

- SUBJECT:** Increasing burial benefits under workers' compensation system
- COMMITTEE:** Business and Industry — favorable, without amendment
- VOTE:** 5 ayes — Oliveira, Simmons, Collier, Rinaldi, Romero
- 0 nays
- 2 absent — Fletcher, Villalba
- WITNESSES:** For — (*Registered, but did not testify:* Rene Lara, Texas AFL-CIO; Pam Beachley, Texas Cotton Ginners' Trust; Jo Betsy Norton, Texas Mutual Insurance Company)
- Against — None
- On — (*Registered, but did not testify:* Amy Lee, Texas Department of Insurance, Division of Workers' Compensation)
- BACKGROUND:** Under Labor Code, sec. 408.186, if an employee's death results from a compensable injury under the workers' compensation system, the insurance carrier is required to pay the lesser of the actual costs incurred for reasonable burial expenses or \$6,000.
- The \$6,000 maximum amount was set in 1999 when the 76th Legislature enacted HB 2510 by Dukes. It has not been changed since then, even though burial expenses often exceed \$6,000.
- DIGEST:** HB 3082 would increase the maximum amount of burial benefits available under the workers' compensation system. If the death of an employee resulted from a compensable injury under the workers' compensation system, the insurance carrier would be required to pay the lesser of the actual costs incurred for reasonable burial expenses or \$10,000.
- The bill would take effect September 1, 2015, and would apply only to claims for workers' compensation burial benefits based on compensable

injuries that occurred on or after that date.