



# **Operating Budget for Fiscal Year 2014**

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

By

**The Office of Injured Employee Counsel**

November 26, 2013

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and the Legislative Budget Board

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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 Governor's Office of Budget, Planning and Policy (GOBPP) 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 GOBPP will be notified in writing in accordance with Article IX, Section 7.01 (2014-15 GAA).

**Public Counsel**

  
\_\_\_\_\_  
Signature

Norman Darwin  
Printed Name

Public Counsel  
Title

November 26, 2013  
Date

**Deputy Public Counsel**

  
\_\_\_\_\_  
Signature

Brian White  
Printed Name

Deputy Public Counsel/Chief of Staff  
Title

November 26, 2013  
Date

# OFFICE OF INJURED EMPLOYEE COUNSEL

## Operating Budget for Fiscal Year 2014

### Contents

II.A.	Summary of Budget by Strategy .....	II.A.	Page 1 of 2
II.B.	Summary of Budget by Method of Finance .....	II.B.	Page 1 of 2
II.C.	Summary of Budget by Object of Expense .....	II.C.	Page 1 of 1
II.D.	Summary of Base Request by Objective Outcomes .....	II.D.	Page 1 of 1
III.A.	Strategy Level Detail .....	III.A.	Page 1 of 5
	01-01-01 Assist Unrepresented Injured Employees in Dispute Resolution.....	III.A.	Page 1 of 5
	02-01-01 Increase Injured Employee Education and Provide Referrals.....	III.A.	Page 3 of 5
	03-01-01 Advocate for Injured Employees.....	III.A.	Page 4 of 5
IV.D.	Estimated Revenue Collections Supporting Schedule .....	IV.D.	Page 1 of 1

**II.A. SUMMARY OF BUDGET BY STRATEGY**  
83rd Regular Session, Fiscal Year 2014 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 11/18/2013

TIME : 4:17:48PM

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

<b>Goal/Objective/STRATEGY</b>	<b>EXP 2012</b>	<b>EXP 2013</b>	<b>BUD 2014</b>
<b>1</b> Assist Individual Injured Employees through the Ombudsman Program			
<b>1</b> <i>Assist Unrepresented Injured Employees in Dispute Resolution</i>			
<b>1</b> OMBUDSMAN PROGRAM	\$4,353,315	\$4,491,292	\$4,857,633
<b>TOTAL, GOAL 1</b>	<b>\$4,353,315</b>	<b>\$4,491,292</b>	<b>\$4,857,633</b>
<b>2</b> Increase Injured Employee Education and Provide Referrals			
<b>1</b> <i>Inform Injured Employees/System Participants and Provide Referrals</i>			
<b>1</b> RIGHTS RESPONSIBILITIES & REFERRAL	\$1,586,859	\$1,608,869	\$1,731,628
<b>TOTAL, GOAL 2</b>	<b>\$1,586,859</b>	<b>\$1,608,869</b>	<b>\$1,731,628</b>
<b>3</b> Advocate for Injured Employees As a Class			
<b>1</b> <i>Ensure Adequate Rules to Protect Injured Employees and Act as Resource</i>			
<b>1</b> ADVOCATE FOR INJURED EMPLOYEES	\$1,730,687	\$1,713,197	\$1,709,131
<b>TOTAL, GOAL 3</b>	<b>\$1,730,687</b>	<b>\$1,713,197</b>	<b>\$1,709,131</b>

**II.A. SUMMARY OF BUDGET BY STRATEGY**  
 83rd Regular Session, Fiscal Year 2014 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 11/18/2013  
 TIME : 4:17:48PM

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

<b>Goal/Objective/STRATEGY</b>	<b>EXP 2012</b>	<b>EXP 2013</b>	<b>BUD 2014</b>
<b>General Revenue Dedicated Funds:</b>			
36 Dept Ins Operating Acct	\$7,670,861	\$7,813,358	\$8,298,392
	<b>\$7,670,861</b>	<b>\$7,813,358</b>	<b>\$8,298,392</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$7,670,861</b>	<b>\$7,813,358</b>	<b>\$8,298,392</b>
<b>FULL TIME EQUIVALENT POSITIONS</b>	<b>155.2</b>	<b>157.0</b>	<b>175.0</b>

**II.B. SUMMARY OF BUDGET BY METHOD OF FINANCE**  
 83rd Regular Session, Fiscal Year 2014 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **11/18/2013**  
 TIME: **4:22:32PM**

