

**TEXAS DEPARTMENT OF INSURANCE
DIVISION OF WORKERS' COMPENSATION
NOTICE REGARDING CERTAIN WORK-RELATED COMMUNICABLE
DISEASES AND ELIGIBILITY FOR WORKERS'
COMPENSATION BENEFITS**

TO: Law Enforcement Officers, Fire Fighters, Emergency Medical Service Employees, Paramedics, and Correctional Officers -

IN ORDER TO QUALIFY FOR WORKERS' COMPENSATION BENEFITS, AN EMPLOYEE WHO CLAIMS A POSSIBLE WORK-RELATED EXPOSURE TO A REPORTABLE DISEASE, INCLUDING HIV INFECTION, MUST BE TESTED FOR THE DISEASE NOT LATER THAN THE 10TH DAY AFTER THE EXPOSURE AND MUST PROVIDE THEIR EMPLOYER WITH DOCUMENTATION OF THE TEST AND A SWORN AFFIDAVIT OF THE DATE AND CIRCUMSTANCES OF THE EXPOSURE. THE TEST RESULT MUST INDICATE THE ABSENCE OF THE DISEASE. THE EMPLOYEE IS NOT REQUIRED TO PAY FOR THE TEST.

Reportable diseases are those communicable diseases and health conditions required to be reported to the Texas Department of Health. Exposure criteria and testing protocol must conform to Texas Department of Health requirements.

TO: All State Employees -

IN ORDER TO QUALIFY FOR WORKERS' COMPENSATION BENEFITS, A STATE EMPLOYEE WHO CLAIMS A POSSIBLE WORK-RELATED EXPOSURE TO HUMAN IMMUNODEFICIENCY VIRUS (HIV) INFECTION, MUST BE TESTED FOR HIV WITHIN 10 DAYS AFTER THE EXPOSURE AND MUST PROVIDE THEIR EMPLOYER WITH DOCUMENTATION OF THE TEST AND A WRITTEN STATEMENT OF THE DATE AND CIRCUMSTANCES OF THE EXPOSURE. THE TEST RESULT MUST INDICATE THE ABSENCE OF HIV INFECTION. THE EMPLOYEE IS NOT REQUIRED TO PAY FOR THE TEST.

FOR ADDITIONAL INFORMATION: TALK TO YOUR EMPLOYER OR CALL THE TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION AT 1-800-372-7713. ALSO, CONTACT THE TEXAS DEPARTMENT OF HEALTH (TDH) TO ENSURE FULL COMPLIANCE WITH THE HEALTH AND SAFETY CODE AND TDH RULES.

EMPLOYERS OF EMERGENCY MEDICAL SERVICE EMPLOYEES, PARAMEDICS, FIRE FIGHTERS, LAW ENFORCEMENT OFFICERS OR CORRECTIONAL OFFICERS:

Pursuant to Workers' Compensation Rule 110.108, employers of emergency medical service employees, paramedics, fire fighters, law enforcement officers or correctional officers must post a notice informing employees about requirements contained in the Health and Safety Code which could affect qualifying for workers' compensation benefits following a work-related exposure to a reportable communicable disease. This notice must:

- (1) be posted in the employer's personnel office, if any;
- (2) be posted in the workplace where employees are likely to read the notice on a regular basis
- (3) be printed with a title in at least 15 point bold type and the text in at least 14 point normal type
- (4) contain the text as set out in rule 110.108(d)
- (5) be posted in English and Spanish, or in English and any other language common to the employee's affected employee population.

The notice on the reverse side meets the above requirements. Failure to post the notice as required by this rule is a violation of the Texas Workers' Compensation Act and Division rules and may subject the violator to administrative penalties.

The cost of testing for exposure to a reportable communicable disease shall be paid by the employer's workers' compensation insurance carrier.

STATE AGENCIES:

Pursuant to Workers' Compensation Rule 110.108 each state agency must post a notice informing employees about requirements which may affect qualifying for workers' compensation benefits following a work related exposure to human immunodeficiency virus (HIV). The notice must:

- (1) posted in the agency's personnel office;
- (2) be posted in the workplace where employees are likely to read the notice on a regular basis
- (3) be printed with a title in at least 15 point bold type and the text in at least 14 point normal type
- (4) contain the text as set out in rule 110.108(d)
- (5) be posted in English and Spanish, or in English and any other language common to the employee's affected employee population.

The notice on the reverse side meets the above requirements. Failure to post the notice as required by this rule is a violation of the Texas Workers' Compensation Act and Division rules and may subject the violator to administrative penalties.

The cost of testing for exposure to a reportable communicable disease shall be paid by the employer's workers' compensation insurance carrier.

DO NOT POST THIS SIDE