

ADVISORY NO. 280
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TOPIC: ELECTRONIC DEPOSIT OF FUNDS

TWCC has issued a Memorandum reminding all carriers of the need to offer electronic funds transfer as of September 1, 2000.

Brent Hatch, Director of Customer Services, has announced that the Commission will NOT promulgate a form to be used by carriers to notify claimants of the availability of electronic funds transfer. Each carrier is free to develop its own language until this language is specified by Commission rule.

To assist you in developing this notice, Flahive, Ogden and Latson has drafted the attached proposed form. Because this is not prescribed by the Commission, you are free to use this or disregard it. If you disregard it, and develop your own form, be sure that the language complies with Texas Labor Code, Sec. 409.0231 and Rule 124.5. We will be happy to assist you with this process. If you should have any questions contact Jack Latson at (512) 435-2156.

Note that the Commission contemplates two communications. We are required to send a notice of a claimant's right to request electronic transfer. Within seven days of receiving that election, we are required to provide a "form" for the claimant to communicate information necessary to establish the account. The notice that we are suggesting combines both communications. That relieves you of the obligation to send a form within seven days of receiving the request by the claimant. You may choose instead to notify a claimant of the general availability of this option, and then upon receipt of his/her request provide a form to transmit the necessary information.

FLAHIVE, OGDEN & LATSON

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April 21, 2015