 25 field offices strategically located around the State. OIEC staff is housed within the central office and each field office.

OIEC is appropriated General Revenue that is generated through a maintenance tax set by the Texas Department of Insurance (TDI) and paid by insurance carriers writing workers' compensation policies in Texas. The maintenance tax is OIEC's sole source of funding and is statutorily capped at 2% of gross annual workers' compensation premiums. OIEC projects that any effect on the maintenance tax rate for 2010 and 2011 would be minimal based on the current workers' compensation premium base and the funding requested through the Legislative Appropriations Request (LAR), including all exceptional items.

Upon reviewing the salaries paid to other agency commissioners, executive directors, and leaders for agencies of similar size, OIEC believes its Public Counsel's salary should be enhanced. The agency's Public Counsel is currently classified as a Group 3 exempt position, funded at \$105,000. OIEC requests 1) this position be reclassified from a Group 3 to a Group 4 exempt position, and 2) the authority to increase the salary to \$125,000 annually based on the following reasons:

- a) Other agencies with Public Counsel positions that have similar advocacy purposes include the Office of Public Insurance Counsel (OPIC) and the Office of Public Utility Counsel (OPUC);
- b) Both of these Public Counsel positions are Exempt Salary Group 3, paid annually at \$99,000 and \$115,000, respectively;
- c) OPIC is an agency with 16.5 employees, and OPUC is an agency with 23 employees; and
- d) OIEC has a higher level of responsibility, which includes:
 - Providing the skills and experience needed to improve a complex workers' compensation system and ensuring the protection of injured employees' right in Texas;
 - Leading an agency of 183 FTE positions, which are located in 25 field offices throughout the State; and
 - Managing a biennial budget of more than \$14 million.

The base request for OIEC totals \$14,802,132 and a staffing level of 183 positions, which is the same as the funding for FY 2008 - 2009. This baseline calculation may not reflect a potential variance because FY 2008 expenditures are unable to be processed within the fiscal year. In addition to the baseline, OIEC proposes exceptional items to enhance funding for several purposes. The amount requested for exceptional items is \$521,543 per fiscal year, which is a total of \$1,043,086 for the FY 2010-2011 biennium. All of the exceptional items are described below in priority order.

Exceptional Items in Priority Order:

1. Audit and Quality Assurance Staff: Request enhancement of \$122,240, annually, which represents 2 FTE's. One of the FTE's will serve as Director of Audit (Auditor VI, B17) and one FTE will serve as a Quality Assurance Analyst (Quality Assurance Specialist II, B9) responsible for quality assurance. This request allows OIEC to hire staff with auditing and quality assurance backgrounds, which are necessary to ensure that the agency's operations are in good standing with the appropriate audit practices. The addition of this new staff is necessary to ensure the integrity of OIEC's Ombudsman Program and that the agency's policies and procedures are performed consistently throughout the agency's 25 field offices. Currently, the agency

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contracts with an outside entity to conduct audits; however, the agency anticipates that an in-house auditor and quality assurance staff will provide maximum quality assurance at a savings compared to out-sourcing the service.

2. Medical Consultant: Request enhancement of \$52,254, annually, which represents 1 FTE (Nurse III, B12). The Medical Consultant will provide assistance to Ombudsmen and other OIEC staff regarding medical dispute resolution, medical necessity, medical research, and other related issues. The Medical Consultant could also provide valuable information for complex medical issues that occur in indemnity disputes, such as causation questions, and the meaning and proper interpretation of the Guides to the Evaluation of Permanent Impairment, which will help ensure that injured employees receive accurate impairment ratings.

House Bill (HB) 724, 80th Legislature, 2007, changed the venue for medical disputes by adding an administrative hearing. Ombudsmen are anticipated to assist in the majority of these hearings because attorneys are not compensated for representing injured employees with their medical issues. Further TDI has implemented disability management that includes treatment guidelines, planning, closed formulary, and treatment protocols. OIEC believes a medical expert is needed as a resource for these medical issues in order to protect the rights of the injured employees of Texas.

3. Other Operating Expense Enhancement: Request enhancement of \$300,000, annually, in order to be more effective in the agency's outreach efforts for the FY 2010-2011 biennium. The additional appropriation will enable the agency to participate in public service announcements and to develop educational materials and tools that will aid in the attempt to inform the public about the services of the agency. According to a 2006 survey of employer participation in the Texas Workers' Compensation System conducted by TDI's, Workers' Compensation Research Group in October 2006, approximately 65% of Texas employers said that they had no knowledge at all about the 2005 House Bill 7 reforms, which includes the services provided by OIEC. As a result, enhanced funding for outreach efforts is critical to satisfy OIEC's mission to assist, educate and advocate.

Many injured employees do not have access to computer technology. Based on feedback from OIEC's customers, many prefer paper documents instead of documents in an electronic format. Educational materials and tools offered by OIEC allow injured employees to retain their own workers' compensation records and reduce the need for TDI and OIEC to maintain and produce copies of records. OIEC is administratively attached to TDI, and all workers' compensation records are maintained at TDI's records retention center. OIEC is currently piloting the affects of these new outreach materials, with funds obtained through lapsed salary dollars in FY 2008. This enhancement allows the agency to continue current outreach efforts. Additionally, OIEC anticipates that outreach materials that encourage injured employees to take responsibility for maintaining their own documents is likely to result in a greater protection of injured employees' rights.

4. Training Specialist: Request enhancement of \$47,049, annually, which represents one Training Specialist V (B13) to provide training to agency staff and reduce the time and travel that supervisors spend on training. The new position will plan and develop training materials for on-line training to also reduce the need for travel. To meet the needs of the injured employees of Texas, it is necessary for OIEC to continually train and cross-train staff located in the field offices. Web-based training would be an asset to OIEC staff, and in-turn, the injured employees of Texas would benefit from this new position. OIEC believes that this position is likely to increase the agency's outreach efforts by improving the agency's website and using technology to more efficiently obtain customer feedback on OIEC's services.

Miscellaneous Funding Items/Riders:

- OIEC requests approval of an appropriation for unexpended balances as of August 31, 2009, not to exceed 5% for any line item of appropriation, to be reappropriated to OIEC for the year beginning September 1, 2009.
- Out-of-state travel cap – OIEC requests that an out-of-state travel cap of \$5,000 for each year of the biennium be approved.

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- OIEC's FTE cap would need to be increased from 183 to 187 should the OIEC's baseline request plus all exceptional items be approved.

Significant Changes in Policy: There have been no significant changes to OIEC's policies.

Significant Changes in Provision of Service: TDI manages 25 field office locations, and OIEC staff is located in all of these field offices. A new field office located in Austin (Austin South) was created in FY 2008. In addition to field offices, Ombudsmen may be required to travel to designated proceeding locations, such as those in Mount Pleasant and Uvalde to ensure injured employees do not have to travel in excess of 75 miles for their dispute proceedings, which is required by statute. Field office locations are determined by TDI based upon claim activity and demand for services in a specific geographic area.

Staff attorneys are located in designated field offices to support the Ombudsman Program. Staff attorneys conduct legal research and develop strategies regarding legal issues and respond to legal questions posed by Ombudsmen. At least one Ombudsman and one Ombudsman Assistant are located in every field office. Some offices are staffed with additional office staff based upon the number of proceedings that are docketed for unrepresented injured employees. Field offices are located in Abilene, Amarillo, Austin North, Austin South, Beaumont, Bryan/College Station, Corpus Christi, Dallas, Denton, El Paso, Fort Worth, Houston East, Houston West, Laredo, Lubbock, Lufkin, Midland/Odessa, Missouri City, San Angelo, San Antonio, Tyler, Victoria, Waco, Weslaco, and Wichita Falls.

OIEC's Customer Service Program was created to provide a "one-stop-shop" to all unrepresented injured employees at any point in their claim when assistance is requested. Staff is available to answer questions about the workers' compensation process and to provide assistance in other ways, such as completing various claim forms and identifying and resolving problems or disagreements. There is at least one CSR in nearly all of the field offices.

A call center is maintained in the Fort Worth field office. The call center answers OIEC's toll-free line and provides back-up support to TDI staff for answering local calls in field offices, as necessary.

Significant Externalities: Texas population has shown rapid growth, especially in metropolitan areas, diversification, and aging over the past few years and the trend is for it to continue. Between 2000 and 2007, Texas' population grew at more than double the national rate—14.6 percent versus 7.2 percent. Dallas-Fort Worth led all other U.S. metro areas in its numerical population gain between 2006 and 2007, adding more than 162,000 residents. The Houston-Sugarland-Baytown, Austin-Round Rock and San Antonio metro areas also were in the top ten for numerical growth. The Austin area also ranked fifth nationwide in its rate of growth between 2006 and 2007, expanding by 4.3 percent in that year.

