

## Introduction

### Dispute Resolution Data

When parties have a disagreement related to a workers' compensation claim, they may request dispute resolution through the Texas Department of Insurance, Division of Workers' Compensation (DWC). There are several steps in the dispute resolution process:

- \* Benefit Review Conference (BRC) - The BRC is an informal mediation held at a local field office.
- \* Contested Case Hearing (CCH) - The CCH is a formal hearing conducted by a DWC Administrative Law Judge who makes a decision about the disputed issue(s) that was not resolved at the BRC.
- \* Appeals Panel - If a party disagrees with the decision and order of the Administrative Law Judge, the dissatisfied party may request review of the decision by the Appeals Panel.
- \* Judicial Review - An injured employee or other parties may appeal the Appeals Panel decision to district court.

Except for the number of BRC requests received, the information found in this section is based on the outcome of the dispute at each level of the dispute resolution process. The number of BRC requests received may include disputes that are not yet concluded.

Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc.

Parties may hire an attorney to represent them and to give legal advice. The attorney may attend dispute resolution proceedings with the party and may present evidence and their side of the dispute. If an attorney is hired by an injured employee, the attorney's fees are deducted from the income benefit payments.

Injured employees may also be assisted by an ombudsman through the Office of Injured Employee Counsel (OIEC) at no charge.

**Table of Number of Benefit Review Conference Requests  
by Calendar Year**

|                     | 2015   | 2016   | 2017   | 2018   | 2019   |
|---------------------|--------|--------|--------|--------|--------|
| <b>BRC Requests</b> | 13,227 | 13,579 | 11,712 | 11,121 | 10,094 |

Source: Texas Department of Insurance, Division of Workers' Compensation

*Workers' Compensation claim data updated through August 2020*

*Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc. The number of BRC requests received may include disputes that are not yet concluded.*

**Table of Claims with a Workers' Compensation Dispute Proceeding  
by Calendar Year of Injury**

| Calendar Year of Injury | Total Number of Claims | Number of Claims with a Proceeding | Percent of Claims with a Proceeding |
|-------------------------|------------------------|------------------------------------|-------------------------------------|
| 2015                    | 89,567                 | 7,491                              | 8%                                  |
| 2016                    | 87,094                 | 6,606                              | 8%                                  |
| 2017                    | 87,346                 | 5,973                              | 7%                                  |
| 2018                    | 88,295                 | 4,729                              | 5%                                  |
| 2019                    | 73,869                 | 2,411                              | 3%                                  |

Source: Texas Department of Insurance, Division of Workers' Compensation

***Workers' Compensation claim data updated through August 2020***

***Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc. Claims shown include information on work-related injuries reported by employers with workers' compensation insurance that resulted in the employee's absence from work for more than one (1) day or an occupational disease or illness (even if the employee was never absent from work) or the employee's death. A single claim may have multiple disputes filed during the life of the claim. Therefore percentages of claims with a proceeding will continue to increase as issues arise on more recent injury claims.***

**Table of Number of Benefit Review Conferences Concluded  
by Number of Sessions and Calendar Year**

| Concluded Benefit Review Conferences | 2015         |             | 2016          |             | 2017          |             | 2018         |             | 2019         |             |
|--------------------------------------|--------------|-------------|---------------|-------------|---------------|-------------|--------------|-------------|--------------|-------------|
| One Scheduled One Held               | 3,617        | 38%         | 3,731         | 36%         | 3,742         | 36%         | 3,752        | 42%         | 3,248        | 41%         |
| Multiple Scheduled One Held          | 1,922        | 20%         | 2,206         | 21%         | 1,831         | 18%         | 1,548        | 17%         | 1,354        | 17%         |
| Multiple Scheduled Multiple Held     | 3,971        | 42%         | 4,520         | 43%         | 4,710         | 46%         | 3,621        | 41%         | 3,225        | 41%         |
| <b>Total</b>                         | <b>9,510</b> | <b>100%</b> | <b>10,457</b> | <b>100%</b> | <b>10,283</b> | <b>100%</b> | <b>8,921</b> | <b>100%</b> | <b>7,827</b> | <b>100%</b> |

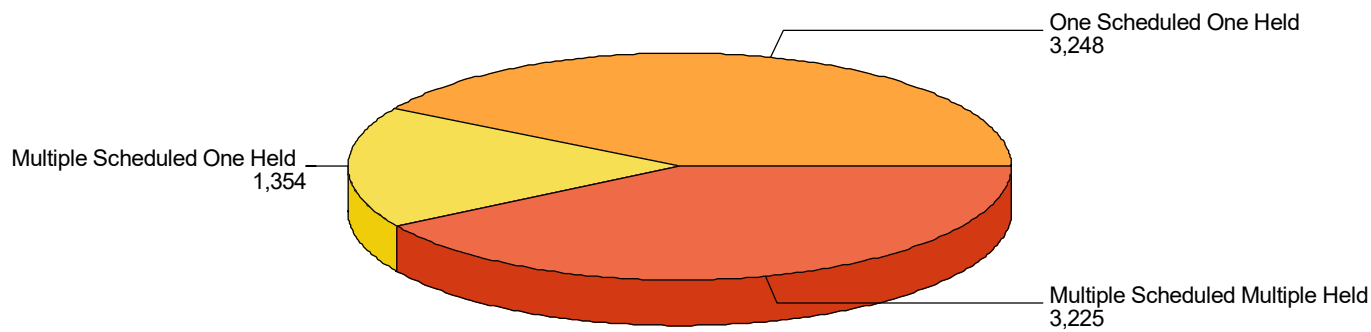
Source: Texas Department of Insurance, Division of Workers' Compensation

*Workers' Compensation claim data updated through August 2020*

*Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc. Concluded means that all issues were either resolved at the BRC or forwarded to the next level of resolution.*

**Texas Department of Insurance**  
**Division of Workers' Compensation**

**Pie Chart of Number of Benefit Review Conferences Concluded  
by Number of Sessions in Calendar Year 2019**



Source: Texas Department of Insurance, Division of Workers' Compensation

Workers' Compensation claim data updated through August 2020

Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc. Concluded means that all issues were either resolved at the BRC or forwarded to the next level of resolution.

