

Legislative Appropriations Request

for Fiscal Years 2022 and 2023

Submitted to the Office of the Governor, Budget Division,

and the Legislative Budget Board

by

The Office of Injured Employee Counsel



September 11, 2020

**OFFICE OF INJURED EMPLOYEE COUNSEL
REQUEST FOR LEGISLATIVE APPROPRIATIONS
FISCAL YEARS 2022 AND 2023**

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Administrator's Statement

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87th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

448 Office of Injured Employee Counsel

The Legislature created the Office of Injured Employee Counsel (OIEC) in 2005 as an independent state agency to advocate for the interests of workers' compensation claimants. OIEC's mission is to assist, educate, and advocate on behalf of the injured employees of Texas. OIEC is administratively attached to the Texas Department of Insurance. OIEC and TDI have executed a Roles and Responsibilities document which clearly outlines each parties responsibilities with respect to the attachment. Currently OIEC and TDI have a budget rider to assist in tracking high level expenditures, last biennium both agencies requested to delete this rider and would respectfully request to do the same for the upcoming biennium.

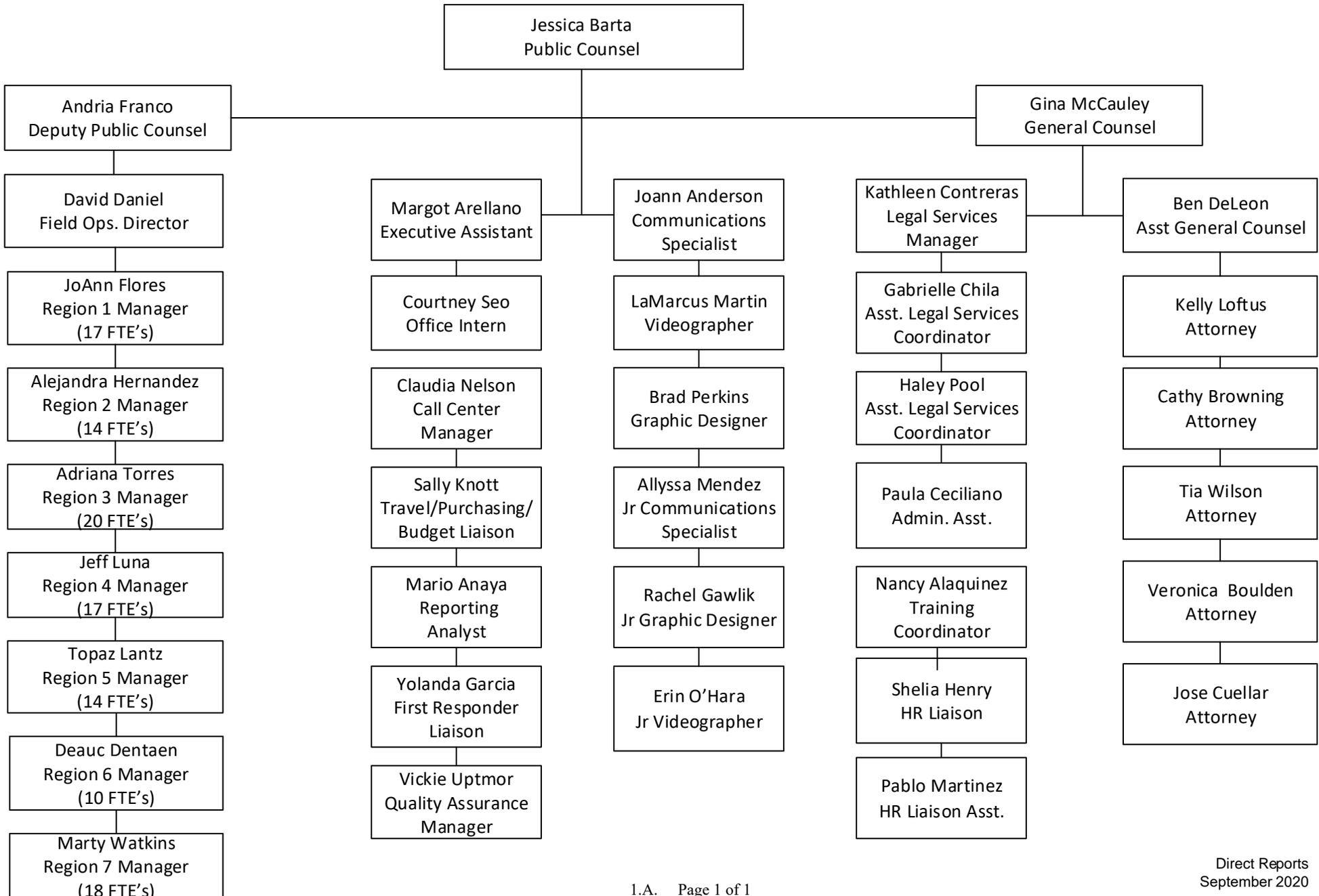
The Public Counsel serves as the executive director of the agency and is appointed by the Governor with the advice and consent of the Senate. The Public Counsel serves a two year term that expires on February 1st of each odd-numbered year.

OIEC accomplishes its mission through 3 primary strategies. The ombudsman program and the customer service program areas comprise the bulk of the agency and have staff allocated in each of the 20 offices throughout the state. The third strategy is the legal services division, which is comprised of regional staff attorneys, agency trainers and quality assurance specialists. The legal services team is divided into regions, but play a vital role in on-boarding new employees and continuing education requirements.

In March, 2020 OIEC transitioned to 100% telecommuting due to COVID-19. OIEC was able to transition all employees to telecommuting and did not have to utilize significant amounts of emergency leave in the process. OIEC did not see a decrease in the number of individuals requesting OIEC assistance during the pandemic, rather many programs areas have seen an increase in their workload. OIEC hired new employees during this time to help with the workload. The workload agencywide, as it has for the last 5 years continues to increase and we anticipate that trend to continue. We have found efficiencies in virtual dispute resolution proceedings and telephone appointments, but the workload continues to be at nearly maximum capacity for many offices throughout the state.

OIEC was tasked with making a baseline reduction both of 5% as well as lapsed salary moneys. OIEC was initially exempt from the 5% budget cuts required in 2020, however was then asked to cut not only 5%, but additional monies when the LAR instructions were sent. It is important to note that OIEC is funded by Fund 36 which is not tied to Genral Revenue or General Revenue-Dedicated. Salaries and other personnel costs make up 94 percent of OIEC's budget; therefore, a reduction-in-force would be our only option. The reduction, would come from each strategy in the agency and would negatively impact key and non-key performance measures. A reduction of this magnitude would significantly reduce the agency's ability to: 1) provide customers with the necessary information to effectively navigate the complex workers' compensation system, 2) provide customer service via telephone and in-person at the 20 field offices across the State, and 3) provide early intervention efforts to resolve disputes prior to a DWC administrative proceeding. OIEC also anticipates the reduction in FTEs will result in system wide delays for the dispute resolution process.