In addition, five of the ten U.S. counties registering the highest numerical growth between 2006 and 2007 are located in Texas. Eleven Texas counties were among the 25 U.S. counties with the highest numerical growth. No other state came close to Texas' performance.

Texas has the fifth-youngest work force in the nation, with a median age of 39.4 years, according to the University of Texas at San Antonio's Institute for Demographic and Socioeconomic Research.

Texas is attracting many of the nation's college-educated workers who choose to relocate within the U.S. In 2006, more than 42,000 college-educated workers moved from other states to join the Texas labor force. Employment in Texas continues to expand. From April 2007 to April 2008, Texas gained about 262,000 jobs, which is more than the next six top job growth states combined. OIEC anticipates it will have a larger customer base with Texas' economic growth.

Narrative Summary on Ten Percent Reduction Exercise: The Ten Percent Biennial Base Reduction Options Schedule required to satisfy the LAR instructions was structured to ensure that

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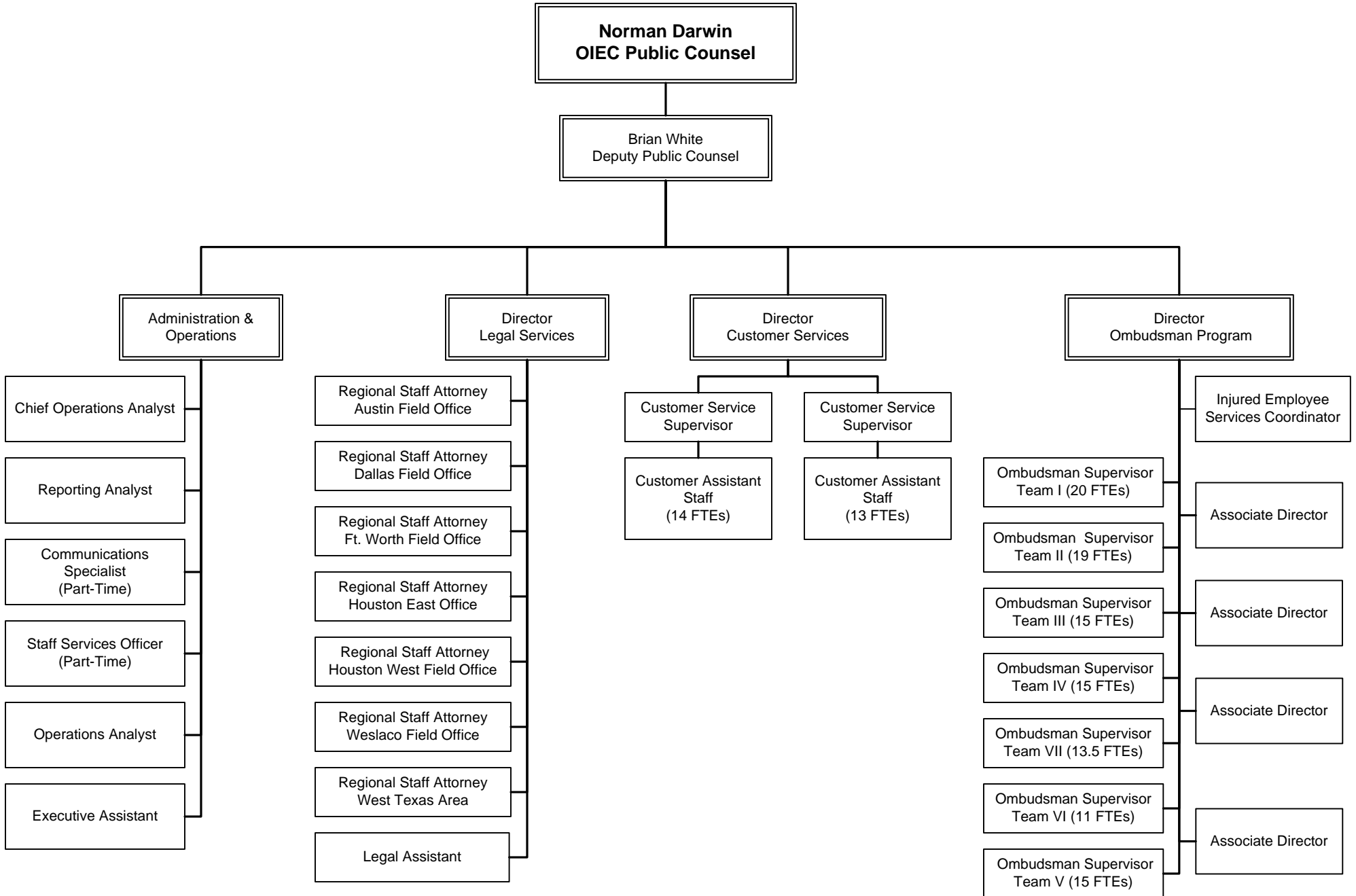
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every field office would continue to have at least one Ombudsman in order to continue performance of the mission critical functions of the Ombudsman Program.

Background Checks: OIEC does not have statutory authority to conduct criminal background checks. OIEC does, however, conduct driver's license checks on all employees prior to their hire date.

Office of Injured Employee Counsel



2.A. SUMMARY OF BASE REQUEST BY STRATEGY
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Agency code: 448 Agency name: Office of Injured Employee Counsel

Goal / Objective / STRATEGY	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
<u>1</u> Assist Individual Injured Employees through the Ombudsman Program					
<u>1</u> Assist Unrepresented Injured Employees in Dispute Resolution					
1 OMBUDSMAN PROGRAM	2,963,230	4,264,157	4,215,529	4,130,897	4,130,897
TOTAL, GOAL 1	\$2,963,230	\$4,264,157	\$4,215,529	\$4,130,897	\$4,130,897
<u>2</u> Increase Injured Employee Education and Provide Referrals					
<u>1</u> Inform Injured Employees/System Participants and Provide Referrals					
1 RIGHTS RESPONSIBILITIES & REFERRAL	1,159,541	2,125,601	2,721,383	2,634,956	2,634,956
TOTAL, GOAL 2	\$1,159,541	\$2,125,601	\$2,721,383	\$2,634,956	\$2,634,956
<u>3</u> Advocate for Injured Employees in Rulemaking and Other Public Forums					
<u>1</u> Ensure Adequate Rules to Protect Injured Employees and Act as Resource					
1 PARTICIPATE IN RULEMAKING	532,442	652,286	693,675	635,213	635,213
TOTAL, GOAL 3	\$532,442	\$652,286	\$693,675	\$635,213	\$635,213
TOTAL, AGENCY STRATEGY REQUEST	\$4,655,213	\$7,042,044	\$7,630,587	\$7,401,066	\$7,401,066
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$4,655,213	\$7,042,044	\$7,630,587	\$7,401,066	\$7,401,066

2.A. SUMMARY OF BASE REQUEST BY STRATEGY
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Goal / Objective / STRATEGY	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
<u>METHOD OF FINANCING:</u>					
General Revenue Dedicated Funds:					
36 Dept Ins Operating Acct	4,655,213	7,042,044	7,630,587	7,401,066	7,401,066
SUBTOTAL	\$4,655,213	\$7,042,044	\$7,630,587	\$7,401,066	\$7,401,066
TOTAL, METHOD OF FINANCING	\$4,655,213	\$7,042,044	\$7,630,587	\$7,401,066	\$7,401,066

*Rider appropriations for the historical years are included in the strategy amounts.

2.B. SUMMARY OF BASE REQUEST BY METHOD OF FINANCE
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METHOD OF FINANCING	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011
<u>GENERAL REVENUE FUND - DEDICATED</u>					
36 GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations	\$3,096,687	\$7,161,013	\$7,174,693	\$7,401,066	\$7,401,066
<i>TRANSFERS</i>					
Art IX, Sec 13.17(a), Salary Increase (2006-07 GAA)	\$266,162	\$0	\$0	\$0	\$0
Art IX, Sec 14.02(a) Transfer to OIEC (2006-07 GAA)	\$1,636,000	\$0	\$0	\$0	\$0
Art IX, Sec 19.62(a), Salary Increase (2008-09 GAA)	\$0	\$98,478	\$98,478	\$0	\$0
Art IX, Sec 19.62(a), Salary Increase (2008-09 GAA)	\$0	\$0	\$129,501	\$0	\$0
Art IX, Sec 19.62(a), Salary Increase Adj to 2008 Estimate	\$0	\$5,234	\$5,234	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>					
Lapsed Appropriations	\$(343,636)	\$0	\$0	\$0	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>					