**Table of Number of Benefit Review Conferences Concluded  
by Number of Sessions Held, Assistance Type and Calendar Year**

| Assistance Type |                                       | 2015         |             | 2016          |             | 2017          |             | 2018         |             | 2019         |             |
|-----------------|---------------------------------------|--------------|-------------|---------------|-------------|---------------|-------------|--------------|-------------|--------------|-------------|
| Attorney        | Concluded with Multiple Sessions Held | 1,463        | 33%         | 1,667         | 37%         | 1,740         | 41%         | 1,303        | 35%         | 1,154        | 36%         |
|                 | Concluded with One Session Held       | 2,953        | 67%         | 2,831         | 63%         | 2,475         | 59%         | 2,470        | 65%         | 2,087        | 64%         |
|                 | Subtotal                              | 4,416        | 100%        | 4,498         | 100%        | 4,215         | 100%        | 3,773        | 100%        | 3,241        | 100%        |
| Other           | Concluded with Multiple Sessions Held | 6            | 46%         | 5             | 45%         | 4             | 50%         | 3            | 43%         | 1            | 33%         |
|                 | Concluded with One Session Held       | 7            | 54%         | 6             | 55%         | 4             | 50%         | 4            | 57%         | 2            | 67%         |
|                 | Subtotal                              | 13           | 100%        | 11            | 100%        | 8             | 100%        | 7            | 100%        | 3            | 100%        |
| Lay Rep         | Concluded with Multiple Sessions Held | 6            | 35%         | 5             | 33%         | 4             | 40%         | 0            | 0           | 7            | 50%         |
|                 | Concluded with One Session Held       | 11           | 65%         | 10            | 67%         | 6             | 60%         | 6            | 100%        | 7            | 50%         |
|                 | Subtotal                              | 17           | 100%        | 15            | 100%        | 10            | 100%        | 6            | 100%        | 14           | 100%        |
| None            | Concluded with Multiple Sessions Held | 590          | 53%         | 605           | 51%         | 404           | 43%         | 268          | 32%         | 215          | 29%         |
|                 | Concluded with One Session Held       | 524          | 47%         | 570           | 49%         | 536           | 57%         | 570          | 68%         | 520          | 71%         |
|                 | Subtotal                              | 1,114        | 100%        | 1,175         | 100%        | 940           | 100%        | 838          | 100%        | 735          | 100%        |
| Ombudsman       | Concluded with Multiple Sessions Held | 1,906        | 48%         | 2,238         | 47%         | 2,558         | 50%         | 2,047        | 48%         | 1,848        | 48%         |
|                 | Concluded with One Session Held       | 2,042        | 52%         | 2,520         | 53%         | 2,552         | 50%         | 2,250        | 52%         | 1,986        | 52%         |
|                 | Subtotal                              | 3,948        | 100%        | 4,758         | 100%        | 5,110         | 100%        | 4,297        | 100%        | 3,834        | 100%        |
| Union Rep       | Concluded with One Session Held       | 2            | 100%        | 0             | 0           | 0             | 0           | 0            | 0           | 0            | 0           |
|                 | Subtotal                              | 2            | 100%        | 0             | 0           | 0             | 0           | 0            | 0           | 0            | 0           |
| <b>Total</b>    |                                       | <b>9,510</b> | <b>100%</b> | <b>10,457</b> | <b>100%</b> | <b>10,283</b> | <b>100%</b> | <b>8,921</b> | <b>100%</b> | <b>7,827</b> | <b>100%</b> |

Source: Texas Department of Insurance, Division of Workers' Compensation

*Workers' Compensation claim data updated through August 2020*

*Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc. Concluded means that all issues were either resolved at the BRC or forwarded to the next level of resolution.*

**Table of Number of Benefit Review Conferences Concluded  
by Resolution and Calendar Year**

| Resolution   | 2015         |             | 2016          |             | 2017          |             | 2018         |             | 2019         |             |
|--------------|--------------|-------------|---------------|-------------|---------------|-------------|--------------|-------------|--------------|-------------|
| Resolved     | 2,181        | 23%         | 2,364         | 23%         | 2,049         | 20%         | 1,812        | 20%         | 1,599        | 20%         |
| Not Resolved | 5,756        | 61%         | 6,460         | 62%         | 6,515         | 63%         | 5,615        | 63%         | 5,056        | 65%         |
| Mixed        | 1,573        | 17%         | 1,633         | 16%         | 1,719         | 17%         | 1,494        | 17%         | 1,172        | 15%         |
| <b>Total</b> | <b>9,510</b> | <b>100%</b> | <b>10,457</b> | <b>100%</b> | <b>10,283</b> | <b>100%</b> | <b>8,921</b> | <b>100%</b> | <b>7,827</b> | <b>100%</b> |

Source: Texas Department of Insurance, Division of Workers' Compensation

**Workers' Compensation claim data updated through August 2020**

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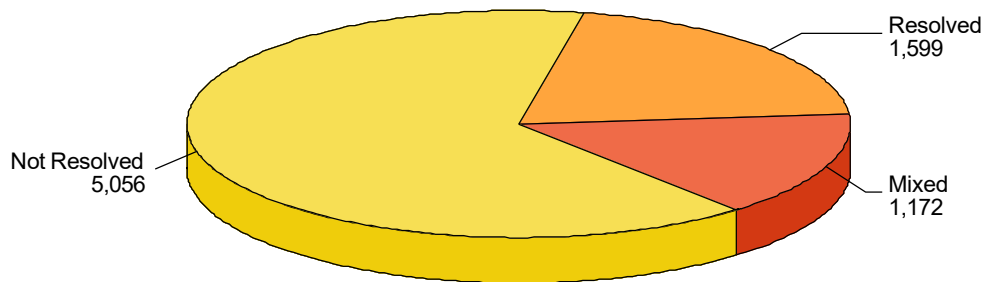
**Resolved includes BRCs in which all issues were agreed on by the parties.**