Office of Injured Employee Counsel





CERTIFICATE

Agency Name Office of Injured Employee Counsel

This is to certify that the information contained in the agency Legislative Appropriation Request filed with the Legislative Budget Board (LBB) and the Governor's Office Budget Division (Governor's Office) 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 Governor's Office will be notified in writing in accordance with Article IX, Section 7.01 (2020-21 GAA).

Chief Executive Officer or Presiding Judge

Jessica Barta

Signature

Jessica Barta

Printed Name

Public Counsel

Title

9/11/2020

Date

Board or Commission Chair

Signature

Printed Name

Title

Date

Chief Financial Officer

Signature

Printed Name

Title

Date

Budget Overview - Biennial Amounts
87th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

448 Office of Injured Employee Counsel
Appropriation Years: 2022-23

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS	
	2020-21	2022-23	2020-21	2022-23	2020-21	2022-23	2020-21	2022-23	2020-21	2022-23	2022-23	
Goal: 1. Assist Individual Injured Employees through the Ombudsman Program												
1.1.1. Ombudsman Program			8,789,935	8,500,706					8,789,935	8,500,706	363,052	
Total, Goal			8,789,935	8,500,706					8,789,935	8,500,706	363,052	
Goal: 2. Increase Injured Employee Education and Provide Referrals												
2.1.1. Rights Responsibilities & Referral			3,852,425	3,540,434					3,852,425	3,540,434	525,330	
Total, Goal			3,852,425	3,540,434					3,852,425	3,540,434	525,330	
Goal: 3. Advocate for Injured Employees As a Class												
3.1.1. Advocate For Injured Employees			4,610,465	4,349,044					4,610,465	4,349,044	124,260	
Total, Goal			4,610,465	4,349,044					4,610,465	4,349,044	124,260	
Total, Agency			17,252,825	16,390,184					17,252,825	16,390,184	1,012,642	
Total FTEs									171.0	161.0	10.0	

2.A. Summary of Base Request by Strategy

9/22/2020 4:04:45PM

87th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

448 Office of Injured Employee Counsel

Goal / Objective / STRATEGY	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>1</u> Assist Individual Injured Employees through the Ombudsman Program					
<u>1</u> Assist Unrepresented Injured Employees in Dispute Resolution					
1 OMBUDSMAN PROGRAM	4,689,668	4,148,514	4,641,421	4,250,353	4,250,353
TOTAL, GOAL 1	\$4,689,668	\$4,148,514	\$4,641,421	\$4,250,353	\$4,250,353
<u>2</u> Increase Injured Employee Education and Provide Referrals					
<u>1</u> Inform Injured Employees/System Participants and Provide Referrals					
1 RIGHTS RESPONSIBILITIES & REFERRAL	1,541,851	1,631,894	2,220,531	1,770,217	1,770,217
TOTAL, GOAL 2	\$1,541,851	\$1,631,894	\$2,220,531	\$1,770,217	\$1,770,217
<u>3</u> Advocate for Injured Employees As a Class					
<u>1</u> Ensure Adequate Rules to Protect Injured Employees and Act as Resource					
1 ADVOCATE FOR INJURED EMPLOYEES	2,059,265	2,270,078	2,340,387	2,174,522	2,174,522
TOTAL, GOAL 3	\$2,059,265	\$2,270,078	\$2,340,387	\$2,174,522	\$2,174,522
TOTAL, AGENCY STRATEGY REQUEST	\$8,290,784	\$8,050,486	\$9,202,339	\$8,195,092	\$8,195,092

2.A. Summary of Base Request by Strategy

9/22/2020 4:04:45PM

87th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

448 Office of Injured Employee Counsel

Goal / Objective / STRATEGY	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$8,290,784	\$8,050,486	\$9,202,339	\$8,195,092	\$8,195,092
<u>METHOD OF FINANCING:</u>					
General Revenue Dedicated Funds:					
36 Dept Ins Operating Acct	8,288,511	8,050,486	9,202,339	8,195,092	8,195,092
SUBTOTAL	\$8,288,511	\$8,050,486	\$9,202,339	\$8,195,092	\$8,195,092
Other Funds:					
666 Appropriated Receipts	2,273	0	0	0	0
SUBTOTAL	\$2,273	\$0	\$0	\$0	\$0
TOTAL, METHOD OF FINANCING	\$8,290,784	\$8,050,486	\$9,202,339	\$8,195,092	\$8,195,092

*Rider appropriations for the historical years are included in the strategy amounts.

2.B. Summary of Base Request by Method of Finance
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

9/22/2020 4:04:45PM

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

METHOD OF FINANCING	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
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GENERAL REVENUE FUND - DEDICATED

36 GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2018-19 GAA)

\$8,816,111	\$0	\$0	\$0	\$0
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Regular Appropriations from MOF Table (2020-21 GAA)

\$0	\$8,764,133	\$8,764,133	\$0	\$0
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Regular Appropriations from MOF Table (2022-23 GAA)

\$0	\$0	\$0	\$8,626,413	\$8,626,412
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RIDER APPROPRIATION

Art VIII, Rider 2- Unexpended Balance (p. VIII-16 of 2018-19 GAA)

\$440,806	\$0	\$0	\$0	\$0
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Art VIII, Rider 2- Unexpended Balance (p. VIII-14 of 2020-11 GAA)

\$0	\$(438,206)	\$438,206	\$0	\$0
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LAPSED APPROPRIATIONS

Regular Appropriations from MOF Table (2020-21 GAA)

2.B. Summary of Base Request by Method of Finance
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

9/22/2020 4:04:45PM

Agency code: 448		Agency name: Office of Injured Employee Counsel				
METHOD OF FINANCING		Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>GENERAL REVENUE FUND - DEDICATED</u>		\$0	\$(275,441)	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2018-19 GAA)	\$(968,406)	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2022-23 GAA)	\$0	\$0	\$0	\$(431,321)	\$(431,320)
TOTAL,	GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036	\$8,288,511	\$8,050,486	\$9,202,339	\$8,195,092	\$8,195,092
TOTAL, ALL	GENERAL REVENUE FUND - DEDICATED	\$8,288,511	\$8,050,486	\$9,202,339	\$8,195,092	\$8,195,092
TOTAL,	GR & GR-DEDICATED FUNDS	\$8,288,511	\$8,050,486	\$9,202,339	\$8,195,092	\$8,195,092
<u>OTHER FUNDS</u>						
<u>666</u>	Appropriated Receipts					
	<i>RIDER APPROPRIATION</i>					
	Art IX, Sec 8.02, Reimbursements and Payments (2018-19 GAA)	\$2,273	\$0	\$0	\$0	\$0

