

CHAPTER 997

H.B. No. 2036

AN ACT

relating to appealing disputed medical benefits in lifetime benefit cases under the workers' compensation laws.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 10(d), Article 8306, Revised Statutes, is amended to read as follows:

(d) The lifetime benefits to the employee payable under this section may not be paid in a lump sum except in a case of bona fide disputes as to liability of the association. Any settlement of a disputed case shall be approved by the Board or court only upon an express finding that a bona fide dispute exists as to such liability. *In any lifetime benefit case under this section where the association has admitted liability and is making weekly payments and a dispute arises over medical benefits, the Board may make an award that shall be appealable in accordance with Section 5, Article 8307, Revised Statutes, but only to the extent of the medical benefits in question. In such cases of medical benefit disputes, recovery for penalties and attorney's fees shall be as provided in Section 7 of this article.*

SECTION 2. This Act takes effect September 1, 1987.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 8, 1987, by a non-record vote. Passed by the Senate on May 25, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 20, 1987.

Effective Sept. 1, 1987.