**Not resolved includes BRCs in which all issues were forwarded to a CCH.**

**Mixed includes BRCs in which some issues were agreed on by the parties and some issues were forwarded to CCH.**

**Texas Department of Insurance**  
**Division of Workers' Compensation**

**Pie Chart of Number of Benefit Review Conferences Concluded  
by Resolution in Calendar Year 2019**



Source: Texas Department of Insurance, Division of Workers' Compensation

Workers' Compensation claim data updated through August 2020

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**Table of Number of Benefit Review Conferences Concluded  
by Assistance Type for the Injured Employee and Calendar Year**

| Assistance Type | 2015         |             | 2016          |             | 2017          |             | 2018         |             | 2019         |             |
|-----------------|--------------|-------------|---------------|-------------|---------------|-------------|--------------|-------------|--------------|-------------|
| Attorney        | 4,416        | 46%         | 4,498         | 43%         | 4,215         | 41%         | 3,773        | 42%         | 3,241        | 41%         |
| Lay Rep         | 17           | 0%          | 15            | 0%          | 10            | 0%          | 6            | 0%          | 14           | 0%          |
| None            | 1,114        | 12%         | 1,175         | 11%         | 940           | 9%          | 838          | 9%          | 735          | 9%          |
| Ombudsman       | 3,948        | 42%         | 4,758         | 46%         | 5,110         | 50%         | 4,297        | 48%         | 3,834        | 49%         |
| Other           | 13           | 0%          | 11            | 0%          | 8             | 0%          | 7            | 0%          | 3            | 0%          |
| Union Rep       | 2            | 0%          | 0             | 0           | 0             | 0           | 0            | 0           | 0            | 0           |
| <b>Total</b>    | <b>9,510</b> | <b>100%</b> | <b>10,457</b> | <b>100%</b> | <b>10,283</b> | <b>100%</b> | <b>8,921</b> | <b>100%</b> | <b>7,827</b> | <b>100%</b> |

Source: Texas Department of Insurance, Division of Workers' Compensation

**Workers' Compensation claim data updated through August 2020**

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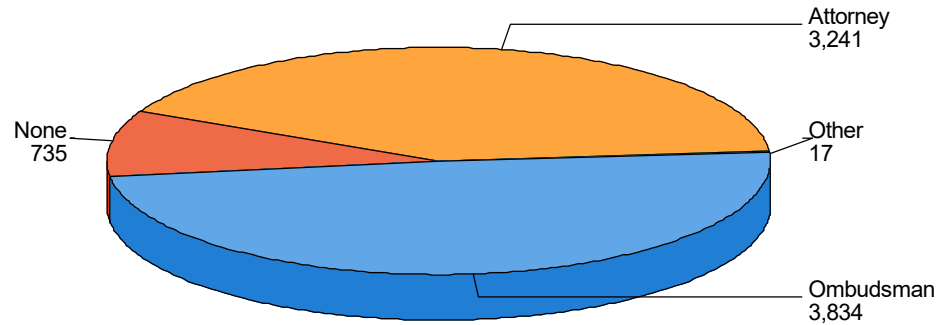
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**Texas Department of Insurance**  
**Division of Workers' Compensation**

**Pie Chart of Number of Benefit Review Conferences Concluded  
by Assistance Type for the Injured Employee in Calendar Year 2019**



Source: Texas Department of Insurance, Division of Workers' Compensation

Workers' Compensation claim data updated through August 2020

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**Table of Percent Resolution for Concluded Benefit Review Conferences  
 by Assistance Type for the Injured Employee  
 for Calendar Year 2015**

| Assistance Type | Number Concluded | Resolved   | Not Resolved | Mixed      |
|-----------------|------------------|------------|--------------|------------|
| Attorney        | 4,416            | 21%        | 63%          | 16%        |
| Lay Rep         | 17               | 59%        | 35%          | 6%         |
| None            | 1,114            | 12%        | 67%          | 22%        |
| Ombudsman       | 3,948            | 28%        | 57%          | 16%        |
| Other           | 13               | 31%        | 69%          | 0          |
| Union Rep       | 2                | 100%       | 0            | 0          |
| <b>Total</b>    | <b>9,510</b>     | <b>23%</b> | <b>61%</b>   | <b>17%</b> |

*Source: Texas Department of Insurance, Division of Workers' Compensation*

*Workers' Compensation claim data updated through August 2020*

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**Table of Percent Resolution for Concluded Benefit Review Conferences  
 by Assistance Type for the Injured Employee  
 for Calendar Year 2016**

| Assistance Type | Number Concluded | Resolved   | Not Resolved | Mixed      |
|-----------------|------------------|------------|--------------|------------|
| Attorney        | 4,498            | 20%        | 65%          | 14%        |
| Lay Rep         | 15               | 7%         | 67%          | 27%        |
| None            | 1,175            | 14%        | 65%          | 21%        |
| Ombudsman       | 4,758            | 27%        | 58%          | 15%        |
| Other           | 11               | 27%        | 64%          | 9%         |
| <b>Total</b>    | <b>10,457</b>    | <b>23%</b> | <b>62%</b>   | <b>16%</b> |

*Source: Texas Department of Insurance, Division of Workers' Compensation*

*Workers' Compensation claim data updated through August 2020*

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*Concluded means that all issues were either resolved at the BRC or forwarded to the next level of resolution.*

*Resolved includes BRCs in which all issues were agreed on by the parties.*

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**Table of Percent Resolution for Concluded Benefit Review Conferences  
by Assistance Type for the Injured Employee  
for Calendar Year 2017**

| Assistance Type | Number Concluded | Resolved   | Not Resolved | Mixed      |
|-----------------|------------------|------------|--------------|------------|
| Attorney        | 4,215            | 19%        | 64%          | 17%        |
| Lay Rep         | 10               | 10%        | 80%          | 10%        |
| None            | 940              | 14%        | 65%          | 21%        |
| Ombudsman       | 5,110            | 22%        | 62%          | 16%        |
| Other           | 8                | 0          | 50%          | 50%        |
| <b>Total</b>    | <b>10,283</b>    | <b>20%</b> | <b>63%</b>   | <b>17%</b> |

*Source: Texas Department of Insurance, Division of Workers' Compensation*

*Workers' Compensation claim data updated through August 2020*

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**Table of Percent Resolution for Concluded Benefit Review Conferences  
by Assistance Type for the Injured Employee  
for Calendar Year 2018**

| Assistance Type | Number Concluded | Resolved   | Not Resolved | Mixed      |
|-----------------|------------------|------------|--------------|------------|
| Attorney        | 3,773            | 19%        | 65%          | 16%        |
| Lay Rep         | 6                | 0          | 83%          | 17%        |
| None            | 838              | 18%        | 58%          | 24%        |
| Ombudsman       | 4,297            | 22%        | 62%          | 16%        |
| Other           | 7                | 14%        | 86%          | 0          |
| <b>Total</b>    | <b>8,921</b>     | <b>20%</b> | <b>63%</b>   | <b>17%</b> |

*Source: Texas Department of Insurance, Division of Workers' Compensation*

*Workers' Compensation claim data updated through August 2020*

*Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc.*

*Concluded means that all issues were either resolved at the BRC or forwarded to the next level of resolution.*