2.B. Summary of Base Request by Method of Finance

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87th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 448	Agency name: Office of Injured Employee Counsel				
METHOD OF FINANCING	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>OTHER FUNDS</u>					
TOTAL, Appropriated Receipts	\$2,273	\$0	\$0	\$0	\$0
TOTAL, ALL OTHER FUNDS	\$2,273	\$0	\$0	\$0	\$0
GRAND TOTAL	\$8,290,784	\$8,050,486	\$9,202,339	\$8,195,092	\$8,195,092

FULL-TIME-EQUIVALENT POSITIONS

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2018-19 GAA)	175.0	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2020-21 GAA)	0.0	175.0	175.0	0.0	0.0
Regular Appropriations from MOF Table (2022-23 GAA)	0.0	0.0	0.0	171.0	171.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP					
Regular Appropriation from MOF Table	(29.2)	(27.4)	(4.0)	0.0	0.0
Regular Appropriation from MOF Table	0.0	0.0	0.0	(10.0)	(10.0)
TOTAL, ADJUSTED FTES	145.8	147.6	171.0	161.0	161.0

2.B. Summary of Base Request by Method of Finance

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **448**

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

METHOD OF FINANCING

Exp 2019

Est 2020

Bud 2021

Req 2022

Req 2023

NUMBER OF 100% FEDERALLY FUNDED

FTEs

2.C. Summary of Base Request by Object of Expense
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

9/22/2020 4:04:45PM

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OBJECT OF EXPENSE	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
1001 SALARIES AND WAGES	\$6,836,930	\$6,909,963	\$8,119,874	\$7,593,820	\$7,593,820
1002 OTHER PERSONNEL COSTS	\$383,938	\$248,935	\$223,965	\$223,965	\$223,965
2001 PROFESSIONAL FEES AND SERVICES	\$162,758	\$157,130	\$52,199	\$52,199	\$52,199
2002 FUELS AND LUBRICANTS	\$0	\$60	\$0	\$0	\$0
2003 CONSUMABLE SUPPLIES	\$11,261	\$18,211	\$0	\$0	\$0
2004 UTILITIES	\$29,138	\$56,277	\$14,971	\$14,971	\$14,971
2005 TRAVEL	\$364,026	\$219,391	\$106,439	\$63,453	\$63,453
2006 RENT - BUILDING	\$5,802	\$5,910	\$583	\$583	\$583
2007 RENT - MACHINE AND OTHER	\$465	\$1,070	\$0	\$0	\$0
2009 OTHER OPERATING EXPENSE	\$492,409	\$432,320	\$684,308	\$246,101	\$246,101
5000 CAPITAL EXPENDITURES	\$4,057	\$1,219	\$0	\$0	\$0
OOE Total (Excluding Riders)	\$8,290,784	\$8,050,486	\$9,202,339	\$8,195,092	\$8,195,092
OOE Total (Riders)					
Grand Total	\$8,290,784	\$8,050,486	\$9,202,339	\$8,195,092	\$8,195,092

2.D. Summary of Base Request Objective Outcomes
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

9/22/2020 4:04:46PM

448 Office of Injured Employee Counsel

Goal/ Objective / Outcome	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
1 Assist Individual Injured Employees through the Ombudsman Program					
1 Assist Unrepresented Injured Employees in Dispute Resolution					
1 % Disputes Resolved Prior to TDI Dispute Resolution Process	62.00%	62.00%	62.00%	62.00%	62.00%
KEY 2 % Dispute Resolution Proceedings at DWC with Ombudsman Assistance	44.00%	45.00%	45.00%	45.00%	45.00%
KEY 3 % CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist	27.00%	26.00%	26.00%	26.00%	26.00%
KEY 4 Percentage of Appeal Issues Prevailed with Ombudsman Assistance	23.00%	23.00%	23.00%	23.00%	23.00%
3 Advocate for Injured Employees As a Class					
1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource					
KEY 1 Percentage of Adopted Workers' Compensation Rules Analyzed	100.00%	100.00%	100.00%	100.00%	100.00%
2 Percentage of Rules Changed for the Benefit of Injured Employees	100.00%	100.00%	100.00%	100.00%	100.00%

2.E. Summary of Exceptional Items Request
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/22/2020
 TIME : 4:04:47PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

Priority	Item	2022			2023			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	10 FTEs and Salaries	\$431,321	\$431,321	10.0	\$431,321	\$431,321	10.0	\$862,642	\$862,642
2	Travel	\$75,000	\$75,000		\$75,000	\$75,000		\$150,000	\$150,000
Total, Exceptional Items Request		\$506,321	\$506,321	10.0	\$506,321	\$506,321	10.0	\$1,012,642	\$1,012,642

Method of Financing

General Revenue

General Revenue - Dedicated

Federal Funds

Other Funds

General Revenue - Dedicated	506,321	506,321		506,321	506,321		1,012,642	1,012,642
Total	\$506,321	\$506,321		\$506,321	\$506,321		\$1,012,642	\$1,012,642

Full Time Equivalent Positions

10.0

10.0

Number of 100% Federally Funded FTEs

2.F. Summary of Total Request by Strategy
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 9/22/2020
 TIME : 4:04:47PM

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

	Base	Base	Exceptional	Exceptional	Total Request	Total Request
Goal/Objective/STRATEGY						
1 Assist Individual Injured Employees through the Ombudsman Program						
1 Assist Unrepresented Injured Employees in Dispute Resolution						
1 OMBUDSMAN PROGRAM	\$4,250,353	\$4,250,353	\$181,526	\$181,526	\$4,431,879	\$4,431,879
TOTAL, GOAL 1	\$4,250,353	\$4,250,353	\$181,526	\$181,526	\$4,431,879	\$4,431,879
2 Increase Injured Employee Education and Provide Referrals						
1 Inform Injured Employees/System Participants and Provide Referrals						
1 RIGHTS RESPONSIBILITIES & REFERRAL	1,770,217	1,770,217	262,665	262,665	2,032,882	2,032,882
TOTAL, GOAL 2	\$1,770,217	\$1,770,217	\$262,665	\$262,665	\$2,032,882	\$2,032,882
3 Advocate for Injured Employees As a Class						
1 Ensure Adequate Rules to Protect Injured Employees and Act as Reso						
1 ADVOCATE FOR INJURED EMPLOYEES	2,174,522	2,174,522	62,130	62,130	2,236,652	2,236,652
TOTAL, GOAL 3	\$2,174,522	\$2,174,522	\$62,130	\$62,130	\$2,236,652	\$2,236,652
TOTAL, AGENCY STRATEGY REQUEST	\$8,195,092	\$8,195,092	\$506,321	\$506,321	\$8,701,413	\$8,701,413
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$8,195,092	\$8,195,092	\$506,321	\$506,321	\$8,701,413	\$8,701,413