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

METHOD OF FINANCING		Exp 2012	Exp 2013	Bud 2014
<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 (2012-13 GAA)	\$7,769,542	\$7,769,542	\$0
	Regular Appropriations from MOF Table (2014-15 GAA)	\$0	\$0	\$8,199,542
	<i>RIDER APPROPRIATION</i>			
	Art. IX, Sec 18.15 DIR Rebate (2012-13 GAA)	\$257	\$0	\$0
	<i>TRANSFERS</i>			
	Art IX, Sec 17.06 Salary Increase for General State Employees (2014-15)	\$0	\$0	\$98,850
	<i>LAPSED APPROPRIATIONS</i>			
	Lapsed Appropriations	\$0	\$(55,122)	\$0
	<i>UNEXPENDED BALANCES AUTHORITY</i>			
	Art. VIII-15, Rider 2 Unexpended Balance Authority (2012-13 GAA)	\$(98,938)	\$98,938	\$0
<b>TOTAL,</b>	<b>GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036</b>	<b>\$7,670,861</b>	<b>\$7,813,358</b>	<b>\$8,298,392</b>
<b>TOTAL, ALL</b>	<b>GENERAL REVENUE FUND - DEDICATED</b>	<b>\$7,670,861</b>	<b>\$7,813,358</b>	<b>\$8,298,392</b>
<b>GRAND TOTAL</b>		<b>\$7,670,861</b>	<b>\$7,813,358</b>	<b>\$8,298,392</b>

**II.B. SUMMARY OF BUDGET BY METHOD OF FINANCE**  
 83rd Regular Session, Fiscal Year 2014 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **11/18/2013**  
 TIME: **4:22:32PM**

Agency code: **448**

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

<b>METHOD OF FINANCING</b>	<b>Exp 2012</b>	<b>Exp 2013</b>	<b>Bud 2014</b>
<b>FULL-TIME-EQUIVALENT POSITIONS</b>			
REGULAR APPROPRIATIONS			
Regular Appropriations from MOF Table (2012-13 GAA)	175.0	175.0	0.0
Regular Appropriations from MOF Table (2014-15 GAA)	0.0	0.0	175.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP			
Unauthorized Number Over (Below) Cap	(19.8)	(18.0)	0.0
<b>TOTAL, ADJUSTED FTES</b>	<b>155.2</b>	<b>157.0</b>	<b>175.0</b>
<b>NUMBER OF 100% FEDERALLY FUNDED FTEs</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

I.C. SUMMARY OF BUDGET BY OBJECT OF EXPENSE  
83rd Regular Session, Fiscal Year 2014 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 11/18/2013  
TIME: 4:23:14PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

OBJECT OF EXPENSE	EXP 2012	EXP 2013	BUD 2014
1001 SALARIES AND WAGES	\$6,661,966	\$6,740,100	\$7,585,774
1002 OTHER PERSONNEL COSTS	\$367,052	\$445,431	\$216,389
2001 PROFESSIONAL FEES AND SERVICES	\$18,873	\$23,857	\$10,000
2003 CONSUMABLE SUPPLIES	\$1,794	\$366	\$0
2004 UTILITIES	\$14,512	\$16,824	\$17,129
2005 TRAVEL	\$336,263	\$328,187	\$237,900
2006 RENT - BUILDING	\$8,384	\$3,092	\$1,600
2007 RENT - MACHINE AND OTHER	\$3,215	\$2,912	\$0
2009 OTHER OPERATING EXPENSE	\$258,802	\$252,589	\$229,600
<b>Agency Total</b>	<b>\$7,670,861</b>	<b>\$7,813,358</b>	<b>\$8,298,392</b>

**II.D. SUMMARY OF BUDGET OBJECTIVE OUTCOMES**

83rd Regular Session, Fiscal Year 2014 Operating Budget  
Automated Budget and Evaluation system of Texas (ABEST)

Date : 11/18/2013

Time: 4:19:29PM

Agency code: 448

Agency name: Office of Injured Employee Counsel

Goal/ Objective / OUTCOME	Exp 2012	Exp 2013	Bud2014
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	63.58 %	61.04 %	62.00 %
<b>KEY</b> 2 % Dispute Resolution Proceedings at DWC with Ombudsman Assistance	49.98 %	46.10 %	49.00 %
<b>KEY</b> 3 % CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist	27.95 %	26.78 %	27.00 %
<b>KEY</b> 4 Percentage of Appeal Issues Prevailed with Ombudsman Assistance	22.97 %	23.34 %	23.00 %
2 Increase Injured Employee Education and Provide Referrals			
1 Inform Injured Employees/System Participants and Provide Referrals			
<b>KEY</b> 1 % Injured Employees Reached by OIEC Efforts	95.00 %	93.00 %	95.00 %
3 Advocate for Injured Employees As a Class			
1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource			
1 Percentage of Adopted Workers' Compensation Rules Analyzed	100.00 %	100.00 %	100.00 %
2 Percent Adopted WC Rules in which OIEC Participated	100.00 %	100.00 %	100.00 %
<b>KEY</b> 3 Percentage of Rules Changed for the Benefit of Injured Employees	83.00 %	75.00 %	78.00 %

