

BILL ANALYSIS

Senate Research Center

H.B. 3279
By: Counts (Duncan)
Economic Development
5-17-97
Engrossed

DIGEST

Information contained in various types of files compiled and maintained by the Texas Workers' Compensation Commission (commission) is made confidential by numerous statutory provisions, including but not limited to those addressing confidentiality of claim files and investigatory files. Unlike other state agencies, these confidentiality provisions affect almost all information requested from the commission. To comply with statutory mandates, the commission must edit a significant amount of material from voluminous information prior to making requested copies or providing access to the information. For paper records, this requires that a copy of the original document be made, the information confidential by law be redacted, or blacked out, on that copy, and that a new copy be made from the redacted version so the original text cannot be read from the reverse side of the paper. This is done at great cost to the agency that is currently not recovered. This bill will not affect claimants seeking access to or copies of their own claim files, as no redaction of a claim file is required prior to allowing a claimant access to or copies of his or her own claim file. H.B. 3279 allows the commission to recover the costs of providing this service, as is already allowed by statute for providing redacted copies of information. In addition to requiring that the fee be reasonable, the bill require the charge to conform to the rules of the General Services Commission that prescribe the method for computing the charge for copies.

PURPOSE

As proposed, H.B. 3279 allows the commission to recover the costs of providing this service, as is already allowed by statute for providing redacted copies of information. In addition to requiring that the fee be reasonable, the bill require the charge to conform to the rules of the General Services Commission that prescribe the method for computing the charge for copies.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 402.081, Labor Code, by adding Subsection (d), to authorize the commission to charge a reasonable fee for making available for inspection any of its information that contains confidential information that must be redacted before the information is made available. Sets forth the fee for access to information under Chapter 552, Government Code.

SECTION 2. Emergency clause.
Effective date: upon passage.