2.F. Summary of Total Request by Strategy
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 9/22/2020
 TIME : 4:04:47PM

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

Goal/Objective/STRATEGY	Base	Base	Exceptional	Exceptional	Total Request	Total Request
General Revenue Dedicated Funds:						
36 Dept Ins Operating Acct	\$8,195,092	\$8,195,092	\$506,321	\$506,321	\$8,701,413	\$8,701,413
	\$8,195,092	\$8,195,092	\$506,321	\$506,321	\$8,701,413	\$8,701,413
Other Funds:						
666 Appropriated Receipts	0	0	0	0	0	0
	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL, METHOD OF FINANCING	\$8,195,092	\$8,195,092	\$506,321	\$506,321	\$8,701,413	\$8,701,413
FULL TIME EQUIVALENT POSITIONS	161.0	161.0	10.0	10.0	171.0	171.0

2.G. Summary of Total Request Objective Outcomes
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 9/22/2020
 Time: 4:04:47PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

Goal/ Objective / Outcome

		BL 2022	BL 2023	Excp 2022	Excp 2023	Total Request 2022	Total Request 2023
1	Assist Individual Injured Employees through the Ombudsman Program						
1	<i>Assist Unrepresented Injured Employees in Dispute Resolution</i>						
	1 % Disputes Resolved Prior to TDI Dispute Resolution Process						
		62.00%	62.00%			62.00%	62.00%
KEY	2 % Dispute Resolution Proceedings at DWC with Ombudsman Assistance						
		45.00%	45.00%			45.00%	45.00%
KEY	3 % CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist						
		26.00%	26.00%			26.00%	26.00%
KEY	4 Percentage of Appeal Issues Prevailed with Ombudsman Assistance						
		23.00%	23.00%			23.00%	23.00%
3	Advocate for Injured Employees As a Class						
1	<i>Ensure Adequate Rules to Protect Injured Employees and Act as Resource</i>						
KEY	1 Percentage of Adopted Workers' Compensation Rules Analyzed						
		100.00%	100.00%			100.00%	100.00%
	2 Percentage of Rules Changed for the Benefit of Injured Employees						
		100.00%	100.00%			100.00%	100.00%

448 Office of Injured Employee Counsel

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program
 OBJECTIVE: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service Categories:
 STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
Output Measures:						
	1 Number of Injured Employees Prepared for BRC by an Ombudsman	4,368.00	5,500.00	5,500.00	4,400.00	4,400.00
KEY	2 Number of Benefit Review Conferences with Ombudsman Assistance	6,002.00	6,500.00	6,500.00	5,200.00	5,200.00
	3 Number of Injured Employees Prepared for CCH by an Ombudsman	2,755.00	3,000.00	3,000.00	2,400.00	2,400.00
KEY	4 Number of Contested Case Hearings with Ombudsman Assistance	2,809.00	2,600.00	2,600.00	2,080.00	2,080.00
KEY	5 Number of Injured Employees Prepared for an Appeal by an Ombudsman	1,472.00	1,000.00	1,000.00	800.00	800.00
Efficiency Measures:						
	1 Avg Days to Resolve a Disputed Issue Prior to Entering a Proceeding	25.46	23.00	23.00	21.00	21.00
Explanatory/Input Measures:						
	1 Avg Dollar Amount Saved/Injured Employee Assisted by Ombudsman	2,068.00	1,800.00	1,800.00	1,800.00	1,800.00
	2 Number of Disputed Issues Resolved Prior to Entering a Proceeding	4,795.00	5,000.00	5,000.00	4,000.00	4,000.00

448 Office of Injured Employee Counsel

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program
 OBJECTIVE: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service Categories:
 STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
KEY 3	Number of Preparation Appointments Prior to Benefit Review Conference	12,389.00	15,000.00	15,000.00	12,000.00	12,000.00
KEY 4	Number of Preparation Appointments Prior to Contested Case Hearing	4,774.00	5,000.00	5,000.00	4,000.00	4,000.00
KEY 5	Number of Preparation Appointments Held for an Appeal by an Ombudsman	1,594.00	1,050.00	1,050.00	840.00	840.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$3,870,856	\$3,532,433	\$4,045,415	\$3,938,889	\$3,938,889
1002	OTHER PERSONNEL COSTS	\$226,958	\$160,197	\$150,737	\$150,737	\$150,737
2001	PROFESSIONAL FEES AND SERVICES	\$49,382	\$29,522	\$3,012	\$3,012	\$3,012
2003	CONSUMABLE SUPPLIES	\$9,744	\$16,428	\$0	\$0	\$0
2004	UTILITIES	\$16,986	\$21,495	\$7,782	\$7,782	\$7,782
2005	TRAVEL	\$213,155	\$143,315	\$65,739	\$35,739	\$35,739
2006	RENT - BUILDING	\$982	\$1,012	\$0	\$0	\$0
2007	RENT - MACHINE AND OTHER	\$150	\$620	\$0	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$301,455	\$243,492	\$368,736	\$114,194	\$114,194
5000	CAPITAL EXPENDITURES	\$0	\$0	\$0	\$0	\$0
TOTAL, OBJECT OF EXPENSE		\$4,689,668	\$4,148,514	\$4,641,421	\$4,250,353	\$4,250,353

448 Office of Injured Employee Counsel

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program
 OBJECTIVE: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service Categories:
 STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
Method of Financing:						
36	Dept Ins Operating Acct	\$4,689,668	\$4,148,514	\$4,641,421	\$4,250,353	\$4,250,353
SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)		\$4,689,668	\$4,148,514	\$4,641,421	\$4,250,353	\$4,250,353
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$4,250,353	\$4,250,353
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$4,689,668	\$4,148,514	\$4,641,421	\$4,250,353	\$4,250,353
FULL TIME EQUIVALENT POSITIONS:		84.1	79.7	88.0	86.0	86.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Office of Injured Employee Counsel (OIEC) is directed by statute (Labor Code, Chapter 404) to prepare unrepresented injured employees and assist them in DWC's administrative dispute resolution proceedings. OIEC is also required to administer an Ombudsman Program to assist injured employees in obtaining workers' compensation benefits.