2.B. SUMMARY OF BASE REQUEST BY METHOD OF FINANCE
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Agency code:	448	Agency name:	Office of Injured Employee Counsel			
METHOD OF FINANCING	Exp 2007	Est 2008	Bud 2009	Req 2010	Req 2011	
<u>GENERAL REVENUE FUND - DEDICATED</u>						
Art VIII-24, Rider 2 (2008-09 GAA)						
	\$0	\$(222,681)	\$222,681	\$0	\$0	
TOTAL, GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036	\$4,655,213	\$7,042,044	\$7,630,587	\$7,401,066	\$7,401,066	
TOTAL, ALL GENERAL REVENUE FUND - DEDICATED	\$4,655,213	\$7,042,044	\$7,630,587	\$7,401,066	\$7,401,066	
TOTAL, GR & GR-DEDICATED FUNDS	\$4,655,213	\$7,042,044	\$7,630,587	\$7,401,066	\$7,401,066	
GRAND TOTAL	\$4,655,213	\$7,042,044	\$7,630,587	\$7,401,066	\$7,401,066	
FULL-TIME-EQUIVALENT POSITIONS						
REGULAR APPROPRIATIONS						
Regular Appropriations	122.0	183.0	183.0	183.0	183.0	
UNAUTHORIZED NUMBER OVER (BELOW) CAP						
Unauthorized Number Over (Below) Cap	(20.6)	(42.8)	0.0	0.0	0.0	
TOTAL, ADJUSTED FTES	101.4	140.2	183.0	183.0	183.0	
NUMBER OF 100% FEDERALLY FUNDED						
FTEs	0.0	0.0	0.0	0.0	0.0	

2.C. SUMMARY OF BASE REQUEST BY OBJECT OF EXPENSE
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DATE: **9/2/2008**
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Agency code:	Agency name: Office of Injured Employee Counsel				
OBJECT OF EXPENSE	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
1001 SALARIES AND WAGES	\$4,048,296	\$5,611,265	\$6,714,770	\$6,714,770	\$6,714,770
1002 OTHER PERSONNEL COSTS	\$274,652	\$285,248	\$252,260	\$245,420	\$245,420
2001 PROFESSIONAL FEES AND SERVICES	\$6,852	\$85,917	\$62,705	\$62,705	\$62,705
2003 CONSUMABLE SUPPLIES	\$2,999	\$3,617	\$0	\$0	\$0
2004 UTILITIES	\$18,965	\$15,508	\$82,130	\$82,130	\$82,130
2005 TRAVEL	\$198,321	\$269,942	\$166,900	\$166,900	\$166,900
2006 RENT - BUILDING	\$4,464	\$5,949	\$0	\$0	\$0
2007 RENT - MACHINE AND OTHER	\$3,587	\$5,611	\$0	\$0	\$0
2009 OTHER OPERATING EXPENSE	\$97,077	\$758,987	\$351,822	\$129,141	\$129,141
OOE Total (Excluding Riders)	\$4,655,213	\$7,042,044	\$7,630,587	\$7,401,066	\$7,401,066
OOE Total (Riders)					
Grand Total	\$4,655,213	\$7,042,044	\$7,630,587	\$7,401,066	\$7,401,066

2.D. SUMMARY OF BASE REQUEST OBJECTIVE OUTCOMES

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Agency name: Office of Injured Employee Counsel

Goal/ Objective / Outcome	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
1 Assist Individual Injured Employees through the Ombudsman Program					
1 Assist Unrepresented Injured Employees in Dispute Resolution					
1 % Disputes Resolved Prior to TDI Dispute Resolution Process	9.00%	9.00%	9.00%	9.00%	9.00%
KEY 2 % Dispute Resolution Proceedings at DWC with Ombudsman Assistance	41.00%	41.00%	41.00%	41.00%	41.00%
KEY 3 % CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist	43.00%	43.00%	43.00%	43.00%	43.00%
KEY 4 Percentage of Appeal Issues Prevailed with Ombudsman Assistance	29.00%	32.00%	32.00%	32.00%	32.00%
2 Increase Injured Employee Education and Provide Referrals					
1 Inform Injured Employees/System Participants and Provide Referrals					
1 % Injured Employees Reached by OIEC Efforts	92.00%	96.00%	94.00%	94.00%	94.00%
3 Advocate for Injured Employees in Rulemaking and Other Public Forums					
1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource					
1 Percentage of Adopted Workers' Compensation Rules Analyzed	100.00%	100.00%	100.00%	100.00%	100.00%
2 Percent Adopted WC Rules in which OIEC Participated	100.00%	73.00%	89.00%	89.00%	89.00%
KEY 3 Percentage of Rules Changed for the Benefit of Injured Employees	100.00%	73.00%	78.00%	78.00%	78.00%

2.E. SUMMARY OF EXCEPTIONAL ITEMS REQUEST

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Priority	Item	2010			2011			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	Audit and Quality Assurance Staff	\$122,240	\$122,240	2.0	\$122,240	\$122,240	2.0	\$244,480	\$244,480
2	Medical Consultant	\$52,254	\$52,254	1.0	\$52,254	\$52,254	1.0	\$104,508	\$104,508
3	Other Operating Expense Enhancement	\$300,000	\$300,000		\$300,000	\$300,000		\$600,000	\$600,000
4	Training Specialist	\$47,049	\$47,049	1.0	\$47,049	\$47,049	1.0	\$94,098	\$94,098
Total, Exceptional Items Request		\$521,543	\$521,543	4.0	\$521,543	\$521,543	4.0	\$1,043,086	\$1,043,086

Method of Financing

General Revenue									
General Revenue - Dedicated	521,543	521,543		521,543	521,543		1,043,086	1,043,086	
Federal Funds									
Other Funds									
	\$521,543	\$521,543		\$521,543	\$521,543		\$1,043,086	\$1,043,086	

Full Time Equivalent Positions 4.0 4.0

Number of 100% Federally Funded FTEs 0.0 0.0

2.F. SUMMARY OF TOTAL REQUEST BY STRATEGY
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DATE : 9/2/2008
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Agency code: 448 Agency name: Office of Injured Employee Counsel

Goal/Objective/STRATEGY	Base 2010	Base 2011	Exceptional 2010	Exceptional 2011	Total Request 2010	Total Request 2011
1 Assist Individual Injured Employees through the Ombudsman Program						
<i>1 Assist Unrepresented Injured Employees in Dispute Resolution</i>						
1 OMBUDSMAN PROGRAM	\$4,130,897	\$4,130,897	\$249,992	\$249,992	\$4,380,889	\$4,380,889
TOTAL, GOAL 1	\$4,130,897	\$4,130,897	\$249,992	\$249,992	\$4,380,889	\$4,380,889
2 Increase Injured Employee Education and Provide Referrals						
<i>1 Inform Injured Employees/System Participants and Provide Referrals</i>						
1 RIGHTS RESPONSIBILITIES & REFERRAL	2,634,956	2,634,956	163,865	163,865	2,798,821	2,798,821
TOTAL, GOAL 2	\$2,634,956	\$2,634,956	\$163,865	\$163,865	\$2,798,821	\$2,798,821
3 Advocate for Injured Employees in Rulemaking and Other Public Foru						
<i>1 Ensure Adequate Rules to Protect Injured Employees and Act as Reso</i>						
1 PARTICIPATE IN RULEMAKING	635,213	635,213	107,686	107,686	742,899	742,899
TOTAL, GOAL 3	\$635,213	\$635,213	\$107,686	\$107,686	\$742,899	\$742,899
TOTAL, AGENCY STRATEGY REQUEST	\$7,401,066	\$7,401,066	\$521,543	\$521,543	\$7,922,609	\$7,922,609
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$7,401,066	\$7,401,066	\$521,543	\$521,543	\$7,922,609	\$7,922,609

2.F. SUMMARY OF TOTAL REQUEST BY STRATEGY
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Goal/Objective/STRATEGY	Base 2010	Base 2011	Exceptional 2010	Exceptional 2011	Total Request 2010	Total Request 2011
General Revenue Dedicated Funds:						
36 Dept Ins Operating Acct	\$7,401,066	\$7,401,066	\$521,543	\$521,543	\$7,922,609	\$7,922,609
	\$7,401,066	\$7,401,066	\$521,543	\$521,543	\$7,922,609	\$7,922,609
TOTAL, METHOD OF FINANCING	\$7,401,066	\$7,401,066	\$521,543	\$521,543	\$7,922,609	\$7,922,609
FULL TIME EQUIVALENT POSITIONS	183.0	183.0	4.0	4.0	187.0	187.0

2.G. SUMMARY OF TOTAL REQUEST OBJECTIVE OUTCOMES

81st Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation system of Texas (ABEST)

Date : 9/2/2008
Time: 5:30:57PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

