



# Texas Department of Insurance

## Division of Workers' Compensation

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### MEMORANDUM

**TO:** Workers' Compensation System Participants

**FROM:** Patricia Gilbert, Executive Deputy Commissioner for Operations

**DATE:** May 26, 2009

**RE:** Changes to the Supplemental Income Benefits Application Process

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In March, the Commissioner of Workers' Compensation Rod Bordelon, adopted new requirements for injured employees applying for supplemental income benefits (SIBs). The revised rules, 28 Texas Administrative Code §130.101-130.109, align the work search requirements for injured employees applying for SIBs with the work search requirements for people applying for unemployment insurance benefits. The adopted rules are effective July 1, 2009 and apply to injured employees with SIBs qualifying periods beginning on or after July 1, 2009. The following are highlights of the changes to the application process.

- **A revised *Application for Supplemental Income Benefits***, DWC Form-052. The new application requires detailed information of the injured employee's work search efforts, including the types of documentation necessary to support the application.
- **A new publication *Questions and Answers About Supplemental Income Benefits***. The new publication details changes to the process and changes in the work search requirements.
- **New work search requirements.** SIBs applicants must now demonstrate an active effort to comply with the newly adopted work search requirements. Applicants must meet one or more of the following work search requirements **each week** during your 13-week qualifying period. Injured employees must show that he or she has:
  - returned to work in a position which is equal to the injured employee's ability to work; or
  - actively participated in a vocational rehabilitation program [such as those offered by the Department of Assistive and Rehabilitative Services (DARS) or a private vocational rehabilitation program]; or
  - been unable to perform any type of work in any capacity as documented by a doctor; or
  - actively participated in work search efforts through the Texas Workforce Commission (TWC) appropriate for the injured employee's county, or by

other documented job searches. SIBs applicants are now required to perform at least the minimum number of weekly work searches required for their county of residence.

Injured employees applying for SIBs for qualifying periods beginning on or after July 1, 2009, must use the new form and application process. Information about the new process, including the revised application and the number of mandatory weekly work search requirements by county, is available on the TDI website at <http://www.tdi.state.tx.us/wc/employee/sibs.html>.

For questions about applying for SIBs, the work search requirements, or when an application is due, contact the insurance carrier or the local TDI-DWC field office by calling 1-800-252-7031.