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**Table of Percent Resolution for Concluded Benefit Review Conferences  
 by Assistance Type for the Injured Employee  
 for Calendar Year 2019**

| Assistance Type | Number Concluded | Resolved   | Not Resolved | Mixed      |
|-----------------|------------------|------------|--------------|------------|
| Attorney        | 3,241            | 18%        | 68%          | 14%        |
| Lay Rep         | 14               | 14%        | 79%          | 7%         |
| None            | 735              | 20%        | 63%          | 17%        |
| Ombudsman       | 3,834            | 22%        | 62%          | 15%        |
| Other           | 3                | 67%        | 33%          | 0          |
| <b>Total</b>    | <b>7,827</b>     | <b>20%</b> | <b>65%</b>   | <b>15%</b> |

*Source: Texas Department of Insurance, Division of Workers' Compensation*

*Workers' Compensation claim data updated through August 2020*

*Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc.*

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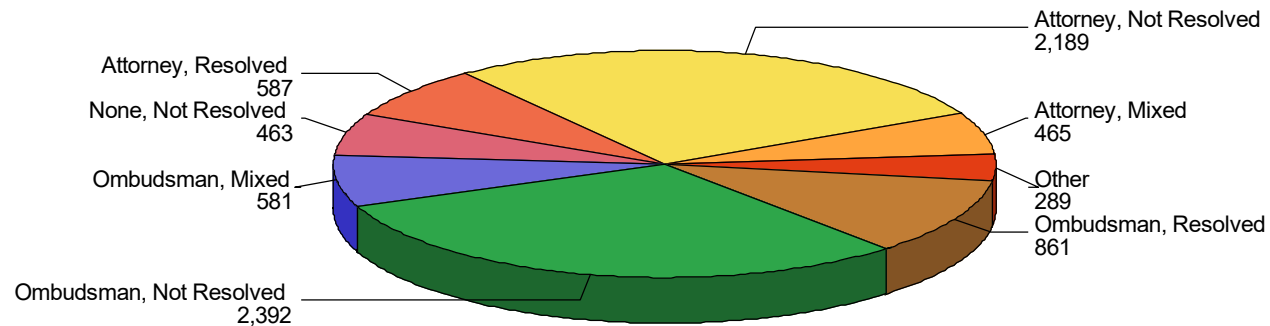
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**Texas Department of Insurance  
Division of Workers' Compensation**

**Pie Chart of Number of Benefit Review Conferences Concluded by Resolution  
and Assistance Type for the Injured Employee in Calendar Year 2019**



Source: Texas Department of Insurance, Division of Workers' Compensation

Workers' Compensation claim data updated through August 2020

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**Table of Top 10 Issues for Benefit Review Conferences Concluded  
in Calendar Year 2019**

| Concluded Issue                                    | Number of Issues | Percent of Issues |
|--|------------------|-------------------|
| Extent of Injury                                   | 3,829            | 21%               |
| Designated Doctor Maximum Medical Improvement Date | 3,724            | 20%               |
| Designated Doctor Impairment Rating                | 3,722            | 20%               |
| Disability/Existence/Duration of Disability        | 2,493            | 14%               |
| Existence of Compensable Injury                    | 1,483            | 8%                |
| Impairment Rating Finality-90 Day Disputes         | 319              | 2%                |
| Timely Reporting to Employer                       | 313              | 2%                |
| Impairment Rating                                  | 236              | 1%                |
| Maximum Medical Improvement                        | 228              | 1%                |
| Amount of Average Weekly Wage                      | 199              | 1%                |
| All other issues                                   | 1,730            | 9%                |
| <b>Total</b>                                       | <b>18,276</b>    | <b>100%</b>       |

*Source: Texas Department of Insurance, Division of Workers' Compensation*

*Workers' Compensation claim data updated through August 2020*

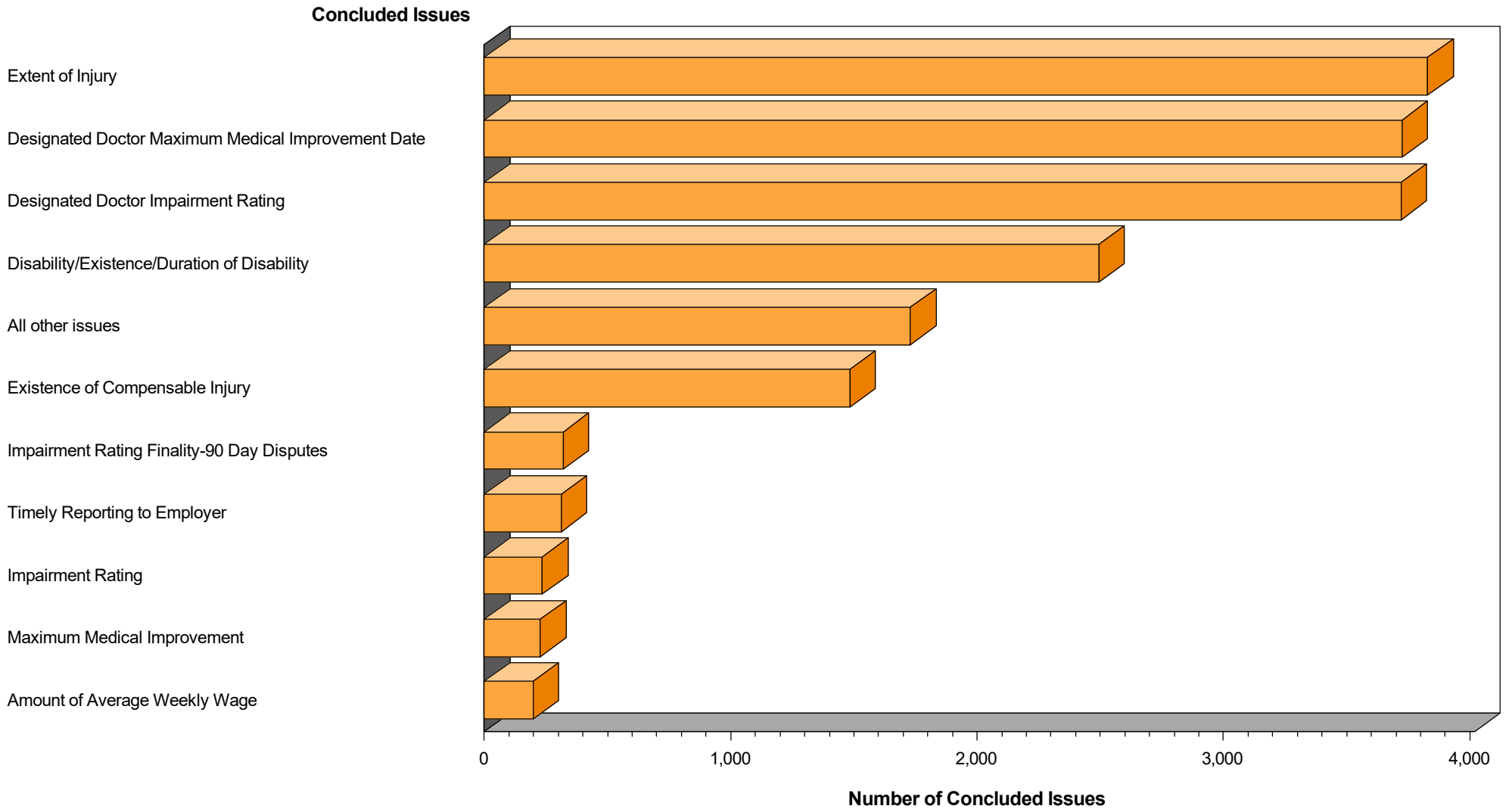
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*Concluded means that all issues were either resolved at the BRC or forwarded to the next level of resolution.*