Goal/ Objective / Outcome

		BL 2010	BL 2011	Excp 2010	Excp 2011	Total Request 2010	Total Request 2011
1	Assist Individual Injured Employees through the Ombudsman Program						
1	<i>Assist Unrepresented Injured Employees in Dispute Resolution</i>						
	1 % Disputes Resolved Prior to TDI Dispute Resolution Process						
		9.00%	9.00%	12.00%	12.00%	12.00%	12.00%
KEY	2 % Dispute Resolution Proceedings at DWC with Ombudsman Assistance						
		41.00%	41.00%			41.00%	41.00%
KEY	3 % CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist						
		43.00%	43.00%	45.00%	45.00%	45.00%	45.00%
KEY	4 Percentage of Appeal Issues Prevailed with Ombudsman Assistance						
		32.00%	32.00%	34.00%	34.00%	34.00%	34.00%
2	Increase Injured Employee Education and Provide Referrals						
1	<i>Inform Injured Employees/System Participants and Provide Referrals</i>						
	1 % Injured Employees Reached by OIEC Efforts						
		94.00%	94.00%	96.00%	96.00%	96.00%	96.00%
3	Advocate for Injured Employees in Rulemaking and Other Public Forums						
1	<i>Ensure Adequate Rules to Protect Injured Employees and Act as Resource</i>						
	1 Percentage of Adopted Workers' Compensation Rules Analyzed						
		100.00%	100.00%			100.00%	100.00%
	2 Percent Adopted WC Rules in which OIEC Participated						
		89.00%	89.00%			89.00%	89.00%

2.G. SUMMARY OF TOTAL REQUEST OBJECTIVE OUTCOMES

81st Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation system of Texas (ABEST)

Date : 9/2/2008
Time: 5:30:57PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

Goal/ Objective / Outcome

	BL 2010	BL 2011	Excp 2010	Excp 2011	Total Request 2010	Total Request 2011
KEY						
3 Percentage of Rules Changed for the Benefit of Injured Employees						
	78.00%	78.00%			78.00%	78.00%

3.A. STRATEGY REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:31:47PM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program Statewide Goal/Benchmark: 7 6
 OBJECTIVE: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service Categories:
 STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
Output Measures:						
	1 Number of Injured Employees Prepared for BRC by an Ombudsman	5,913.00	5,300.00	5,300.00	5,300.00	5,300.00
KEY	2 Number of Benefit Review Conferences with Ombudsman Assistance	6,636.00	5,050.00	5,100.00	5,100.00	5,100.00
	3 Number of Injured Employees Prepared for CCH by an Ombudsman	1,884.00	1,720.00	1,720.00	1,720.00	1,720.00
KEY	4 Number of Contested Case hearings with Ombudsman Assistance	2,178.00	2,050.00	2,100.00	2,100.00	2,100.00
KEY	5 Number of Injured Employees Prepared for an Appeal by an Ombudsman	604.00	550.00	550.00	550.00	550.00
	6 Number of Assists a Regional Staff Attorney Provides to an Ombudsman	637.00	820.00	1,680.00	1,680.00	1,680.00
Efficiency Measures:						
	1 Avg Days from the Date a BRC is Scheduled to Injured Employee Contact	17.00	17.00	17.00	17.00	17.00
	2 Avg Days from the Date a CCH is Scheduled to Injured Employee Contact	17.00	17.00	17.00	17.00	17.00
Explanatory/Input Measures:						
	1 Avg Indemnity Cost Avoided/Injured Employee Assisted by Ombudsman	2,135.00	2,250.00	2,300.00	2,300.00	2,300.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$2,564,594	\$3,422,554	\$3,727,326	\$3,755,410	\$3,755,410
1002	OTHER PERSONNEL COSTS	\$175,777	\$252,956	\$139,508	\$137,435	\$137,435
2001	PROFESSIONAL FEES AND SERVICES	\$230	\$44,058	\$2,576	\$2,635	\$2,635
2003	CONSUMABLE SUPPLIES	\$1,937	\$1,855	\$0	\$0	\$0
2004	UTILITIES	\$11,912	\$7,953	\$42,988	\$45,433	\$45,433

3.A. STRATEGY REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:31:47PM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program Statewide Goal/Benchmark: 7 6
 OBJECTIVE: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service Categories:
 STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
2005	TRAVEL	\$140,887	\$139,376	\$110,800	\$116,888	\$116,888
2006	RENT - BUILDING	\$2,883	\$3,051	\$0	\$0	\$0
2007	RENT - MACHINE AND OTHER	\$2,317	\$2,877	\$0	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$62,693	\$389,477	\$192,331	\$73,096	\$73,096
TOTAL, OBJECT OF EXPENSE		\$2,963,230	\$4,264,157	\$4,215,529	\$4,130,897	\$4,130,897
Method of Financing:						
36	Dept Ins Operating Acct	\$2,963,230	\$4,264,157	\$4,215,529	\$4,130,897	\$4,130,897
SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)		\$2,963,230	\$4,264,157	\$4,215,529	\$4,130,897	\$4,130,897
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$4,130,897	\$4,130,897
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$2,963,230	\$4,264,157	\$4,215,529	\$4,130,897	\$4,130,897
FULL TIME EQUIVALENT POSITIONS:		65.5	87.5	98.8	99.7	99.7

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Office of Injured Employee Counsel (OIEC) is directed by statute (Texas Workers' Compensation Act, Labor Code, Chapter 404) to prepare injured employees and assist in Benefit Review Conferences, Contested Case Hearings, and Appeals. Under Labor Code, Chapter 404, Subchapter D., OIEC is required to maintain an Ombudsman program to assist injured employees in obtaining benefits.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

- Volume of injured employees represented by attorneys
- Volume of disputes or issues within the workers' compensation system for unrepresented injured employees
- Changes in workers' compensation laws or rules that impact injured employees
- Policy, procedure, or process changes within TDI and/or DWC that impact injured employees
- Ability to attract and retain qualified staff

3.A. STRATEGY REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:31:47PM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 2 Increase Injured Employee Education and Provide Referrals Statewide Goal/Benchmark: 7 6
 OBJECTIVE: 1 Inform Injured Employees/System Participants and Provide Referrals Service Categories:
 STRATEGY: 1 Assist Injured Employees & Provide Referrals to Programs & Services Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
Output Measures:						
1	# of Injured Employees Reached About Rights and Responsibilities	196,078.00	212,000.00	207,760.00	207,760.00	207,760.00
2	Number of Injured Employees Assisted by OIEC by Telephone	81,212.00	186,000.00	186,000.00	186,000.00	186,000.00
3	Number of Injured Employees Assisted at Local Field Offices	1,854.00	8,600.00	8,600.00	8,600.00	8,600.00
4	Number of Public Outreach Presentations Performed	36.00	33.00	65.00	65.00	65.00
5	Number of Referrals to DARS, TWC and TDI	745.00	1,950.00	1,950.00	1,950.00	1,950.00
Efficiency Measures:						
1	Avg Days from Date of Injury to Date an Injured Employee is Contacted	28.00	28.00	28.00	28.00	28.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$1,002,359	\$1,751,437	\$2,407,264	\$2,426,110	\$2,426,110
1002	OTHER PERSONNEL COSTS	\$76,903	\$19,134	\$97,592	\$88,351	\$88,351
2001	PROFESSIONAL FEES AND SERVICES	\$100	\$26,652	\$1,873	\$1,694	\$1,694
2003	CONSUMABLE SUPPLIES	\$844	\$1,122	\$0	\$0	\$0
2004	UTILITIES	\$5,212	\$4,810	\$33,927	\$29,207	\$29,207
2005	TRAVEL	\$45,376	\$83,109	\$48,500	\$44,468	\$44,468
2006	RENT - BUILDING	\$1,256	\$1,845	\$0	\$0	\$0
2007	RENT - MACHINE AND OTHER	\$1,009	\$1,741	\$0	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$26,482	\$235,751	\$132,227	\$45,126	\$45,126
TOTAL, OBJECT OF EXPENSE		\$1,159,541	\$2,125,601	\$2,721,383	\$2,634,956	\$2,634,956
Method of Financing:						
36	Dept Ins Operating Acct	\$1,159,541	\$2,125,601	\$2,721,383	\$2,634,956	\$2,634,956

3.A. STRATEGY REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:31:47PM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 2 Increase Injured Employee Education and Provide Referrals Statewide Goal/Benchmark: 7 6
 OBJECTIVE: 1 Inform Injured Employees/System Participants and Provide Referrals Service Categories:
 STRATEGY: 1 Assist Injured Employees & Provide Referrals to Programs & Services Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)		\$1,159,541	\$2,125,601	\$2,721,383	\$2,634,956	\$2,634,956
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$2,634,956	\$2,634,956
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$1,159,541	\$2,125,601	\$2,721,383	\$2,634,956	\$2,634,956
FULL TIME EQUIVALENT POSITIONS:		28.5	44.9	75.3	73.6	73.6

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Office of Injured Employee Counsel (OIEC) is directed by statute (Texas Workers' Compensation Act, Labor Code, Chapter 404) to educate injured employees regarding their rights and responsibilities in the workers' compensation system. OIEC also has an obligation to educate all system participants regarding its role and to ensure a balanced system.

