



# **Operating Budget**

## **for Fiscal Year 2020**

Submitted to the  
Governor's Office of Budget, Planning and Policy  
and the Legislative Budget Board

by  
**The Office of Injured Employee Counsel**

**November 27, 2019**

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**OFFICE OF INJURED EMPLOYEE COUNSEL**

**Operating Budget for Fiscal Year 2020**

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## CERTIFICATE

**Agency Name** Office of Injured Employee Counsel

This is to certify that the information contained in the agency operating budget filed with the Legislative Budget Board (LBB) and the Office of the Governor, Budget Division, is accurate to the best of my knowledge and that the electronic submission to the LBB via the Automated Budget and Evaluation System of Texas (ABEST) and the PDF file submitted via the LBB Document Submission application are identical.

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the Office of the Governor will be notified in writing in accordance with House Bill 1, Article IX, Section 7.01, Eighty-sixth Legislature, Regular Session, 2019.

**Public Counsel**

Jessica Barta  
Signature

Jessica Barta  
Printed Name

Public Counsel  
Title

11/27/2019  
Date

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# **Operating Budget for Fiscal Year 2020**

**Submitted to the  
Governor's Office of Budget, Planning and Policy  
and the Legislative Budget Board**

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**The Office of Injured Employee Counsel**

**November 27, 2019**

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**Budget Overview**  
 86th Regular Session, Fiscal Year 2020 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

448 Office of Injured Employee Counsel

	2019	2020	GR DEDICATED		2019	2020	OTHER FUNDS		ALL FUNDS	
			2019	2020			2019	2020	2019	2020
<b>Goal: 1. Assist Individual Injured Employees through the Ombudsman Program</b>										
1.1.1. Ombudsman Program			4,717,661	4,774,683					4,717,661	4,774,683
<b>Total, Goal</b>			<b>4,717,661</b>	<b>4,774,683</b>					<b>4,717,661</b>	<b>4,774,683</b>
<b>Goal: 2. Increase Injured Employee Education and Provide Referrals</b>										
2.1.1. Rights Responsibilities & Referral			1,580,717	1,994,295			2,273		1,582,990	1,994,295
<b>Total, Goal</b>			<b>1,580,717</b>	<b>1,994,295</b>			<b>2,273</b>		<b>1,582,990</b>	<b>1,994,295</b>
<b>Goal: 3. Advocate for Injured Employees As a Class</b>										
3.1.1. Advocate For Injured Employees			2,110,146	1,995,155					2,110,146	1,995,155
<b>Total, Goal</b>			<b>2,110,146</b>	<b>1,995,155</b>					<b>2,110,146</b>	<b>1,995,155</b>
<b>Total, Agency</b>			<b>8,408,524</b>	<b>8,764,133</b>			<b>2,273</b>		<b>8,410,797</b>	<b>8,764,133</b>
<b>Total FTEs</b>									<b>158.6</b>	<b>175.0</b>

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**2.A. Summary of Budget By Strategy**

DATE : 11/27/2019

TIME : 9:18:26AM

86th Regular Session, Fiscal Year 2020 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 448 Agency name: Office of Injured Employee Counsel

Goal/Objective/STRATEGY	EXP 2018	EXP 2019	BUD 2020
<b>1</b> Assist Individual Injured Employees through the Ombudsman Program			
<b>1</b> Assist Unrepresented Injured Employees in Dispute Resolution			
<b>1</b> OMBUDSMAN PROGRAM	\$4,698,169	\$4,717,661	\$4,774,683
<b>TOTAL, GOAL 1</b>	<b>\$4,698,169</b>	<b>\$4,717,661</b>	<b>\$4,774,683</b>
<b>2</b> Increase Injured Employee Education and Provide Referrals			
<b>1</b> Inform Injured Employees/System Participants and Provide Referrals			
<b>1</b> RIGHTS RESPONSIBILITIES & REFERRAL	\$1,637,815	\$1,582,990	\$1,994,295
<b>TOTAL, GOAL 2</b>	<b>\$1,637,815</b>	<b>\$1,582,990</b>	<b>\$1,994,295</b>
<b>3</b> Advocate for Injured Employees As a Class			
<b>1</b> Ensure Adequate Rules to Protect Injured Employees and Act as Resource			
<b>1</b> ADVOCATE FOR INJURED EMPLOYEES	\$1,669,522	\$2,110,146	\$1,995,155
<b>TOTAL, GOAL 3</b>	<b>\$1,669,522</b>	<b>\$2,110,146</b>	<b>\$1,995,155</b>