The Ombudsman Program consists of highly-trained employees who assist unrepresented injured employees with disputes relating to their workers' compensation claim at no cost to the injured employees of Texas. Ombudsmen strive to resolve disputed issues prior to an administrative dispute resolution proceeding. Ombudsmen assist unrepresented injured employees: 1) before and during Benefit Review Conferences (mediation) and Contested Case Hearings (administrative hearings), 2) in appeals of the Hearing Officer's decision through the Appeals Panel, and 3) in administrative proceedings pending before the State Office of Administrative Hearings.

448 Office of Injured Employee Counsel

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program
 OBJECTIVE: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service Categories:
 STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

- Volume of injured employees covered by subscribing employers in the workers' compensation system
- Volume of injured employees represented by attorneys
- Volume of injured employees who request assistance from the Ombudsman Program
- Volume of disputes or issues within the workers' compensation system
- Changes in workers' compensation laws or rules that impact injured employees (e.g., Entergy v. Summers; DWC rules)
- Policy, procedure, or process changes within TDI or DWC that impact injured employees
- Extent of clerical and administrative duties required to be performed by Ombudsmen that reduce time that can be spent on resolving disputes
- Ability to attract and retain qualified staff
- Ability to attract and retain staff that are able to provide assistance to non-English speaking injured employees
- Extent of budget increases or reductions

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2020 + Bud 2021)	Baseline Request (BL 2022 + BL 2023)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$8,789,935	\$8,500,706	\$(289,229)	\$(289,229)	Required budget cuts and impact of COVID-19 on travel, training, and operating expenditures.
			\$(289,229)	Total of Explanation of Biennial Change

448 Office of Injured Employee Counsel

GOAL: 2 Increase Injured Employee Education and Provide Referrals
 OBJECTIVE: 1 Inform Injured Employees/System Participants and Provide Referrals Service Categories:
 STRATEGY: 1 Assist Injured Employees & Provide Referrals to Programs & Services Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
Output Measures:						
1	Nbr of Calls and Emails Where Injured Employees Were Educated/Assisted	191,185.00	220,000.00	220,000.00	165,222.00	165,222.00
2	Number of Injured Employees Assisted at Local Field Offices	17,359.00	22,000.00	22,000.00	10,000.00	10,000.00
3	Number of Public Outreach Presentations Performed	192.00	175.00	175.00	175.00	175.00
4	Number of Referrals Made to Social Service Entities	9,213.00	5,000.00	5,000.00	5,000.00	5,000.00
Efficiency Measures:						
KEY 1	Avg # of Educational Sessions Provided to Injured Employees Per Month	17,395.00	20,000.00	20,000.00	15,000.00	15,000.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$1,307,752	\$1,461,564	\$1,982,257	\$1,641,871	\$1,641,871
1002	OTHER PERSONNEL COSTS	\$79,927	\$42,471	\$47,139	\$47,139	\$47,139
2001	PROFESSIONAL FEES AND SERVICES	\$2,595	\$15,475	\$16,196	\$16,196	\$16,196
2003	CONSUMABLE SUPPLIES	\$63	\$0	\$0	\$0	\$0
2004	UTILITIES	\$4,615	\$12,833	\$3,589	\$3,589	\$3,589
2005	TRAVEL	\$83,120	\$39,549	\$30,500	\$17,514	\$17,514
2006	RENT - BUILDING	\$1,800	\$0	\$0	\$0	\$0
2007	RENT - MACHINE AND OTHER	\$165	\$0	\$0	\$0	\$0

448 Office of Injured Employee Counsel

GOAL: 2 Increase Injured Employee Education and Provide Referrals
 OBJECTIVE: 1 Inform Injured Employees/System Participants and Provide Referrals Service Categories:
 STRATEGY: 1 Assist Injured Employees & Provide Referrals to Programs & Services Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
2009	OTHER OPERATING EXPENSE	\$61,814	\$60,002	\$140,850	\$43,908	\$43,908
TOTAL, OBJECT OF EXPENSE		\$1,541,851	\$1,631,894	\$2,220,531	\$1,770,217	\$1,770,217
Method of Financing:						
36	Dept Ins Operating Acct	\$1,541,851	\$1,631,894	\$2,220,531	\$1,770,217	\$1,770,217
SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)		\$1,541,851	\$1,631,894	\$2,220,531	\$1,770,217	\$1,770,217
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,770,217	\$1,770,217
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$1,541,851	\$1,631,894	\$2,220,531	\$1,770,217	\$1,770,217
FULL TIME EQUIVALENT POSITIONS:		35.0	37.4	52.0	45.0	45.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Office of Injured Employee Counsel (OIEC) is directed by statute (Labor Code, Chapter 404) to educate injured employees about their rights and responsibilities in the workers' compensation system; refer injured employees to local, state, and federal programs offering financial assistance, rehabilitation, work placement, or social services; and refer complaints to licensing boards and regulatory agencies.

OIEC educates and provides information to injured employees who visit their local field office and through telephone calls made or received on behalf of injured employees . OIEC also provides brochures and other educational materials to workers' compensation system participants and conducts public presentations to educate the general public regarding the agency's purpose and services.

448 Office of Injured Employee Counsel

GOAL: 2 Increase Injured Employee Education and Provide Referrals
 OBJECTIVE: 1 Inform Injured Employees/System Participants and Provide Referrals Service Categories:
 STRATEGY: 1 Assist Injured Employees & Provide Referrals to Programs & Services Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

- Level of interest from the public regarding OIEC and its purpose
- Injured employee awareness of the existence of OIEC
- Volume of injured employees covered by subscribing employers in the workers' compensation system
- Volume of injured employees who request assistance from the Ombudsman Program
- Volume of disputes or issues within the workers' compensation system
- Changes in workers' compensation laws or rules that impact injured employees (e.g., Entergy v. Summers; DWC rules)
- Policy, procedure, or process changes within TDI or DWC that impact injured employees
- Extent of clerical and administrative duties required to be performed by Ombudsmen that reduce time that can be spent on resolving disputes
- Access to resources in order to provide educational materials and services to internal and external customers
- Availability of programs and services that can assist injured employees
- Licensing boards or regulatory entities actions regarding complaints
- Ability to attract and retain qualified staff
- Ability to attract and retain staff that are able to provide personal assistance to non-English speaking injured employees
- Extent of budget increases or reductions

448 Office of Injured Employee Counsel

GOAL: 2 Increase Injured Employee Education and Provide Referrals
 OBJECTIVE: 1 Inform Injured Employees/System Participants and Provide Referrals Service Categories:
 STRATEGY: 1 Assist Injured Employees & Provide Referrals to Programs & Services Service: 17 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		BIENNIAL	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2020 + Bud 2021)	Baseline Request (BL 2022 + BL 2023)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$3,852,425	\$3,540,434	\$(311,991)	\$(311,991)	Required budget reductions and impact of COVID-19 on travel, training, and operating expenditures.
			<u>\$(311,991)</u>	Total of Explanation of Biennial Change