This strategy incorporates all of OIEC's performance measures regarding telephone calls from injured employees and service for customers who visit their local field office for assistance. OIEC also performs public presentations to educate the general public regarding its purpose and services. Additionally, OIEC is directed by statute (Texas Workers' Compensation Act, Labor Code, Chapter 404) to refer injured employees to local, state, and federal programs offering financial assistance, rehabilitation, work placement programs, and other social services. OIEC is also statutorily obligated to assist injured employees with filing complaints with health care provider licensing boards.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

- Level of interest from the public regarding OIEC and its purpose
- Injured employee awareness of the existence of OIEC
- Number of active workers' compensation claims
- Access to resources in order to provide educational materials and services to internal and external customers
- Changes in workers' compensation laws or rules that impact injured employees
- Policy, procedure, or process changes within TDI that impact injured employees
- Ability to attract and retain qualified staff
- Availability of programs and services that can assist injured employees
- Licensing boards or regulatory entities actions regarding complaints

3.A. STRATEGY REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:31:47PM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 3 Advocate for Injured Employees in Rulemaking and Other Public Forums Statewide Goal/Benchmark: 7 6
 OBJECTIVE: 1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource Service Categories:
 STRATEGY: 1 Participate in Rulemaking Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
Output Measures:						
KEY 1	Number of Adopted Workers' Compensation Rules Analyzed by OIEC	6.00	11.00	9.00	9.00	9.00
KEY 2	# of Adopted Workers' Compensation Rules in Which OIEC Participated	6.00	8.00	8.00	8.00	8.00
3	Number of Rules Changed as a Result of OIEC Participation	6.00	8.00	7.00	7.00	7.00
Explanatory/Input Measures:						
1	Number of Workers' Compensation Rules Adopted	6.00	11.00	9.00	9.00	9.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$481,343	\$437,274	\$580,180	\$533,250	\$533,250
1002	OTHER PERSONNEL COSTS	\$21,972	\$13,158	\$15,160	\$19,634	\$19,634
2001	PROFESSIONAL FEES AND SERVICES	\$6,522	\$15,207	\$58,256	\$58,376	\$58,376
2003	CONSUMABLE SUPPLIES	\$218	\$640	\$0	\$0	\$0
2004	UTILITIES	\$1,841	\$2,745	\$5,215	\$7,490	\$7,490
2005	TRAVEL	\$12,058	\$47,457	\$7,600	\$5,544	\$5,544
2006	RENT - BUILDING	\$325	\$1,053	\$0	\$0	\$0
2007	RENT - MACHINE AND OTHER	\$261	\$993	\$0	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$7,902	\$133,759	\$27,264	\$10,919	\$10,919
TOTAL, OBJECT OF EXPENSE		\$532,442	\$652,286	\$693,675	\$635,213	\$635,213
Method of Financing:						
36	Dept Ins Operating Acct	\$532,442	\$652,286	\$693,675	\$635,213	\$635,213
SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)		\$532,442	\$652,286	\$693,675	\$635,213	\$635,213

3.A. STRATEGY REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:31:47PM

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 3 Advocate for Injured Employees in Rulemaking and Other Public Forums Statewide Goal/Benchmark: 7 6
 OBJECTIVE: 1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource Service Categories:
 STRATEGY: 1 Participate in Rulemaking Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$635,213	\$635,213
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$532,442	\$652,286	\$693,675	\$635,213	\$635,213
FULL TIME EQUIVALENT POSITIONS:		7.4	7.8	8.9	9.7	9.7

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Office of Injured Employee Counsel (OIEC) is directed by statute (Texas Workers' Compensation Act, Labor Code, Chapter 404) to actively participate in the workers' compensation rulemaking process on behalf of the injured employees of Texas and protect their interests as a class. OIEC reviews all rules to determine the impact on injured employees and participates in the rulemaking process based upon the assessed impact. OIEC is also directed by statute to provide information, research assistance, and testimony to the legislative and executive branch, including testimony regarding ad hoc reports, special research, or analytical projects for current workers' compensation issues or trends affecting injured employees in the workers' compensation system.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

- Injured employees' perception of fairness within the Texas workers' compensation system
- Level of participation by all parties in the rulemaking process
- Rules proposed by TDI that impact injured employees
- Adoption of rule language by TDI that incorporate OIEC's public comments
- Policy, procedure, or process changes within TDI that impact injured employees
- Ability to attract and retain qualified personnel

3.A. STRATEGY REQUEST
81st Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
TIME: 5:31:47PM

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$4,655,213	\$7,042,044	\$7,630,587	\$7,401,066	\$7,401,066
METHODS OF FINANCE (INCLUDING RIDERS):				\$7,401,066	\$7,401,066
METHODS OF FINANCE (EXCLUDING RIDERS):	\$4,655,213	\$7,042,044	\$7,630,587	\$7,401,066	\$7,401,066
FULL TIME EQUIVALENT POSITIONS:	101.4	140.2	183.0	183.0	183.0

3. B. RIDER REVISIONS AND ADDITIONS REQUEST

Agency Code: 448	Agency Name: Office of Injured Employee Counsel	Prepared By: Brian White	Date: August 18, 2008	Request Level: Base
Current Rider Number	Page Number in 2010-011 GAA	Proposed Rider Language		
New	IX-26, 27	<p>Travel Cap – Out of the funds appropriated above, expenditures for out-of-state travel by the Office of Injured Employee Counsel are limited to \$5,000 in fiscal year 2008-2010 and \$5,000 in fiscal year 2009-2011.</p> <p>* This is a new rider <u>is</u> being requested by the Office of Injured Employee Counsel. These funds would be used solely for the purpose of the Public Counsel or his delegate to be able to periodically travel out-of-state and serve on national boards or committees or attend conferences related to workers' compensation to further the interests of injured employees as a class.</p>		

3. B. RIDER REVISIONS AND ADDITIONS REQUEST

Agency Code: 448	Agency Name: Office of Injured Employee Counsel	Prepared By: Brian White	Date: August 18, 2008	Request Level: Base
Current Rider Number	Page Number in 2010-11 GAA	Proposed Rider Language		
New2	IX-29VIII-24	<p>Appropriation of Unexpended Balances – Any unexpended balances as of August 31, 20082010, not to exceed 5% for any line item of appropriation, are hereby reappropriated to the Office of Injured Employee Counsel for the same purposes for the year beginning September 1, 20082010.</p> <p>* The Office of Injured Employee Counsel is requesting this new-rider to grant unexpended balance authority in order to avoid the adverse impact that an agency of its small size incurs when unspent monies are not transferable to the second year of the biennium. By granting unexpended balance authority, the agency is better able to fund and implement plans to improve injured employee services based on a 24 month budget cycle.</p>		

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:33:00PM

Agency code: 448 Agency name Office of Injured Employee Counsel

Code	Description	Excp 2010	Excp 2011
Item Name: Audit and Quality Assurance Staff			
Allocation to Strategy: 1-1-1 Assist Unrepresented Injured Employees in Dispute Resolution			
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	32,089	32,089
2005	TRAVEL	8,250	8,250
TOTAL, OBJECT OF EXPENSE		\$40,339	\$40,339
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	40,339	40,339
TOTAL, METHOD OF FINANCING		\$40,339	\$40,339
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.6	0.6

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:33:00PM

Agency code: 448 Agency name Office of Injured Employee Counsel

Code	Description	Excp 2010	Excp 2011
Item Name: Audit and Quality Assurance Staff			
Allocation to Strategy: 2-1-1 Assist Injured Employees & Provide Referrals to Programs & Services			
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	32,089	32,089
2005	TRAVEL	8,250	8,250
TOTAL, OBJECT OF EXPENSE		\$40,339	\$40,339
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	40,339	40,339
TOTAL, METHOD OF FINANCING		\$40,339	\$40,339
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.7	0.7

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:33:00PM

Agency code: 448 Agency name Office of Injured Employee Counsel

Code	Description	Excp 2010	Excp 2011
Item Name: Audit and Quality Assurance Staff			
Allocation to Strategy: 3-1-1 Participate in Rulemaking			
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	33,062	33,062
2005	TRAVEL	8,500	8,500
TOTAL, OBJECT OF EXPENSE		\$41,562	\$41,562
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	41,562	41,562
TOTAL, METHOD OF FINANCING		\$41,562	\$41,562
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.7	0.7