**2.B. Summary of Budget By Method of Finance**  
 86th Regular Session, Fiscal Year 2020 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 11/27/2019  
 TIME: 9:22:01AM

Agency code: 448 Agency name: Office of Injured Employee Counsel

METHOD OF FINANCING	Exp 2018	Exp 2019	Bud 2020
<b><u>GENERAL REVENUE FUND - DEDICATED</u></b>			
<b>36</b> GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036			
<i>REGULAR APPROPRIATIONS</i>			
Regular Appropriations from MOF Table (2018-19 GAA)	\$8,816,111	\$8,816,111	\$0
Regular Appropriations from MOF Table (2020-21 GAA)	\$0	\$0	\$8,764,133
<i>RIDER APPROPRIATION</i>			
Art VIII, p. VIII-14 Rider 2, Appropriation of Unexpended Balances (2018-2019)	\$(440,806)	\$440,806	\$0
<i>LAPSED APPROPRIATIONS</i>			
Regular Appropriations from MOF Table (2018-19 GAA)	\$(369,799)	\$(848,393)	\$0
<b>TOTAL, GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036</b>	<b>\$8,005,506</b>	<b>\$8,408,524</b>	<b>\$8,764,133</b>
<b>TOTAL, ALL GENERAL REVENUE FUND - DEDICATED</b>	<b>\$8,005,506</b>	<b>\$8,408,524</b>	<b>\$8,764,133</b>
<b><u>OTHER FUNDS</u></b>			
<b>666</b> Appropriated Receipts			
<i>SUPPLEMENTAL, SPECIAL OR EMERGENCY APPROPRIATIONS</i>			
Appropriated Receipts. Article IX, Sec. 8.02 Third Party Reimbursements	\$0	\$2,273	\$0
<b>TOTAL, Appropriated Receipts</b>	<b>\$0</b>	<b>\$2,273</b>	<b>\$0</b>
<b>TOTAL, ALL OTHER FUNDS</b>	<b>\$0</b>	<b>\$2,273</b>	<b>\$0</b>

**2.B. Summary of Budget By Method of Finance**  
 86th Regular Session, Fiscal Year 2020 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **11/27/2019**  
 TIME: **9:22:01AM**

Agency code: **448**

Agency name: **Office of Injured Employee Counsel**

METHOD OF FINANCING	Exp 2018	Exp 2019	Bud 2020
<b>GRAND TOTAL</b>	<b>\$8,005,506</b>	<b>\$8,410,797</b>	<b>\$8,764,133</b>
<b>FULL-TIME-EQUIVALENT POSITIONS</b>			
REGULAR APPROPRIATIONS			
Regular Appropriations from MOF Table (2018-19 GAA)	175.0	175.0	0.0
Regular Appropriations from MOF Table (2020-21 GAA)	0.0	0.0	175.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP			
Unauthorized Number Over (Below) Cap	(10.1)	(16.4)	0.0
<b>TOTAL, ADJUSTED FTES</b>	<b>164.9</b>	<b>158.6</b>	<b>175.0</b>

**NUMBER OF 100% FEDERALLY FUNDED FTEs**

**2.A. Summary of Budget By Strategy**

DATE : 11/27/2019

TIME : 9:18:26AM

86th Regular Session, Fiscal Year 2020 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 448 Agency name: Office of Injured Employee Counsel

<b>Goal/Objective/STRATEGY</b>	<b>EXP 2018</b>	<b>EXP 2019</b>	<b>BUD 2020</b>
<b>General Revenue Dedicated Funds:</b>			
36 Dept Ins Operating Acct	\$8,005,506	\$8,408,524	\$8,764,133
	<b>\$8,005,506</b>	<b>\$8,408,524</b>	<b>\$8,764,133</b>
<b>Other Funds:</b>			
666 Appropriated Receipts	\$0	\$2,273	\$0
	<b>\$0</b>	<b>\$2,273</b>	<b>\$0</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$8,005,506</b>	<b>\$8,410,797</b>	<b>\$8,764,133</b>
<b>FULL TIME EQUIVALENT POSITIONS</b>	<b>164.9</b>	<b>158.6</b>	<b>175.0</b>

