

FLAHIVE, OGDEN & LATSON

ADVISORY NO. 2

TOPIC: Since final rules have not yet been adopted, and because we therefore do not have printed forms, how will carriers begin operating when the new law goes into effect?

DISCUSSION: The Commission has prepared interim forms which we distributed in December. Until published forms are available, carriers may photocopy the interim forms for use until printed stock becomes available.

The Executive Director has announced that he is empowered to enforce the statute even though very few rules are actually adopted.

The statute does impose specific requirements of which we have had notice for over a year, and those requirements will govern the rights and responsibilities of the parties until rules are adopted that will provide a system for specific Commission implementation and administration.

We have developed a provisional checklist for the use of our clients in considering the steps that carriers must follow when paying various benefits under the new Act. See Advisory No. 3 for copyrighted checklist. Clients are granted permission to photocopy for internal use only. You will note that the checklist refers to the interim forms as "TWCC ____". The checklist also refers to rules that have been published in the Texas Register, but which at the time of the writing of this advisory have not been officially adopted by the Commission.