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:33:00PM

Agency code: 448 Agency name Office of Injured Employee Counsel

Code	Description	Excp 2010	Excp 2011
Item Name:	Medical Consultant		
Allocation to Strategy:	1-1-1 Assist Unrepresented Injured Employees in Dispute Resolution		
STRATEGY IMPACT ON OUTCOME MEASURES:			
<u>1</u>	% Disputes Resolved Prior to TDI Dispute Resolution Process	11.00%	11.00%
<u>3</u>	% CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist	44.00%	44.00%
<u>4</u>	Percentage of Appeal Issues Prevailed with Ombudsman Assistance	33.00%	33.00%
EXPLANATORY/INPUT MEASURES:			
<u>1</u>	Avg Indemnity Cost Avoided/Injured Employee Assisted by Ombudsman	2,350.00	2,350.00
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	22,127	22,127
2005	TRAVEL	4,000	4,000
TOTAL, OBJECT OF EXPENSE		\$26,127	\$26,127
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	26,127	26,127
TOTAL, METHOD OF FINANCING		\$26,127	\$26,127
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.5	0.5

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
TIME: 5:33:00PM

Agency code: 448 Agency name Office of Injured Employee Counsel

Code Description Excp 2010 Excp 2011

Item Name: Medical Consultant

Allocation to Strategy: 2-1-1 Assist Injured Employees & Provide Referrals to Programs & Services

OUTPUT MEASURES:

4 Number of Public Outreach Presentations Performed 69.00 69.00

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:33:00PM

Agency code: 448 Agency name Office of Injured Employee Counsel

Code	Description	Excp 2010	Excp 2011
Item Name: Medical Consultant			
Allocation to Strategy: 3-1-1 Participate in Rulemaking			
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	22,127	22,127
2005	TRAVEL	4,000	4,000
TOTAL, OBJECT OF EXPENSE		\$26,127	\$26,127
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	26,127	26,127
TOTAL, METHOD OF FINANCING		\$26,127	\$26,127
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.5	0.5

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:33:00PM

Agency code: 448 Agency name Office of Injured Employee Counsel

Code	Description	Excp 2010	Excp 2011
Item Name: Other Operating Expense Enhancement			
Allocation to Strategy: 1-1-1 Assist Unrepresented Injured Employees in Dispute Resolution			
OBJECTS OF EXPENSE:			
2009	OTHER OPERATING EXPENSE	168,000	168,000
TOTAL, OBJECT OF EXPENSE		\$168,000	\$168,000
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	168,000	168,000
TOTAL, METHOD OF FINANCING		\$168,000	\$168,000

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:33:00PM

Agency code: 448 Agency name Office of Injured Employee Counsel

Code	Description	Excp 2010	Excp 2011
Item Name:	Other Operating Expense Enhancement		
Allocation to Strategy:	2-1-1 Assist Injured Employees & Provide Referrals to Programs & Services		
STRATEGY IMPACT ON OUTCOME MEASURES:			
<u>1</u>	% Injured Employees Reached by OIEC Efforts	96.00%	96.00%
OUTPUT MEASURES:			
<u>1</u>	# of Injured Employees Reached About Rights and Responsibilities	4,240.00	4,240.00
<u>2</u>	Number of Injured Employees Assisted by OIEC by Telephone	26,000.00	26,000.00
<u>3</u>	Number of Injured Employees Assisted at Local Field Offices	1,000.00	1,000.00
<u>4</u>	Number of Public Outreach Presentations Performed	30.00	30.00
<u>5</u>	Number of Referrals to DARS, TWC and TDI	500.00	500.00
OBJECTS OF EXPENSE:			
2009	OTHER OPERATING EXPENSE	108,000	108,000
TOTAL, OBJECT OF EXPENSE		\$108,000	\$108,000
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	108,000	108,000
TOTAL, METHOD OF FINANCING		\$108,000	\$108,000

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:33:00PM

Agency code: 448 Agency name Office of Injured Employee Counsel

Code	Description	Excp 2010	Excp 2011
Item Name:	Other Operating Expense Enhancement		
Allocation to Strategy:	3-1-1 Participate in Rulemaking		
OBJECTS OF EXPENSE:			
2009	OTHER OPERATING EXPENSE	24,000	24,000
TOTAL, OBJECT OF EXPENSE		\$24,000	\$24,000
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	24,000	24,000
TOTAL, METHOD OF FINANCING		\$24,000	\$24,000

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:33:00PM

Agency code: 448 Agency name Office of Injured Employee Counsel

Code	Description	Excp 2010	Excp 2011
Item Name:	Training Specialist		
Allocation to Strategy:	1-1-1 Assist Unrepresented Injured Employees in Dispute Resolution		
STRATEGY IMPACT ON OUTCOME MEASURES:			
<u>1</u>	% Disputes Resolved Prior to TDI Dispute Resolution Process	10.00%	10.00%
<u>3</u>	% CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist	44.00%	44.00%
<u>4</u>	Percentage of Appeal Issues Prevailed with Ombudsman Assistance	33.00%	33.00%
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	15,526	15,526
TOTAL, OBJECT OF EXPENSE		\$15,526	\$15,526
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	15,526	15,526
TOTAL, METHOD OF FINANCING		\$15,526	\$15,526
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.3	0.3

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:33:00PM

Agency code: 448 Agency name Office of Injured Employee Counsel

Code	Description	Excp 2010	Excp 2011
Item Name:	Training Specialist		
Allocation to Strategy:	2-1-1 Assist Injured Employees & Provide Referrals to Programs & Services		
OUTPUT MEASURES:			
5	Number of Referrals to DARS, TWC and TDI	2,000.00	2,000.00
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	15,526	15,526
TOTAL, OBJECT OF EXPENSE		\$15,526	\$15,526
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	15,526	15,526
TOTAL, METHOD OF FINANCING		\$15,526	\$15,526
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.3	0.3

4.B. EXCEPTIONAL ITEMS STRATEGY ALLOCATION SCHEDULE

81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:33:00PM

Agency code: 448 Agency name Office of Injured Employee Counsel

Code	Description	Excp 2010	Excp 2011
Item Name:	Training Specialist		
Allocation to Strategy:	3-1-1 Participate in Rulemaking		
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	15,997	15,997
TOTAL, OBJECT OF EXPENSE		\$15,997	\$15,997
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	15,997	15,997
TOTAL, METHOD OF FINANCING		\$15,997	\$15,997
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.4	0.4

4.A. EXCEPTIONAL ITEM REQUEST SCHEDULE
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:32:39PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

CODE	DESCRIPTION	Excp 2010	Excp 2011
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Item Name: Audit and Quality Assurance Staff

Item Priority: 1

Includes Funding for the Following Strategy or Strategies:

01-01-01	Assist Unrepresented Injured Employees in Dispute Resolution
02-01-01	Assist Injured Employees & Provide Referrals to Programs & Services
03-01-01	Participate in Rulemaking

OBJECTS OF EXPENSE:

1001	SALARIES AND WAGES	97,240	97,240
2005	TRAVEL	25,000	25,000
TOTAL, OBJECT OF EXPENSE		\$122,240	\$122,240

METHOD OF FINANCING:

36	Dept Ins Operating Acct	122,240	122,240
TOTAL, METHOD OF FINANCING		\$122,240	\$122,240

FULL-TIME EQUIVALENT POSITIONS (FTE):

2.00	2.00
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DESCRIPTION / JUSTIFICATION:

Request enhancement of \$122,240, annually, which represents 2 FTE's. One of the FTE's will serve as Director of Audit (Auditor VI, B17) and one FTE will serve as a Quality Assurance Analyst (Quality Assurance Specialist II, B9) responsible for quality assurance. This request allows OIEC to hire staff with auditing and quality assurance backgrounds, which are necessary to ensure that the agency's operations are in good standing with the appropriate audit practices. The addition of this new staff is necessary to ensure the integrity of OIEC's Ombudsman Program and that the agency's policies and procedures are performed consistently throughout the agency's 25 field offices. Currently, the agency contracts with an outside entity to conduct audits; however, the agency anticipates that an in-house auditor and quality assurance staff will provide maximum quality assurance at a savings compared to out-sourcing the service.

EXTERNAL/INTERNAL FACTORS:

- Changes in workers' compensation laws or rules that impact injured employees
- Policy, procedure, or process changes within TDI and/or DWC that impact injured employees

4.A. EXCEPTIONAL ITEM REQUEST SCHEDULE
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:32:39PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

CODE	DESCRIPTION	Excp 2010	Excp 2011
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Item Name: Medical Consultant
Item Priority: 2

Includes Funding for the Following Strategy or Strategies:

01-01-01	Assist Unrepresented Injured Employees in Dispute Resolution
02-01-01	Assist Injured Employees & Provide Referrals to Programs & Services
03-01-01	Participate in Rulemaking

OBJECTS OF EXPENSE:

1001	SALARIES AND WAGES	44,254	44,254
2005	TRAVEL	8,000	8,000
TOTAL, OBJECT OF EXPENSE		\$52,254	\$52,254

METHOD OF FINANCING:

36	Dept Ins Operating Acct	52,254	52,254
TOTAL, METHOD OF FINANCING		\$52,254	\$52,254

FULL-TIME EQUIVALENT POSITIONS (FTE):

1.00	1.00
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DESCRIPTION / JUSTIFICATION:

Request enhancement of \$52,254, annually, which represents 1 FTE (Nurse III, B12). The Medical Consultant will provide assistance to Ombudsmen and other OIEC staff regarding medical dispute resolution, medical necessity, medical research, and other related issues. The Medical Consultant could also provide valuable information for complex medical issues that occur in indemnity disputes, such as causation questions, and the meaning and proper interpretation of the Guides to the Evaluation of Permanent Impairment, which will help ensure that injured employees receive accurate impairment ratings.