**2.C. Summary of Budget By Object of Expense**  
 86th Regular Session, Fiscal Year 2020 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **11/27/2019**  
 TIME: **9:23:58AM**

Agency code: **448**

Agency name: **Office of Injured Employee Counsel**

<b>OBJECT OF EXPENSE</b>	<b>EXP 2018</b>	<b>EXP 2019</b>	<b>BUD 2020</b>
1001 SALARIES AND WAGES	\$6,827,890	\$6,838,967	\$8,065,869
1002 OTHER PERSONNEL COSTS	\$360,073	\$381,600	\$193,030
2001 PROFESSIONAL FEES AND SERVICES	\$46,238	\$241,597	\$55,466
2003 CONSUMABLE SUPPLIES	\$5,042	\$11,452	\$0
2004 UTILITIES	\$17,480	\$30,538	\$23,271
2005 TRAVEL	\$258,963	\$375,569	\$159,581
2006 RENT - BUILDING	\$2,309	\$5,802	\$583
2007 RENT - MACHINE AND OTHER	\$450	\$465	\$0
2009 OTHER OPERATING EXPENSE	\$487,061	\$524,807	\$266,333
<b>Agency Total</b>	<b>\$8,005,506</b>	<b>\$8,410,797</b>	<b>\$8,764,133</b>

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**2.D. Summary of Budget By Objective Outcomes**  
 86th Regular Session, Fiscal Year 2020 Operating Budget  
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 11/27/2019  
 Time: 9:25:06AM

Agency code: 448                      Agency name: Office of Injured Employee Counsel

Goal/ Objective / OUTCOME	Exp 2018	Exp 2019	Bud2020
1 Assist Individual Injured Employees through the Ombudsman Program			
<i>1 Assist Unrepresented Injured Employees in Dispute Resolution</i>			
<b>1 % Disputes Resolved Prior to TDI Dispute Resolution Process</b>	64.11 %	61.54 %	62.00 %
<b>KEY 2 % Dispute Resolution Proceedings at DWC with Ombudsman Assistance</b>	50.54 %	51.60 %	45.00 %
<b>KEY 3 % CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist</b>	28.56 %	28.53 %	26.00 %
<b>KEY 4 Percentage of Appeal Issues Prevailed with Ombudsman Assistance</b>	24.00 %	23.93 %	23.00 %
3 Advocate for Injured Employees As a Class			
<i>1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource</i>			
<b>KEY 1 Percentage of Adopted Workers' Compensation Rules Analyzed</b>	100.00 %	100.00 %	100.00 %
<b>2 Percentage of Rules Changed for the Benefit of Injured Employees</b>	84.00 %	0.00 %	100.00 %

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3.A. Strategy Level Detail

DATE: 11/27/2019

TIME: 9:20:58AM

86th Regular Session, Fiscal Year 2020 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program

OBJECTIVE: 1 Assist Unrepresented Injured Employees in Dispute Resolution

STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution

Service Categories:

Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	EXP 2018	EXP 2019	BUD 2020
<b>Output Measures:</b>				
	1 Number of Injured Employees Prepared for BRC by an Ombudsman	4,943.00	4,368.00	5,500.00
KEY	2 Number of Benefit Review Conferences with Ombudsman Assistance	6,458.00	6,002.00	6,500.00
	3 Number of Injured Employees Prepared for CCH by an Ombudsman	3,115.00	2,755.00	3,000.00
KEY	4 Number of Contested Case Hearings with Ombudsman Assistance	3,253.00	2,809.00	2,600.00
KEY	5 Number of Injured Employees Prepared for an Appeal by an Ombudsman	1,610.00	1,472.00	1,000.00
<b>Efficiency Measures:</b>				
	1 Avg Days to Resolve a Disputed Issue Prior to Entering a Proceeding	23.23	25.46	23.00
<b>Explanatory/Input Measures:</b>				
	1 Avg Dollar Amount Saved/Injured Employee Assisted by Ombudsman	2,324.00	2,068.00	1,800.00
	2 Number of Disputed Issues Resolved Prior to Entering a Proceeding	4,744.00	4,795.00	5,000.00
KEY	3 Number of Preparation Appointments Prior to Benefit Review Conference	14,633.00	12,389.00	15,000.00
KEY	4 Number of Preparation Appointments Prior to Contested Case Hearing	5,316.00	4,774.00	5,000.00
KEY	5 Number of Preparation Appointments Held for an Appeal by an Ombudsman	1,758.00	1,594.00	1,050.00
<b>Objects of Expense:</b>				
1001	SALARIES AND WAGES	\$4,058,675	\$3,863,661	\$4,423,016
1002	OTHER PERSONNEL COSTS	\$213,632	\$224,860	\$119,115
2001	PROFESSIONAL FEES AND SERVICES	\$7,718	\$74,555	\$2,000
2003	CONSUMABLE SUPPLIES	\$3,880	\$9,913	\$0
2004	UTILITIES	\$8,879	\$17,617	\$10,882
2005	TRAVEL	\$115,635	\$207,507	\$122,421
2006	RENT - BUILDING	\$1,200	\$982	\$0
2007	RENT - MACHINE AND OTHER	\$450	\$150	\$0
2009	OTHER OPERATING EXPENSE	\$288,100	\$318,416	\$97,249

**3.A. Strategy Level Detail**

DATE: 11/27/2019

TIME: 9:20:58AM

86th Regular Session, Fiscal Year 2020 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program

OBJECTIVE: 1 Assist Unrepresented Injured Employees in Dispute Resolution

STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution

Service Categories:

Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	EXP 2018	EXP 2019	BUD 2020
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$4,698,169</b>	<b>\$4,717,661</b>	<b>\$4,774,683</b>
<b>Method of Financing:</b>				
	36 Dept Ins Operating Acct	\$4,698,169	\$4,717,661	\$4,774,683
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)</b>		<b>\$4,698,169</b>	<b>\$4,717,661</b>	<b>\$4,774,683</b>
<b>TOTAL, METHOD OF FINANCE :</b>		<b>\$4,698,169</b>	<b>\$4,717,661</b>	<b>\$4,774,683</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>105.6</b>	<b>92.3</b>	<b>97.0</b>

3.A. Strategy Level Detail

DATE: 11/27/2019

TIME: 9:20:58AM

86th Regular Session, Fiscal Year 2020 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **448** Agency name: **Office of Injured Employee Counsel**  
 GOAL: 2 Increase Injured Employee Education and Provide Referrals  
 OBJECTIVE: 1 Inform Injured Employees/System Participants and Provide Referrals  
 STRATEGY: 1 Assist Injured Employees & Provide Referrals to Programs & Services

Service Categories:  
 Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	EXP 2018	EXP 2019	BUD 2020
<b>Output Measures:</b>				
1	Nbr of Calls and Emails Where Injured Employees Were Educated/Assisted	218,928.00	191,185.00	220,000.00
2	Number of Injured Employees Assisted at Local Field Offices	22,227.00	17,359.00	22,000.00
3	Number of Public Outreach Presentations Performed	267.00	192.00	175.00
4	Number of Referrals Made to Social Service Entities	8,002.00	9,213.00	5,000.00
<b>Efficiency Measures:</b>				
KEY 1	Avg # of Educational Sessions Provided to Injured Employees Per Month	20,119.00	17,395.00	20,000.00
<b>Objects of Expense:</b>				
1001	SALARIES AND WAGES	\$1,379,848	\$1,317,006	\$1,820,911
1002	OTHER PERSONNEL COSTS	\$80,612	\$79,930	\$41,105
2001	PROFESSIONAL FEES AND SERVICES	\$805	\$12,225	\$20,475
2003	CONSUMABLE SUPPLIES	\$0	\$63	\$0
2004	UTILITIES	\$4,299	\$4,940	\$7,189
2005	TRAVEL	\$75,624	\$92,500	\$32,713
2006	RENT - BUILDING	\$0	\$1,800	\$0
2007	RENT - MACHINE AND OTHER	\$0	\$165	\$0
2009	OTHER OPERATING EXPENSE	\$96,627	\$74,361	\$71,902
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$1,637,815</b>	<b>\$1,582,990</b>	<b>\$1,994,295</b>
<b>Method of Financing:</b>				
36	Dept Ins Operating Acct	\$1,637,815	\$1,580,717	\$1,994,295
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)</b>		<b>\$1,637,815</b>	<b>\$1,580,717</b>	<b>\$1,994,295</b>
<b>Method of Financing:</b>				
666	Appropriated Receipts	\$0	\$2,273	\$0