*A single BRC may address multiple disputed issues on a single claim. Therefore, the number of issues concluded at a BRC will not add up to the number of BRCs concluded.*

**Texas Department of Insurance  
Division of Workers' Compensation**

**Bar Chart of Top 10 Issues for Benefit Review Conferences Concluded  
in Calendar Year 2019**



**Source: Texas Department of Insurance, Division of Workers' Compensation**

**Workers' Compensation claim data updated through August 2020**

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**A single BRC may address multiple disputed issues on a single claim. Therefore, the number of issues concluded at a BRC will not add up to the number of BRCs concluded.**

**Table of Number of Contested Case Hearings Concluded  
by Number of Sessions and Calendar Year**

| Concluded Contested Case Hearings | 2015         |             | 2016         |             | 2017         |             | 2018         |             | 2019         |             |
|-----------------------------------|--------------|-------------|--------------|-------------|--------------|-------------|--------------|-------------|--------------|-------------|
| Concluded with One Session        | 3,551        | 66%         | 3,881        | 67%         | 4,266        | 65%         | 3,709        | 67%         | 3,190        | 67%         |
| Concluded with Multiple Sessions  | 1,869        | 34%         | 1,899        | 33%         | 2,336        | 35%         | 1,843        | 33%         | 1,564        | 33%         |
| <b>Total</b>                      | <b>5,420</b> | <b>100%</b> | <b>5,780</b> | <b>100%</b> | <b>6,602</b> | <b>100%</b> | <b>5,552</b> | <b>100%</b> | <b>4,754</b> | <b>100%</b> |

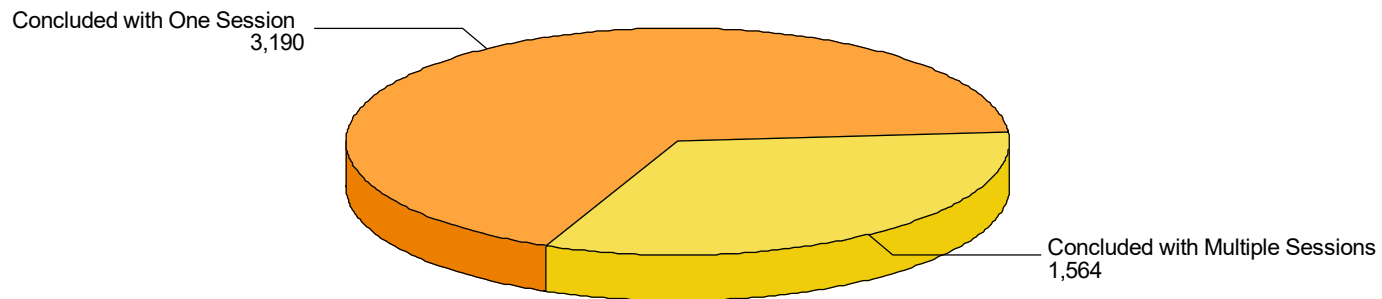
Source: Texas Department of Insurance, Division of Workers' Compensation

*Workers' Compensation claim data updated through August 2020*

*Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc. Concluded means that the DWC Administrative Law Judge rendered a decision.*

**Texas Department of Insurance  
Division of Workers' Compensation**

**Pie Chart of Number of Contested Case Hearings Concluded  
by Number of Sessions in Calendar Year 2019**



Source: Texas Department of Insurance, Division of Workers' Compensation

Workers' Compensation claim data updated through August 2020

Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc. Concluded means that the DWC Administrative Law Judge rendered a decision.

**Table of Number of Contested Case Hearings Concluded  
by Resolution and Calendar Year**

| Resolution            | 2015         |             | 2016         |             | 2017         |             | 2018         |             | 2019         |             |
|-----------------------|--------------|-------------|--------------|-------------|--------------|-------------|--------------|-------------|--------------|-------------|
| For Employee          | 1,806        | 33%         | 1,829        | 32%         | 1,968        | 30%         | 1,764        | 32%         | 1,574        | 33%         |
| For Insurance Carrier | 2,745        | 51%         | 2,974        | 51%         | 3,468        | 53%         | 2,827        | 51%         | 2,383        | 50%         |
| Mixed                 | 869          | 16%         | 977          | 17%         | 1,166        | 18%         | 961          | 17%         | 797          | 17%         |
| <b>Total</b>          | <b>5,420</b> | <b>100%</b> | <b>5,780</b> | <b>100%</b> | <b>6,602</b> | <b>100%</b> | <b>5,552</b> | <b>100%</b> | <b>4,754</b> | <b>100%</b> |

Source: Texas Department of Insurance, Division of Workers' Compensation

***Workers' Compensation claim data updated through August 2020***

***Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc.***

***Concluded means that the DWC Administrative Law Judge rendered a decision.***

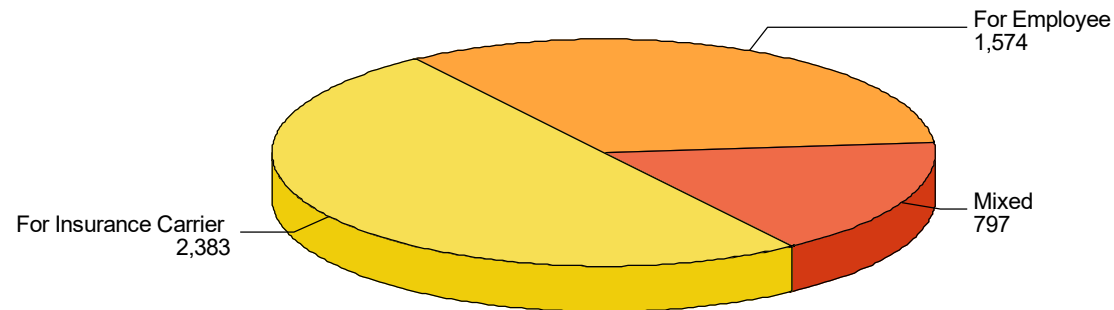
***Resolution for employee includes CCHs in which the DWC Administrative Law Judge's decision agreed or sided with the injured employee on all issues in dispute.***