448 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
 STRATEGY: 1 Advocate for Injured Employees

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

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
Output Measures:						
KEY 1	Number of Assists a Regional Staff Attorney Provides to an Ombudsman	2,843.00	2,700.00	2,700.00	2,160.00	2,160.00
2	Number of Advocacy Training Sessions by Regional Staff Attorneys	352.00	200.00	200.00	200.00	200.00
Explanatory/Input Measures:						
1	Number of Workers' Compensation Rules Adopted by TDI-DWC and OIEC	3.00	3.00	3.00	3.00	3.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$1,658,322	\$1,915,966	\$2,092,202	\$2,013,060	\$2,013,060
1002	OTHER PERSONNEL COSTS	\$77,053	\$46,267	\$26,089	\$26,089	\$26,089
2001	PROFESSIONAL FEES AND SERVICES	\$110,781	\$112,133	\$32,991	\$32,991	\$32,991
2002	FUELS AND LUBRICANTS	\$0	\$60	\$0	\$0	\$0
2003	CONSUMABLE SUPPLIES	\$1,454	\$1,783	\$0	\$0	\$0
2004	UTILITIES	\$7,537	\$21,949	\$3,600	\$3,600	\$3,600
2005	TRAVEL	\$67,751	\$36,527	\$10,200	\$10,200	\$10,200
2006	RENT - BUILDING	\$3,020	\$4,898	\$583	\$583	\$583
2007	RENT - MACHINE AND OTHER	\$150	\$450	\$0	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$129,140	\$128,826	\$174,722	\$87,999	\$87,999

448 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
 STRATEGY: 1 Advocate for Injured Employees

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

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
5000	CAPITAL EXPENDITURES	\$4,057	\$1,219	\$0	\$0	\$0
TOTAL, OBJECT OF EXPENSE		\$2,059,265	\$2,270,078	\$2,340,387	\$2,174,522	\$2,174,522
Method of Financing:						
36	Dept Ins Operating Acct	\$2,056,992	\$2,270,078	\$2,340,387	\$2,174,522	\$2,174,522
SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)		\$2,056,992	\$2,270,078	\$2,340,387	\$2,174,522	\$2,174,522
Method of Financing:						
666	Appropriated Receipts	\$2,273	\$0	\$0	\$0	\$0
SUBTOTAL, MOF (OTHER FUNDS)		\$2,273	\$0	\$0	\$0	\$0
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$2,174,522	\$2,174,522
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$2,059,265	\$2,270,078	\$2,340,387	\$2,174,522	\$2,174,522
FULL TIME EQUIVALENT POSITIONS:		26.7	30.5	31.0	30.0	30.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

448 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 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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The Office of Injured Employee Counsel (OIEC) is directed by statute (Labor Code, Chapter 404) to advocate on behalf of injured employees as a class in judicial, legislative, rulemaking, and administrative processes and ensure injured employee’s rights are protected. Under Labor Code §404.103 (b), the Public Counsel may assign staff attorneys to advise Ombudsmen in providing assistance to injured employees.

OIEC actively participates in the workers’ compensation rulemaking process on behalf of the injured employees of Texas and protects their interests as a class. OIEC also determines whether there are issues pending before either the Texas appellate courts or the Supreme Court where OIEC needs to serve as a voice for injured employees.

Regional Staff Attorneys supervise the work of the Ombudsman Program and are provided as a legal resource to advise Ombudsmen and other OIEC employees in providing assistance and education to injured employees.

Additionally, staff administers surveys, and monitors and analyzes internal and system-wide procedures and performance to ensure injured employee’s rights are protected statewide. A Legislative report, required by statute (Labor Code §404.106), is produced to inform lawmakers and other interested individuals on the state of the workers’ compensation system and legislative recommendations (Labor Code §404.108) from the perspective of injured employees as a class.

The agency also disseminates information to the public about the agency and the Ombudsman Program (Labor Code §§404.004 & 404.154).

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

448 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 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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- Statutory changes or case law that affects the workers' compensation system or injured employees
- Injured employees' perception of fairness within the Texas workers' compensation system
- Level of participation by all parties in the rulemaking process
- Rules proposed by TDI or DWC that impact injured employees
- Adoption of rule language by TDI or DWC that incorporate OIEC's public comments
- Policy, procedure, or process changes within TDI or DWC that impact injured employees
- Ability to attract and retain qualified personnel
- Internal audit and process review findings that require agency action
- Ability to acquire appropriate data to analyze and report pertaining to agency and system performance
- Extent of budget increases or reductions

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2020 + Bud 2021)	Baseline Request (BL 2022 + BL 2023)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$4,610,465	\$4,349,044	\$(261,421)	\$(261,421)	Required budget reductions and impact of COVID-19 on travel, training, and operating expenditures.
			\$(261,421)	Total of Explanation of Biennial Change

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$8,290,784	\$8,050,486	\$9,202,339	\$8,195,092	\$8,195,092
METHODS OF FINANCE (INCLUDING RIDERS):				\$8,195,092	\$8,195,092
METHODS OF FINANCE (EXCLUDING RIDERS):	\$8,290,784	\$8,050,486	\$9,202,339	\$8,195,092	\$8,195,092
FULL TIME EQUIVALENT POSITIONS:	145.8	147.6	171.0	161.0	161.0

4.A. Exceptional Item Request Schedule
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/22/2020
 TIME: 4:04:49PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

CODE	DESCRIPTION	Excp 2022	Excp 2023
	Item Name: 10 FTEs and Salaries		
	Item Priority: 1		
	IT Component: No		
	Anticipated Out-year Costs: No		
	Involve Contracts > \$50,000: No		
	Includes Funding for the Following Strategy or Strategies:		
	01-01-01 Assist Unrepresented Injured Employees in Dispute Resolution		
	02-01-01 Assist Injured Employees & Provide Referrals to Programs & Services		
	03-01-01 Advocate for Injured Employees		

OBJECTS OF EXPENSE:

1001	SALARIES AND WAGES	431,321	431,321
	TOTAL, OBJECT OF EXPENSE	\$431,321	\$431,321

METHOD OF FINANCING:

36	Dept Ins Operating Acct	431,321	431,321
	TOTAL, METHOD OF FINANCING	\$431,321	\$431,321

FULL-TIME EQUIVALENT POSITIONS (FTE):

10.00	10.00
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DESCRIPTION / JUSTIFICATION:

OIEC is requesting a partial restoration of positions that were cut for the 2022-2023 Baseline Budget. The cut of these positions will result in OIEC not being able to meet current performance measures. Additionally, over the last several biennium OIEC has seen a significant increase in the number of injured employees in need of assistance, cutting these positions would result in delays in the dispute resolution process.