**3.A. Strategy Level Detail**

DATE: 11/27/2019

TIME: 9:20:58AM

86th Regular Session, Fiscal Year 2020 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **448** Agency name: **Office of Injured Employee Counsel**  
 GOAL: 2 Increase Injured Employee Education and Provide Referrals  
 OBJECTIVE: 1 Inform Injured Employees/System Participants and Provide Referrals  
 STRATEGY: 1 Assist Injured Employees & Provide Referrals to Programs & Services

Service Categories:

Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	EXP 2018	EXP 2019	BUD 2020
<b>SUBTOTAL, MOF (OTHER FUNDS)</b>		<b>\$0</b>	<b>\$2,273</b>	<b>\$0</b>
<b>TOTAL, METHOD OF FINANCE :</b>		<b>\$1,637,815</b>	<b>\$1,582,990</b>	<b>\$1,994,295</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>38.0</b>	<b>39.6</b>	<b>50.0</b>

3.A. Strategy Level Detail

DATE: 11/27/2019  
TIME: 9:20:58AM

86th Regular Session, Fiscal Year 2020 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **448** Agency name: **Office of Injured Employee Counsel**

GOAL: 3 Advocate for Injured Employees As a Class

OBJECTIVE: 1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource

Service Categories:

STRATEGY: 1 Advocate for Injured Employees

Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	EXP 2018	EXP 2019	BUD 2020
<b>Output Measures:</b>				
KEY 1	Number of Assists a Regional Staff Attorney Provides to an Ombudsman	3,049.00	2,843.00	2,700.00
2	Number of Advocacy Training Sessions by Regional Staff Attorneys	572.00	352.00	200.00
<b>Explanatory/Input Measures:</b>				
1	Number of Workers' Compensation Rules Adopted by TDI-DWC and OIEC	8.00	8.00	3.00
<b>Objects of Expense:</b>				
1001	SALARIES AND WAGES	\$1,389,367	\$1,658,300	\$1,821,942
1002	OTHER PERSONNEL COSTS	\$65,829	\$76,810	\$32,810
2001	PROFESSIONAL FEES AND SERVICES	\$37,715	\$154,817	\$32,991
2003	CONSUMABLE SUPPLIES	\$1,162	\$1,476	\$0
2004	UTILITIES	\$4,302	\$7,981	\$5,200
2005	TRAVEL	\$67,704	\$75,562	\$4,447
2006	RENT - BUILDING	\$1,109	\$3,020	\$583
2007	RENT - MACHINE AND OTHER	\$0	\$150	\$0
2009	OTHER OPERATING EXPENSE	\$102,334	\$132,030	\$97,182
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$1,669,522</b>	<b>\$2,110,146</b>	<b>\$1,995,155</b>
<b>Method of Financing:</b>				
36	Dept Ins Operating Acct	\$1,669,522	\$2,110,146	\$1,995,155
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)</b>		<b>\$1,669,522</b>	<b>\$2,110,146</b>	<b>\$1,995,155</b>
<b>TOTAL, METHOD OF FINANCE :</b>		<b>\$1,669,522</b>	<b>\$2,110,146</b>	<b>\$1,995,155</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>21.3</b>	<b>26.7</b>	<b>28.0</b>

**3.A. Strategy Level Detail**

DATE: 11/27/2019

86th Regular Session, Fiscal Year 2020 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

TIME: 9:20:58AM

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**SUMMARY TOTALS:**

<b>OBJECTS OF EXPENSE:</b>	<b>\$8,005,506</b>	<b>\$8,410,797</b>	<b>\$8,764,133</b>
<b>METHODS OF FINANCE :</b>	<b>\$8,005,506</b>	<b>\$8,410,797</b>	<b>\$8,764,133</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>	<b>164.9</b>	<b>158.6</b>	<b>175.0</b>

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