***Resolution for carrier includes CCHs in which the DWC Administrative Law Judge's decision agreed or sided with the carrier on all issues in dispute.***

***Mixed resolution includes CCHs in which the DWC Administrative Law Judge's decision agreed with the injured employee on some issues and agreed with the insurance carrier on some issues.***

**Texas Department of Insurance**  
Division of Workers' Compensation

**Pie Chart of Number of Contested Case Hearings Concluded  
by Resolution for Calendar Year 2019**



Source: Texas Department of Insurance, Division of Workers' Compensation

**Workers' Compensation claim data updated through August 2020**

Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc.

Concluded means that the DWC Administrative Law Judge rendered a decision.

Resolution for employee includes CCHs in which the DWC Administrative Law Judge's decision agreed or sided with the injured employee on all issues in dispute.

Resolution for carrier includes CCHs in which the DWC Administrative Law Judge's decision agreed or sided with the carrier on all issues in dispute.

Mixed resolution includes CCHs in which the DWC Administrative Law Judge's decision agreed with the injured employee on some issues and agreed with the insurance carrier on some issues.

**Table of Number of Contested Case Hearings Concluded  
by Assistance Type for the Injured Employee and Calendar Year**

| Assistance Type | 2015         |             | 2016         |             | 2017         |             | 2018         |             | 2019         |             |
|-----------------|--------------|-------------|--------------|-------------|--------------|-------------|--------------|-------------|--------------|-------------|
|                 | Count        | Percentage  | Count        | Percentage  | Count        | Percentage  | Count        | Percentage  | Count        | Percentage  |
| Attorney        | 2,494        | 46%         | 2,519        | 44%         | 2,661        | 40%         | 2,333        | 42%         | 1,978        | 42%         |
| Lay Rep         | 14           | 0%          | 15           | 0%          | 15           | 0%          | 8            | 0%          | 12           | 0%          |
| None            | 695          | 13%         | 703          | 12%         | 552          | 8%          | 496          | 9%          | 414          | 9%          |
| Ombudsman       | 2,214        | 41%         | 2,543        | 44%         | 3,373        | 51%         | 2,715        | 49%         | 2,347        | 49%         |
| Other           | 3            | 0%          | 0            | 0%          | 1            | 0%          | 0            | 0%          | 3            | 0%          |
| <b>Total</b>    | <b>5,420</b> | <b>100%</b> | <b>5,780</b> | <b>100%</b> | <b>6,602</b> | <b>100%</b> | <b>5,552</b> | <b>100%</b> | <b>4,754</b> | <b>100%</b> |

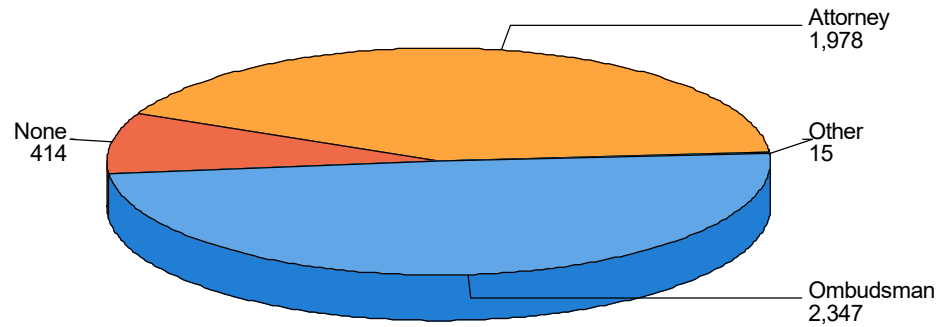
Source: Texas Department of Insurance, Division of Workers' Compensation

*Workers' Compensation claim data updated through August 2020*

*Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc. Concluded means that the DWC Administrative Law Judge rendered a decision.*

**Texas Department of Insurance  
Division of Workers' Compensation**

**Pie Chart of Number of Contested Case Hearings Concluded  
by Assistance Type for the Injured Employee for Calendar Year 2019**



Source: Texas Department of Insurance, Division of Workers' Compensation

Workers' Compensation claim data updated through August 2020

Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc. Concluded means that the DWC Administrative Law Judge rendered a decision.



**Table of Percent Resolution for Concluded Contested Case Hearings  
by Assistance Type for the Injured Employee  
for Calendar Year 2015**

| Assistance Type | Number Concluded | For Employee | For Insurance Carrier | Mixed |
|-----------------|------------------|--------------|-----------------------|-------|
| Attorney        | 2,494            | 44%          | 38%                   | 18%   |
| Lay Rep         | 14               | 36%          | 29%                   | 36%   |
| None            | 695              | 5%           | 86%                   | 8%    |
| Ombudsman       | 2,214            | 30%          | 54%                   | 16%   |
| Other           | 3                | 67%          | 33%                   | 0     |
| Total           | 5,420            | 33%          | 51%                   | 16%   |

Source: Texas Department of Insurance, Division of Workers' Compensation  
Workers' Compensation claim data updated through August 2020

Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc.  
Concluded means that the DWC Administrative Law Judge rendered a decision.

**Table of Percent Resolution for Concluded Contested Case Hearings  
by Assistance Type for the Injured Employee  
for Calendar Year 2016**

| Assistance Type | Number Concluded | For Employee | For Insurance Carrier | Mixed |
|-----------------|------------------|--------------|-----------------------|-------|
| Attorney        | 2,519            | 44%          | 37%                   | 20%   |
| Lay Rep         | 15               | 40%          | 47%                   | 13%   |
| None            | 703              | 5%           | 86%                   | 9%    |
| Ombudsman       | 2,543            | 27%          | 57%                   | 16%   |
| Total           | 5,780            | 32%          | 51%                   | 17%   |

Source: Texas Department of Insurance, Division of Workers' Compensation  
Workers' Compensation claim data updated through August 2020

Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc.  
Concluded means that the DWC Administrative Law Judge rendered a decision.