EXTERNAL/INTERNAL FACTORS:

Int Factor

PCLS TRACKING KEY:

4.A. Exceptional Item Request Schedule
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/22/2020
 TIME: 4:04:49PM

Agency code: 448

Agency name:
Office of Injured Employee Counsel

CODE	DESCRIPTION	Excp 2022	Excp 2023
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	Item Name: Travel		
	Item Priority: 2		
	IT Component: No		
	Anticipated Out-year Costs: No		
	Involve Contracts > \$50,000: No		
Includes Funding for the Following Strategy or Strategies:	01-01-01 Assist Unrepresented Injured Employees in Dispute Resolution		

OBJECTS OF EXPENSE:

2005	TRAVEL	75,000	75,000
TOTAL, OBJECT OF EXPENSE		75,000	75,000

METHOD OF FINANCING:

36	Dept Ins Operating Acct	75,000	75,000
TOTAL, METHOD OF FINANCING		75,000	75,000

DESCRIPTION / JUSTIFICATION:

The Labor Code requires a proceeding to be held within 75 miles of an injured employees' residence at the time of injury. This requires travel by OIEC employees to ensure that proceedings are handled according to statute and in a timely manner. Cutting OIEC travel will result in delays in the dispute resolution process.

EXTERNAL/INTERNAL FACTORS:

Ext Factor

PCLS TRACKING KEY:

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

Code	Description	Excp 2022	Excp 2023
Item Name: 10 FTEs and Salaries			
Allocation to Strategy: 1-1-1 Assist Unrepresented Injured Employees in Dispute Resolution			
STRATEGY IMPACT ON OUTCOME MEASURES:			
<u>1</u>	% Disputes Resolved Prior to TDI Dispute Resolution Process	62.00%	62.00%
<u>2</u>	% Dispute Resolution Proceedings at DWC with Ombudsman Assistance	45.00%	45.00%
<u>3</u>	% CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist	26.00%	26.00%
<u>4</u>	Percentage of Appeal Issues Prevailed with Ombudsman Assistance	23.00%	23.00%
OUTPUT MEASURES:			
<u>1</u>	Number of Injured Employees Prepared for BRC by an Ombudsman	5,500.00	5,500.00
<u>2</u>	Number of Benefit Review Conferences with Ombudsman Assistance	6,500.00	6,500.00
<u>3</u>	Number of Injured Employees Prepared for CCH by an Ombudsman	3,000.00	3,000.00
<u>4</u>	Number of Contested Case Hearings with Ombudsman Assistance	2,600.00	2,600.00
<u>5</u>	Number of Injured Employees Prepared for an Appeal by an Ombudsman	1,000.00	1,000.00
EFFICIENCY MEASURES:			
<u>1</u>	Avg Days to Resolve a Disputed Issue Prior to Entering a Proceeding	30.00	30.00
EXPLANATORY/INPUT MEASURES:			
<u>1</u>	Avg Dollar Amount Saved/Injured Employee Assisted by Ombudsman	1,800.00	1,800.00
<u>2</u>	Number of Disputed Issues Resolved Prior to Entering a Proceeding	5,000.00	5,000.00
<u>3</u>	Number of Preparation Appointments Prior to Benefit Review Conference	15,000.00	15,000.00
<u>4</u>	Number of Preparation Appointments Prior to Contested Case Hearing	5,000.00	5,000.00
<u>5</u>	Number of Preparation Appointments Held for an Appeal by an Ombudsman	1,050.00	1,050.00
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	106,526	106,526
TOTAL, OBJECT OF EXPENSE		\$106,526	\$106,526
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	106,526	106,526
TOTAL, METHOD OF FINANCING		\$106,526	\$106,526
FULL-TIME EQUIVALENT POSITIONS (FTE):		2.0	2.0

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

Code	Description	Excp 2022	Excp 2023
Item Name: 10 FTEs and Salaries			
Allocation to Strategy: 2-1-1 Assist Injured Employees & Provide Referrals to Programs & Services			
OUTPUT MEASURES:			
<u>1</u>	Nbr of Calls and Emails Where Injured Employees Were Educated/Assisted	220,000.00	220,000.00
<u>2</u>	Number of Injured Employees Assisted at Local Field Offices	17,000.00	17,000.00
<u>3</u>	Number of Public Outreach Presentations Performed	175.00	175.00
<u>4</u>	Number of Referrals Made to Social Service Entities	9,000.00	9,000.00
EFFICIENCY MEASURES:			
<u>1</u>	Avg # of Educational Sessions Provided to Injured Employees Per Month	20,000.00	20,000.00
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	262,665	262,665
TOTAL, OBJECT OF EXPENSE		\$262,665	\$262,665
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	262,665	262,665
TOTAL, METHOD OF FINANCING		\$262,665	\$262,665
FULL-TIME EQUIVALENT POSITIONS (FTE):		7.0	7.0

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

Code	Description	Excp 2022	Excp 2023
Item Name: 10 FTEs and Salaries			
Allocation to Strategy: 3-1-1 Advocate for Injured Employees			
STRATEGY IMPACT ON OUTCOME MEASURES:			
<u>1</u>	Percentage of Adopted Workers' Compensation Rules Analyzed	100.00%	100.00%
<u>2</u>	Percentage of Rules Changed for the Benefit of Injured Employees	100.00%	100.00%
OUTPUT MEASURES:			
<u>1</u>	Number of Assists a Regional Staff Attorney Provides to an Ombudsman	2,700.00	2,700.00
<u>2</u>	Number of Advocacy Training Sessions by Regional Staff Attorneys	200.00	200.00
EXPLANATORY/INPUT MEASURES:			
<u>1</u>	Number of Workers' Compensation Rules Adopted by TDI-DWC and OIEC	3.00	3.00
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	62,130	62,130
TOTAL, OBJECT OF EXPENSE		\$62,130	\$62,130
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	62,130	62,130
TOTAL, METHOD OF FINANCING		\$62,130	\$62,130
FULL-TIME EQUIVALENT POSITIONS (FTE):		1.0	1.0