House Bill (HB) 724, 80th Legislature, 2007, changed the venue for medical disputes by adding an administrative hearing. Ombudsmen are anticipated to assist in the majority of these hearings because attorneys are not compensated for representing injured employees with their medical issues. Further TDI has implemented disability management that includes treatment guidelines, planning, closed formulary, and treatment protocols. OIEC believes a medical expert is needed as a resource for these medical issues in order to protect the rights of the injured employees of Texas.

EXTERNAL/INTERNAL FACTORS:

- Changes in workers' compensation laws or rules that impact injured employees
- Policy, procedure, or process changes within TDI and/or DWC that impact injured employees

4.A. EXCEPTIONAL ITEM REQUEST SCHEDULE
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:32:39PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

CODE	DESCRIPTION	Excp 2010	Excp 2011
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<p>Item Name: Other Operating Expense Enhancement</p> <p>Item Priority: 3</p> <p>Includes Funding for the Following Strategy or Strategies:</p>	<p>01-01-01 Assist Unrepresented Injured Employees in Dispute Resolution</p> <p>02-01-01 Assist Injured Employees & Provide Referrals to Programs & Services</p> <p>03-01-01 Participate in Rulemaking</p>
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OBJECTS OF EXPENSE:

2009	OTHER OPERATING EXPENSE	300,000	300,000
	TOTAL, OBJECT OF EXPENSE	300,000	300,000

METHOD OF FINANCING:

36	Dept Ins Operating Acct	300,000	300,000
	TOTAL, METHOD OF FINANCING	300,000	300,000

DESCRIPTION / JUSTIFICATION:

Request enhancement of \$300,000, annually, in order to be more effective in the agency's outreach efforts for the FY 2010-2011 biennium. The additional appropriation will enable the agency to participate in public service announcements and to develop educational materials and tools that will aid in the attempt to inform the public about the services of the agency. According to a 2006 survey of employer participation in the Texas Workers' Compensation System conducted by TDI's, Workers' Compensation Research Group in October 2006, approximately 65% of Texas employers said that they had no knowledge at all about the 2005 House Bill 7 reforms, which includes the services provided by OIEC. As a result, enhanced funding for outreach efforts is critical to satisfy OIEC's mission to assist, educate and advocate.

Many injured employees do not have access to computer technology. Based on feedback from OIEC's customers, many prefer paper documents instead of documents in an electronic format. Educational materials and tools offered by OIEC allow injured employees to retain their own workers' compensation records and reduce the need for TDI and OIEC to maintain and produce copies of records. OIEC is administratively attached to TDI, and all workers' compensation records are maintained at TDI's records retention center. OIEC is currently piloting the affects of these new outreach materials, with funds obtained through lapsed salary dollars in FY 2008. This enhancement allows the agency to continue current outreach efforts. Additionally, OIEC anticipates that outreach materials that encourage injured employees to take responsibility for maintaining their own documents is likely to result in a greater protection of injured employees' rights.

EXTERNAL/INTERNAL FACTORS:

- Level of education efforts provided to injured employees

4.A. EXCEPTIONAL ITEM REQUEST SCHEDULE
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME: 5:32:39PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

CODE	DESCRIPTION	Excp 2010	Excp 2011
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Item Name: Training Specialist
Item Priority: 4

Includes Funding for the Following Strategy or Strategies:

01-01-01	Assist Unrepresented Injured Employees in Dispute Resolution
02-01-01	Assist Injured Employees & Provide Referrals to Programs & Services
03-01-01	Participate in Rulemaking

OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES

	47,049	47,049
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TOTAL, OBJECT OF EXPENSE

	<u>47,049</u>	<u>47,049</u>
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METHOD OF FINANCING:

36 Dept Ins Operating Acct

	47,049	47,049
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TOTAL, METHOD OF FINANCING

	<u>47,049</u>	<u>47,049</u>
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FULL-TIME EQUIVALENT POSITIONS (FTE):

	1.00	1.00
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DESCRIPTION / JUSTIFICATION:

Request enhancement of \$47,049, annually, which represents one Training Specialist V (B13) to provide training to agency staff and reduce the time and travel that supervisors spend on training. The new position will plan and develop training materials for on-line training to also reduce the need for travel. To meet the needs of the injured employees of Texas, it is necessary for OIEC to continually train and cross-train staff located in the field offices. Web-based training would be an asset to OIEC staff, and in-turn, the injured employees of Texas would benefit from this new position. OIEC believes that this position is likely to increase the agency's outreach efforts by improving the agency's website and using technology to more efficiently obtain customer feedback on OIEC's services.

EXTERNAL/INTERNAL FACTORS:

- Changes in workers' compensation laws or rules that impact injured employees
- Policy, procedure, or process changes within TDI and/or DWC that impact injured employees

4.C. EXCEPTIONAL ITEMS STRATEGY REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
TIME: 5:33:23PM

Agency Code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program Statewide Goal/Benchmark: 7 - 6
 OBJECTIVE: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service Categories:
 STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service: 17 Income: A.2 Age: B.3

CODE DESCRIPTION	Excp 2010	Excp 2011
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STRATEGY IMPACT ON OUTCOME MEASURES:

<u>1</u> % Disputes Resolved Prior to TDI Dispute Resolution Process	12.00 %	12.00 %
<u>3</u> % CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist	45.00 %	45.00 %
<u>4</u> Percentage of Appeal Issues Prevailed with Ombudsman Assistance	34.00 %	34.00 %

EXPLANATORY/INPUT MEASURES:

<u>1</u> Avg Indemnity Cost Avoided/Injured Employee Assisted by Ombudsman	2,350.00	2,350.00
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OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	69,742	69,742
2005 TRAVEL	12,250	12,250
2009 OTHER OPERATING EXPENSE	168,000	168,000
Total, Objects of Expense	\$249,992	\$249,992

METHOD OF FINANCING:

36 Dept Ins Operating Acct	249,992	249,992
Total, Method of Finance	\$249,992	\$249,992

FULL-TIME EQUIVALENT POSITIONS (FTE):

1.4	1.4
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Audit and Quality Assurance Staff
 Medical Consultant
 Other Operating Expense Enhancement
 Training Specialist

4.C. EXCEPTIONAL ITEMS STRATEGY REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
TIME: 5:33:23PM

Agency Code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 2 Increase Injured Employee Education and Provide Referrals Statewide Goal/Benchmark: 7 - 6
 OBJECTIVE: 1 Inform Injured Employees/System Participants and Provide Referrals Service Categories:
 STRATEGY: 1 Assist Injured Employees & Provide Referrals to Programs & Services Service: 17 Income: A.2 Age: B.3

CODE DESCRIPTION	Excp 2010	Excp 2011
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STRATEGY IMPACT ON OUTCOME MEASURES:

<u>1</u> % Injured Employees Reached by OIEC Efforts	96.00 %	96.00 %
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OUTPUT MEASURES:

<u>1</u> # of Injured Employees Reached About Rights and Responsibilities	4,240.00	4,240.00
<u>2</u> Number of Injured Employees Assisted by OIEC by Telephone	26,000.00	26,000.00
<u>3</u> Number of Injured Employees Assisted at Local Field Offices	1,000.00	1,000.00
<u>4</u> Number of Public Outreach Presentations Performed	34.00	34.00
<u>5</u> Number of Referrals to DARS, TWC and TDI	550.00	550.00

OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	47,615	47,615
2005 TRAVEL	8,250	8,250
2009 OTHER OPERATING EXPENSE	108,000	108,000
Total, Objects of Expense	\$163,865	\$163,865

METHOD OF FINANCING:

36 Dept Ins Operating Acct	163,865	163,865
Total, Method of Finance	\$163,865	\$163,865

FULL-TIME EQUIVALENT POSITIONS (FTE):

	1.0	1.0
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Audit and Quality Assurance Staff

Medical Consultant

4.C. EXCEPTIONAL ITEMS STRATEGY REQUEST
81st Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
TIME: 5:33:23PM

Agency Code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 2 Increase Injured Employee Education and Provide Referrals Statewide Goal/Benchmark: 7 - 6
OBJECTIVE: 1 Inform Injured Employees/System Participants and Provide Referrals Service Categories:
STRATEGY: 1 Assist Injured Employees & Provide Referrals to Programs & Services Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Excp 2010	Excp 2011
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Other Operating Expense Enhancement