**Table of Percent Resolution for Concluded Contested Case Hearings  
by Assistance Type for the Injured Employee  
for Calendar Year 2017**

| Assistance Type | Number Concluded | For Employee | For Insurance Carrier | Mixed      |
|-----------------|------------------|--------------|-----------------------|------------|
| Attorney        | 2,661            | 41%          | 39%                   | 20%        |
| Lay Rep         | 15               | 40%          | 20%                   | 40%        |
| None            | 552              | 11%          | 81%                   | 8%         |
| Ombudsman       | 3,373            | 24%          | 58%                   | 18%        |
| Other           | 1                | 0            | 100%                  | 0          |
| <b>Total</b>    | <b>6,602</b>     | <b>30%</b>   | <b>53%</b>            | <b>18%</b> |

*Source: Texas Department of Insurance, Division of Workers' Compensation  
Workers' Compensation claim data updated through August 2020*

*Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc.  
Concluded means that the DWC Administrative Law Judge rendered a decision.*

**Table of Percent Resolution for Concluded Contested Case Hearings  
by Assistance Type for the Injured Employee  
for Calendar Year 2018**

| Assistance Type | Number Concluded | For Employee | For Insurance Carrier | Mixed |
|-----------------|------------------|--------------|-----------------------|-------|
| Attorney        | 2,333            | 42%          | 39%                   | 20%   |
| Lay Rep         | 8                | 25%          | 38%                   | 38%   |
| None            | 496              | 14%          | 79%                   | 7%    |
| Ombudsman       | 2,715            | 27%          | 57%                   | 17%   |
| Total           | 5,552            | 32%          | 51%                   | 17%   |

Source: Texas Department of Insurance, Division of Workers' Compensation  
Workers' Compensation claim data updated through August 2020

Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc.  
Concluded means that the DWC Administrative Law Judge rendered a decision.

**Table of Percent Resolution for Concluded Contested Case Hearings  
by Assistance Type for the Injured Employee  
for Calendar Year 2019**

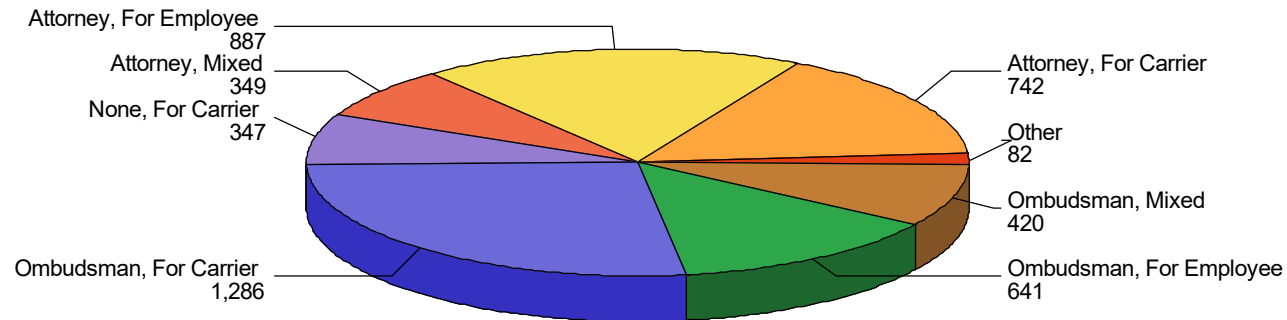
| Assistance Type | Number Concluded | For Employee | For Insurance Carrier | Mixed      |
|-----------------|------------------|--------------|-----------------------|------------|
| Attorney        | 1,978            | 45%          | 38%                   | 18%        |
| Lay Rep         | 12               | 25%          | 58%                   | 17%        |
| None            | 414              | 10%          | 84%                   | 6%         |
| Ombudsman       | 2,347            | 27%          | 55%                   | 18%        |
| Other           | 3                | 0            | 33%                   | 67%        |
| <b>Total</b>    | <b>4,754</b>     | <b>33%</b>   | <b>50%</b>            | <b>17%</b> |

*Source: Texas Department of Insurance, Division of Workers' Compensation  
Workers' Compensation claim data updated through August 2020*

*Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc.  
Concluded means that the DWC Administrative Law Judge rendered a decision.*

**Texas Department of Insurance  
Division of Workers' Compensation**

**Pie Chart of Number of Contested Case Hearings Concluded by Resolution  
and Assistance Type for Injured Employee for Calendar Year 2019**



Source: Texas Department of Insurance, Division of Workers' Compensation

Workers' Compensation claim data updated through August 2020

Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc. Concluded means that the DWC Administrative Law Judge rendered a decision.

**Table of Top 10 Issues for Contested Case Hearings Concluded  
in Calendar Year 2019**

| Concluded Issue                                    | Number of Issues | Percent of Issues |
|--|------------------|-------------------|
| Designated Doctor Impairment Rating                | 2,564            | 21%               |
| Extent of Injury                                   | 2,534            | 21%               |
| Designated Doctor Maximum Medical Improvement Date | 2,517            | 21%               |
| Disability/Existence/Duration of Disability        | 1,542            | 13%               |
| Existence of Compensable Injury                    | 868              | 7%                |
| Impairment Rating Finality-90 Day Disputes         | 261              | 2%                |
| Timely Reporting to Employer                       | 232              | 2%                |
| Compensability of an Occupational Disease          | 99               | 1%                |
| Date of Injury                                     | 97               | 1%                |
| Allegation of Bona Fide Offer                      | 95               | 1%                |
| All other issues                                   | 1,255            | 10%               |
| <b>Total</b>                                       | <b>12,064</b>    | <b>100%</b>       |

