

Workers' comp in Texas

The Texas Legislature restructured the workers' compensation system in 1989 after years of complaints by businesses about rising workers' compensation costs. The stated goals -- lowering premiums, making the system less litigious, increasing benefits to legitimately hurt or sick workers and improving workplace safety education -- were met. But some workers' groups say the pendulum has swung too far and that the system is now stacked against ill or injured workers, who have difficulty navigating the complex system and less access to legal help. Three injured workers and the Texas AFL-CIO challenged the new law in 1990, and a state district court in Maverick County found it unconstitutional. The 4th Court of Appeals in San Antonio upheld that ruling in 1993, and the issue is now before the Texas Supreme Court, which is expected to rule this year. Statistics show some of the changes since the new system took effect in 1991:

...

Number of injuries and illnesses reported (1):

1991: 250,476.

1992: 283,912.

1993: 278,319.

...

Number of claims for which disability or death benefits were paid:

1991: 122,653.

1992: 102,312.

1993: 87,725.

...

Percentage of workers with legal representation at contested case hearings:

1991: 58%.

1992: 45%.

1993: 40%.

...

Percentage of insurance carriers with legal representation at
contested case hearings:

1991: 81%.

1992: 80%.

1993: 82%.

...

Comp premiums paid by employers:

1991: \$4.5 billion.

1992: \$2.8 billion.

1993: \$2.0 billion.

...

Losses incurred by insurance companies:

1991: \$3.6 billion.

1992: \$2.0 billion.

1993: \$1.3 billion.

...

Average weekly benefit to workers:

1991: \$235.

1992: \$246.

1993: \$254.

...

Maximum weekly benefit:

1991: \$428.

1992: \$438.

1993: \$456.

(1) Includes only injuries and illnesses that caused the worker to miss at least one full day of work, and that were reported by employers with comp insurance.

-END-