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

Code	Description	Excp 2022	Excp 2023
Item Name:	Travel		
Allocation to Strategy:	1-1-1 Assist Unrepresented Injured Employees in Dispute Resolution		
STRATEGY IMPACT ON OUTCOME MEASURES:			
<u>1</u>	% Disputes Resolved Prior to TDI Dispute Resolution Process	62.00%	62.00%
<u>2</u>	% Dispute Resolution Proceedings at DWC with Ombudsman Assistance	45.00%	45.00%
<u>3</u>	% CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist	26.00%	26.00%
<u>4</u>	Percentage of Appeal Issues Prevailed with Ombudsman Assistance	23.00%	23.00%
OUTPUT MEASURES:			
<u>1</u>	Number of Injured Employees Prepared for BRC by an Ombudsman	5,500.00	5,500.00
<u>2</u>	Number of Benefit Review Conferences with Ombudsman Assistance	6,500.00	6,500.00
<u>3</u>	Number of Injured Employees Prepared for CCH by an Ombudsman	3,000.00	3,000.00
<u>4</u>	Number of Contested Case Hearings with Ombudsman Assistance	1,000.00	1,000.00
EFFICIENCY MEASURES:			
<u>1</u>	Avg Days to Resolve a Disputed Issue Prior to Entering a Proceeding	30.00	30.00
EXPLANATORY/INPUT MEASURES:			
<u>1</u>	Avg Dollar Amount Saved/Injured Employee Assisted by Ombudsman	1,800.00	1,800.00
<u>2</u>	Number of Disputed Issues Resolved Prior to Entering a Proceeding	5,000.00	5,000.00
<u>3</u>	Number of Preparation Appointments Prior to Benefit Review Conference	15,000.00	15,000.00
<u>4</u>	Number of Preparation Appointments Prior to Contested Case Hearing	5,000.00	5,000.00
<u>5</u>	Number of Preparation Appointments Held for an Appeal by an Ombudsman	1,050.00	1,050.00
OBJECTS OF EXPENSE:			
2005	TRAVEL	75,000	75,000
TOTAL, OBJECT OF EXPENSE		\$75,000	\$75,000
METHOD OF FINANCING:			
36	Dept Ins Operating Acct	75,000	75,000
TOTAL, METHOD OF FINANCING		\$75,000	\$75,000

4.C. Exceptional Items Strategy Request
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/22/2020
TIME: 4:04:49PM

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

Service Categories:

STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution

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

CODE DESCRIPTION	Exp 2022	Exp 2023
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OUTPUT MEASURES:

<u>1</u> Number of Injured Employees Prepared for BRC by an Ombudsman	5,500.00	5,500.00
<u>2</u> Number of Benefit Review Conferences with Ombudsman Assistance	6,500.00	6,500.00
<u>3</u> Number of Injured Employees Prepared for CCH by an Ombudsman	3,000.00	3,000.00
<u>4</u> Number of Contested Case Hearings with Ombudsman Assistance	2,600.00	2,600.00
<u>5</u> Number of Injured Employees Prepared for an Appeal by an Ombudsman	1,000.00	1,000.00

EFFICIENCY MEASURES:

<u>1</u> Avg Days to Resolve a Disputed Issue Prior to Entering a Proceeding	30.00	30.00
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EXPLANATORY/INPUT MEASURES:

<u>1</u> Avg Dollar Amount Saved/Injured Employee Assisted by Ombudsman	1,800.00	1,800.00
<u>2</u> Number of Disputed Issues Resolved Prior to Entering a Proceeding	5,000.00	5,000.00
<u>3</u> Number of Preparation Appointments Prior to Benefit Review Conference	15,000.00	15,000.00
<u>4</u> Number of Preparation Appointments Prior to Contested Case Hearing	5,000.00	5,000.00
<u>5</u> Number of Preparation Appointments Held for an Appeal by an Ombudsman	1,050.00	1,050.00

OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	106,526	106,526
2005 TRAVEL	75,000	75,000
Total, Objects of Expense	\$181,526	\$181,526

METHOD OF FINANCING:

36 Dept Ins Operating Acct	181,526	181,526
Total, Method of Finance	\$181,526	\$181,526

4.C. Exceptional Items Strategy Request
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/22/2020
TIME: 4:04:49PM

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

Service Categories:

STRATEGY: 1 Assist Unrepresented Injured Employees in Dispute Resolution

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

CODE DESCRIPTION	Exp 2022	Exp 2023
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FULL-TIME EQUIVALENT POSITIONS (FTE):	2.0	2.0
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

10 FTEs and Salaries

Travel

4.C. Exceptional Items Strategy Request
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/22/2020
TIME: 4:04:49PM

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

Service Categories:

STRATEGY: 1 Assist Injured Employees & Provide Referrals to Programs & Services

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

CODE	DESCRIPTION	Exp 2022	Exp 2023
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OUTPUT MEASURES:

<u>1</u>	Nbr of Calls and Emails Where Injured Employees Were Educated/Assisted	220,000.00	220,000.00
<u>2</u>	Number of Injured Employees Assisted at Local Field Offices	17,000.00	17,000.00
<u>3</u>	Number of Public Outreach Presentations Performed	175.00	175.00
<u>4</u>	Number of Referrals Made to Social Service Entities	9,000.00	9,000.00

EFFICIENCY MEASURES:

<u>1</u>	Avg # of Educational Sessions Provided to Injured Employees Per Month	20,000.00	20,000.00
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OBJECTS OF EXPENSE:

1001	SALARIES AND WAGES	262,665	262,665
Total, Objects of Expense		\$262,665	\$262,665

METHOD OF FINANCING:

36	Dept Ins Operating Acct	262,665	262,665
Total, Method of Finance		\$262,665	\$262,665

FULL-TIME EQUIVALENT POSITIONS (FTE):

7.0	7.0
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

10 FTEs and Salaries

4.C. Exceptional Items Strategy Request
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/22/2020
TIME: 4:04:49PM

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 2022	Exp 2023
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OUTPUT MEASURES:

<u>1</u> Number of Assists a Regional Staff Attorney Provides to an Ombudsman	2,700.00	2,700.00
<u>2</u> Number of Advocacy Training Sessions by Regional Staff Attorneys	200.00	200.00

EXPLANATORY/INPUT MEASURES:

<u>1</u> Number of Workers' Compensation Rules Adopted by TDI-DWC and OIEC	3.00	3.00
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OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	62,130	62,130
Total, Objects of Expense	\$62,130	\$62,130

METHOD OF FINANCING:

36 Dept Ins Operating Acct	62,130	62,130
Total, Method of Finance	\$62,130	\$62,130

FULL-TIME EQUIVALENT POSITIONS (FTE):

	1.0	1.0
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

10 FTEs and Salaries

6.A. Historically Underutilized Business Supporting Schedule

Date: **9/22/2020**

Time: **4:04:51PM**

Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: Agency:

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year - HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$
%	Total Expenditures								

B. Assessment of Fiscal Year - Efforts to Meet HUB Procurement Goals

Attainment:

Applicability:

Factors Affecting Attainment:

"Good-Faith" Efforts: