

ADVISORY NO. 217

TOPIC: EXTRA HAZARDOUS EMPLOYER PROGRAM

At its June 12, 1997 meeting, the Commission adopted a new set of Rules for its Extra Hazardous Employer Program.

The previous program was declared invalid under a doctrine of pre-emption in the case of *Ben Robinson Company v. Texas Workers' Compensation Commission et al.* The new rules are structured so as to minimize the extent to which the Texas Workers' Compensation Extra Hazardous Program occupies a field previously occupied by the Occupation Safety and Health Administration Oversight.

The initial Safety Consultation and the Accident Prevention Plan are substantially amended. Commission oversight is no longer contingent upon complying with Federal codes.

These rules will become available on June 24, 1997. If you, or one of your insureds requires a copy, notify Patsy Shelton at 512-435-2234.

This will be further described in the June issue of *FOLIO*.