*Source: Texas Department of Insurance, Division of Workers' Compensation*

*Workers' Compensation claim data updated through August 2020*

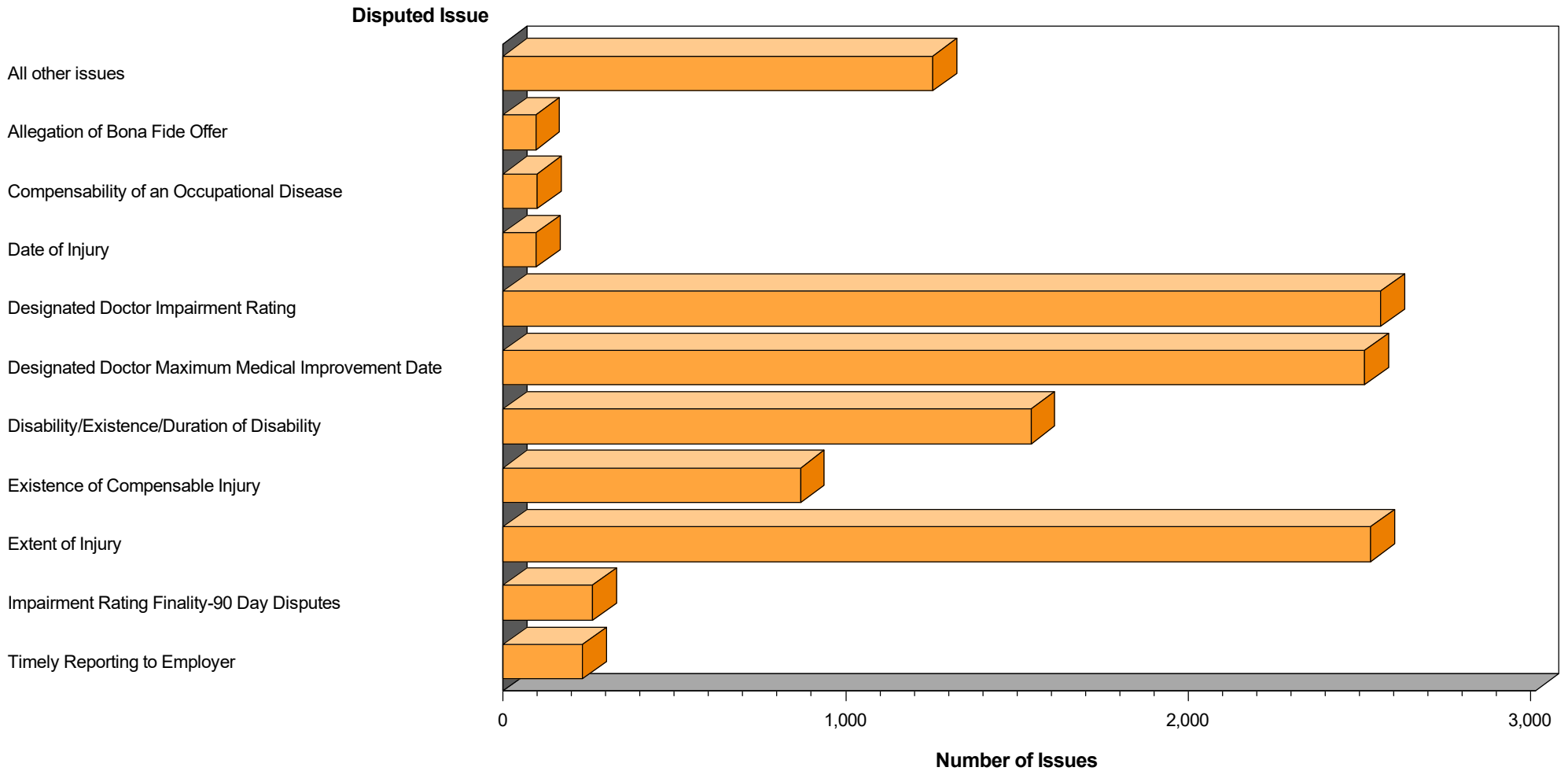
*Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc. A single CCH may address multiple disputed issues on a single claim. Therefore, the number of issues concluded at a CCH will not add up to the number of CCHs concluded.*

*Concluded means that the DWC Administrative Law Judge rendered a decision.*

*By statute, designated doctors are doctors assigned by DWC to resolve specific issues, such as impairment rating (IR), maximum medical improvement (MMI), the extent of the compensable injury, the ability of an injured employee to return to work, etc. Because these doctors are selected by the state and received special training and testing, designated doctors, by statute, have presumptive weight in DWC dispute proceedings. As a result, disputes regarding a designated doctor's report are not actually disputes in favor or against an injured employee, but rather disputes in favor or against the designated doctor's report.*

**Texas Department of Insurance  
Division of Workers' Compensation**

**Bar Chart of Top 10 Issues for Contested Case Hearings Concluded  
in Calendar Year 2019**



**Source: Texas Department of Insurance, Division of Workers' Compensation**

**Workers' Compensation claim data updated through August 2020**

**Proceedings shown are those involving questions on issues such as compensability, extent of injury, maximum medical improvement, impairment rating, etc. A single CCH may address multiple disputed issues on a single claim. Therefore, the number of issues concluded at a CCH will not add up to the number of CCHs concluded. Concluded means that the DWC Administrative Law Judge rendered a decision.**

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**Table of Employee Attorney Fees Requested and Approved  
by Calendar Year of Order Issued**

| Calendar Year of Order Issued | Number of Claims | Amount Requested | Amount Approved | Percent Approved | Average Amount Approved per Claim |
|-------------------------------|------------------|------------------|-----------------|------------------|-----------------------------------|
| 2015                          | 12,794           | \$35,119,635     | \$33,815,206    | 96%              | \$2,643                           |
| 2016                          | 12,424           | \$35,466,347     | \$34,581,496    | 98%              | \$2,783                           |
| 2017                          | 11,537           | \$37,960,849     | \$36,966,886    | 97%              | \$3,204                           |
| 2018                          | 10,942           | \$34,142,784     | \$33,448,373    | 98%              | \$3,057                           |
| 2019                          | 9,982            | \$27,528,098     | \$26,797,815    | 97%              | \$2,685                           |

Source: Texas Department of Insurance, Division of Workers' Compensation

**Table of Insurance Carrier Attorney Fees Requested and Approved  
by Calendar Year of Order Issued**

| Calendar Year of Order Issued | Number of Claims | Amount Requested | Amount Approved | Percent Approved | Average Amount Approved per Claim |
|-------------------------------|------------------|------------------|-----------------|------------------|-----------------------------------|
| 2015                          | 12,238           | \$31,303,319     | \$30,873,535    | 99%              | \$2,523                           |
| 2016                          | 13,325           | \$33,778,904     | \$33,410,583    | 99%              | \$2,507                           |
| 2017                          | 13,159           | \$36,636,661     | \$36,370,712    | 99%              | \$2,764                           |
| 2018                          | 12,607           | \$35,059,457     | \$34,901,305    | 100%             | \$2,768                           |
| 2019                          | 11,756           | \$32,024,520     | \$31,880,275    | 100%             | \$2,712                           |

Source: Texas Department of Insurance, Division of Workers' Compensation