Training Specialist

4.C. EXCEPTIONAL ITEMS STRATEGY REQUEST
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
TIME: 5:33:23PM

Agency Code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 3 Advocate for Injured Employees in Rulemaking and Other Public Forums Statewide Goal/Benchmark: 7 - 6
 OBJECTIVE: 1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource Service Categories:
 STRATEGY: 1 Participate in Rulemaking Service: 17 Income: A.2 Age: B.3

CODE DESCRIPTION	Excp 2010	Excp 2011
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OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	71,186	71,186
2005 TRAVEL	12,500	12,500
2009 OTHER OPERATING EXPENSE	24,000	24,000
Total, Objects of Expense	\$107,686	\$107,686

METHOD OF FINANCING:

36 Dept Ins Operating Acct	107,686	107,686
Total, Method of Finance	\$107,686	\$107,686

FULL-TIME EQUIVALENT POSITIONS (FTE):

1.6	1.6
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Audit and Quality Assurance Staff
 Medical Consultant
 Other Operating Expense Enhancement
 Training Specialist

6.I. 10 Percent Biennial Base Reduction Options Schedule

Approved Reduction Amount

\$1,434,094

Agency Code:			Agency Name:								
Rank	Reduction Item		Biennial Application of 10% Percent Reduction				FTE Reductions (FY 2010-11 Base Request Compared to Budgeted 2009)		Revenue Impact? Y/N	Cumulative GR-related reduction as a % of Approved Base	
	Strat	Name	GR	GR-Dedicated	Federal	Other	All Funds	FY 08	FY 09		
1	2.1.1	Rights and Responsibilities		712,836			\$ 712,836	10.3	10.3	N	5.0%
2	1.1.1	Ombudsman Program		721,258			\$ 721,258	8.5	8.4	N	10.0%
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
Agency Biennial Total			\$ -	\$ 1,434,094	\$ -	\$ -	\$ 1,434,094	18.8	18.7		10.0%
Agency Biennial Total (GR + GR-D)				\$ 1,434,094							

Rank / Name

Explanation of Impact to Programs and Revenue Collections

1 Rights and Responsibilities

Reductions would affect the agency's ability to maintain all of its current processes regarding education of injured employees as to their rights and responsibilities and its ability to provide service to injured employees by telephone or in person. Without this funding, current service levels cannot be met and wait time would increase. Additionally, reductions would also affect the agency's ability to maintain its current number of referrals made to other necessary return to work and healthcare related programs and social services, including assistance to customers who wish to file complaints regarding healthcare providers. Without this funding, current referral service levels cannot be met.

2 Ombudsman Program

Reductions would affect the agency's ability to assist unrepresented injured employees in proceedings statewide, shorten the quantity of time Ombudsmen could spend preparing injured employees for proceedings, and lengthen the number of days between when a proceeding is set and when an injured employee has contact with an Ombudsman. It is also likely that the performance measures would be affected.

7.B. DIRECT ADMINISTRATIVE AND SUPPORT COSTS
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME : 5:35:18PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

Strategy	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
1-1-1 Assist Unrepresented Injured Employees in Dispute Resolution					
OBJECTS OF EXPENSE:					
1001 SALARIES AND WAGES	\$ 444,114	\$ 110,775	\$ 113,036	\$ 113,036	\$ 113,036
1002 OTHER PERSONNEL COSTS	7,515	3,105	3,105	3,105	3,105
2001 PROFESSIONAL FEES AND SERVICES	47,819	707	707	707	707
2004 UTILITIES	4,281	926	926	926	926
2005 TRAVEL	6,238	2,287	2,287	2,287	2,287
2009 OTHER OPERATING EXPENSE	5,713	1,456	1,456	1,456	1,456
Total, Objects of Expense	\$ 515,680	\$ 119,256	\$ 121,517	\$ 121,517	\$ 121,517
METHOD OF FINANCING:					
36 Dept Ins Operating Acct	515,680	119,256	121,517	121,517	121,517
Total, Method of Financing	\$ 515,680	\$ 119,256	\$ 121,517	\$ 121,517	\$ 121,517
FULL-TIME-EQUIVALENT POSITIONS (FTE):	7.8	1.9	1.9	1.9	1.9

DESCRIPTION

The administration and support costs in this strategy are related to those personnel who develop policies and procedures, provide staff training, perform required strategic planning and reporting functions, perform communications and outreach initiatives including website maintenance, or perform any administrative duties required to support the agency that are not performed by the Texas Department of Insurance.

7.B. DIRECT ADMINISTRATIVE AND SUPPORT COSTS
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME : 5:35:18PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

Strategy	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
2-1-1 Assist Injured Employees & Provide Referrals to Programs & Services					
OBJECTS OF EXPENSE:					
1001 SALARIES AND WAGES	\$ 87,446	\$ 110,775	\$ 113,036	\$ 113,036	\$ 113,036
1002 OTHER PERSONNEL COSTS	2,495	3,105	3,105	3,105	3,105
2001 PROFESSIONAL FEES AND SERVICES	70	707	707	707	707
2004 UTILITIES	1,148	926	926	926	926
2005 TRAVEL	2,434	2,287	2,287	2,287	2,287
2009 OTHER OPERATING EXPENSE	1,843	1,456	1,456	1,456	1,456
Total, Objects of Expense	\$ 95,436	\$ 119,256	\$ 121,517	\$ 121,517	\$ 121,517
METHOD OF FINANCING:					
36 Dept Ins Operating Acct	95,436	119,256	121,517	121,517	121,517
Total, Method of Financing	\$ 95,436	\$ 119,256	\$ 121,517	\$ 121,517	\$ 121,517
FULL-TIME-EQUIVALENT POSITIONS (FTE):	1.0	1.9	1.9	1.9	1.9

DESCRIPTION

The administration and support costs in this strategy are related to those personnel who develop policies and procedures, provide staff training, perform required strategic planning and reporting functions, perform communications and outreach initiatives including website maintenance, or perform any administrative duties required to support the agency that are not performed by the Texas Department of Insurance.

7.B. DIRECT ADMINISTRATIVE AND SUPPORT COSTS
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME : 5:35:18PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

Strategy		Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
3-1-1	Participate in Rulemaking					
OBJECTS OF EXPENSE:						
1001	SALARIES AND WAGES	\$ 0	\$ 150,808	\$ 153,886	\$ 153,886	\$ 153,886
1002	OTHER PERSONNEL COSTS	0	3,390	3,390	3,390	3,390
2001	PROFESSIONAL FEES AND SERVICES	0	728	728	728	728
2004	UTILITIES	0	953	953	953	953
2005	TRAVEL	0	5,695	5,695	5,695	5,695
2009	OTHER OPERATING EXPENSE	0	1,499	1,499	1,499	1,499
Total, Objects of Expense		\$ 0	\$ 163,073	\$ 166,151	\$ 166,151	\$ 166,151
METHOD OF FINANCING:						
36	Dept Ins Operating Acct	0	163,073	166,151	166,151	166,151
Total, Method of Financing		\$ 0	\$ 163,073	\$ 166,151	\$ 166,151	\$ 166,151
FULL-TIME-EQUIVALENT POSITIONS (FTE):		0.0	2.4	2.4	2.4	2.4

DESCRIPTION

The administration and support costs in this strategy are related to those personnel who develop policies and procedures, provide staff training, perform required strategic planning and reporting functions, perform communications and outreach initiatives including website maintenance, or perform any administrative duties required to support the agency that are not performed by the Texas Department of Insurance.

7.B. DIRECT ADMINISTRATIVE AND SUPPORT COSTS
 81st Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/2/2008
 TIME : 5:35:18PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

	Exp 2007	Est 2008	Bud 2009	BL 2010	BL 2011
GRAND TOTALS					
Objects of Expense					
1001 SALARIES AND WAGES	\$531,560	\$372,358	\$379,958	\$379,958	\$379,958
1002 OTHER PERSONNEL COSTS	\$10,010	\$9,600	\$9,600	\$9,600	\$9,600
2001 PROFESSIONAL FEES AND SERVICES	\$47,889	\$2,142	\$2,142	\$2,142	\$2,142
2004 UTILITIES	\$5,429	\$2,805	\$2,805	\$2,805	\$2,805
2005 TRAVEL	\$8,672	\$10,269	\$10,269	\$10,269	\$10,269
2009 OTHER OPERATING EXPENSE	\$7,556	\$4,411	\$4,411	\$4,411	\$4,411
Total, Objects of Expense	\$611,116	\$401,585	\$409,185	\$409,185	\$409,185
Method of Financing					
36 Dept Ins Operating Acct	\$611,116	\$401,585	\$409,185	\$409,185	\$409,185
Total, Method of Financing	\$611,116	\$401,585	\$409,185	\$409,185	\$409,185
Full-Time-Equivalent Positions (FTE)	8.8	6.2	6.2	6.2	6.2