**III.A. STRATEGY LEVEL DETAIL**  
 83rd Regular Session, Fiscal Year 2014 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 11/18/2013  
 TIME: 4:21:38PM

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

Statewide Goal/Benchmark: 7 5

Service Categories:

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

CODE	DESCRIPTION	EXP 2012	EXP 2013	BUD 2014
<b>Output Measures:</b>				
	1 Number of Injured Employees Prepared for BRC by an Ombudsman	6,080.00	6,087.00	5,500.00
KEY	2 Number of Benefit Review Conferences with Ombudsman Assistance	7,226.00	7,416.00	6,500.00
	3 Number of Injured Employees Prepared for CCH by an Ombudsman	3,140.00	3,513.00	2,350.00
KEY	4 Number of Contested Case hearings with Ombudsman Assistance	2,907.00	3,276.00	2,350.00
KEY	5 Number of Injured Employees Prepared for an Appeal by an Ombudsman	1,039.00	1,257.00	825.00
<b>Efficiency Measures:</b>				
	1 Avg Days to Resolve a Disputed Issue Prior to Entering a Proceeding	20.40	21.40	20.00
<b>Explanatory/Input Measures:</b>				
	1 Avg Dollar Amount Saved/Injured Employee Assisted by Ombudsman	1,832.00	1,820.00	1,800.00
	2 Number of Disputed Issues Resolved Prior to Entering a Proceeding	6,991.00	5,696.00	6,500.00
KEY	3 Number of Preparation Appointments Prior to Benefit Review Conference	10,000.00	16,983.00	15,000.00
KEY	4 Number of Preparation Appointments Prior to Contested Case Hearing	5,400.00	5,720.00	4,500.00
KEY	5 Number of Preparation Appointments Held for an Appeal by an Ombudsman	1,100.00	1,367.00	1,050.00
<b>Objects of Expense:</b>				
	1001 SALARIES AND WAGES	\$3,793,588	\$3,934,258	\$4,511,541
	1002 OTHER PERSONNEL COSTS	\$234,048	\$274,648	\$127,957
	2001 PROFESSIONAL FEES AND SERVICES	\$8,985	\$2,375	\$0
	2003 CONSUMABLE SUPPLIES	\$342	\$0	\$0
	2004 UTILITIES	\$9,815	\$0	\$0
	2005 TRAVEL	\$189,310	\$194,846	\$130,000
	2006 RENT - BUILDING	\$2,400	\$0	\$0
	2007 RENT - MACHINE AND OTHER	\$0	\$0	\$0
	2009 OTHER OPERATING EXPENSE	\$114,827	\$85,165	\$88,135

**III.A. STRATEGY LEVEL DETAIL**  
 83rd Regular Session, Fiscal Year 2014 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 11/18/2013  
 TIME: 4:21:38PM

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

GOAL: 1 Assist Individual Injured Employees through the Ombudsman Program

Statewide Goal/Benchmark: 7 5

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 2012	EXP 2013	BUD 2014
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$4,353,315</b>	<b>\$4,491,292</b>	<b>\$4,857,633</b>
<b>Method of Financing:</b>				
	36 Dept Ins Operating Acct	\$4,353,315	\$4,491,292	\$4,857,633
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)</b>		<b>\$4,353,315</b>	<b>\$4,491,292</b>	<b>\$4,857,633</b>
<b>TOTAL, METHOD OF FINANCE :</b>		<b>\$4,353,315</b>	<b>\$4,491,292</b>	<b>\$4,857,633</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>89.6</b>	<b>93.5</b>	<b>107.0</b>

**III.A. STRATEGY LEVEL DETAIL**  
 83rd Regular Session, Fiscal Year 2014 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 11/18/2013  
 TIME: 4:21:38PM

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

Statewide Goal/Benchmark: 7 5

Service Categories:

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

CODE	DESCRIPTION	EXP 2012	EXP 2013	BUD 2014
<b>Output Measures:</b>				
1	Number of Phone Calls Where Injured Employees Were Educated/Assisted	238,195.00	214,949.00	235,000.00
2	Number of Injured Employees Assisted at Local Field Offices	34,886.00	30,556.00	30,000.00
3	Number of Public Outreach Presentations Performed	103.00	95.00	65.00
4	Number of Referrals to DARS, TWC and TDI	4,741.00	5,129.00	5,000.00
<b>Efficiency Measures:</b>				
KEY 1	Avg # of Educational Sessions Provided to Injured Employees Per Month	22,765.00	20,467.00	20,000.00
<b>Objects of Expense:</b>				
1001	SALARIES AND WAGES	\$1,408,919	\$1,395,818	\$1,615,643
1002	OTHER PERSONNEL COSTS	\$86,624	\$82,603	\$50,000
2001	PROFESSIONAL FEES AND SERVICES	\$1,175	\$9,854	\$0
2003	CONSUMABLE SUPPLIES	\$1,411	\$0	\$0
2004	UTILITIES	\$0	\$0	\$0
2005	TRAVEL	\$58,298	\$76,554	\$35,000
2006	RENT - BUILDING	\$0	\$0	\$0
2007	RENT - MACHINE AND OTHER	\$0	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$30,432	\$44,040	\$30,985
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$1,586,859</b>	<b>\$1,608,869</b>	<b>\$1,731,628</b>
<b>Method of Financing:</b>				
36	Dept Ins Operating Acct	\$1,586,859	\$1,608,869	\$1,731,628
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)</b>		<b>\$1,586,859</b>	<b>\$1,608,869</b>	<b>\$1,731,628</b>
<b>TOTAL, METHOD OF FINANCE :</b>		<b>\$1,586,859</b>	<b>\$1,608,869</b>	<b>\$1,731,628</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>43.6</b>	<b>42.7</b>	<b>47.0</b>

**III.A. STRATEGY LEVEL DETAIL**  
 83rd Regular Session, Fiscal Year 2014 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 11/18/2013  
 TIME: 4:21:38PM

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

GOAL: 3 Advocate for Injured Employees As a Class Statewide Goal/Benchmark: 7 5  
 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 2012	EXP 2013	BUD 2014
<b>Output Measures:</b>				
KEY 1	Number of Adopted Workers' Compensation Rules Analyzed by OIEC	15.00	6.00	8.00
KEY 2	# of Adopted Workers' Compensation Rules in Which OIEC Participated	11.00	4.00	5.00
3	Number of Rules Changed as a Result of OIEC Participation	9.00	3.00	4.00
4	Number of Assists a Regional Staff Attorney Provides to an Ombudsman	2,949.00	2,554.00	2,800.00
<b>Explanatory/Input Measures:</b>				
1	Number of Workers' Compensation Rules Adopted	15.00	6.00	8.00
<b>Objects of Expense:</b>				
1001	SALARIES AND WAGES	\$1,459,459	\$1,410,024	\$1,458,590
1002	OTHER PERSONNEL COSTS	\$46,380	\$88,180	\$38,432
2001	PROFESSIONAL FEES AND SERVICES	\$8,713	\$11,628	\$10,000
2003	CONSUMABLE SUPPLIES	\$41	\$366	\$0
2004	UTILITIES	\$4,697	\$16,824	\$17,129
2005	TRAVEL	\$88,655	\$56,787	\$72,900
2006	RENT - BUILDING	\$5,984	\$3,092	\$1,600
2007	RENT - MACHINE AND OTHER	\$3,215	\$2,912	\$0
2009	OTHER OPERATING EXPENSE	\$113,543	\$123,384	\$110,480
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$1,730,687</b>	<b>\$1,713,197</b>	<b>\$1,709,131</b>
<b>Method of Financing:</b>				
36	Dept Ins Operating Acct	\$1,730,687	\$1,713,197	\$1,709,131
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)</b>		<b>\$1,730,687</b>	<b>\$1,713,197</b>	<b>\$1,709,131</b>
<b>TOTAL, METHOD OF FINANCE :</b>		<b>\$1,730,687</b>	<b>\$1,713,197</b>	<b>\$1,709,131</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>22.0</b>	<b>20.8</b>	<b>21.0</b>

**III.A. STRATEGY LEVEL DETAIL**  
83rd Regular Session, Fiscal Year 2014 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 11/18/2013  
TIME: 4:21:38PM

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**SUMMARY TOTALS:**

<b>OBJECTS OF EXPENSE:</b>	<b>\$7,670,861</b>	<b>\$7,813,358</b>	<b>\$8,298,392</b>
<b>METHODS OF FINANCE :</b>	<b>\$7,670,861</b>	<b>\$7,813,358</b>	<b>\$8,298,392</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>	<b>155.2</b>	<b>157.0</b>	<b>175.0</b>

**IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE**

**DATE: 11/25/2013**

83rd Regular Session, Fiscal Year 2014 Operating Budget

**TIME: 9:40:33AM**

Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: **448**

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

FUND/ACCOUNT	Exp 2012	Exp 2013	Bud 2014
<b><u>36</u> Dept Ins Operating Acct</b>			
Beginning Balance (Unencumbered):	\$0	\$0	\$0
Estimated Revenue:			
3777 Default Fund - Warrant Voided	76	0	0
Subtotal: Estimated Revenue	<hr/> 76	<hr/> 0	<hr/> 0
<b>Total Available</b>	<hr/> <b>\$76</b>	<hr/> <b>\$0</b>	<hr/> <b>\$0</b>
 <b>Ending Fund/Account Balance</b>	 <hr/> <b>\$76</b>	 <hr/> <b>\$0</b>	 <hr/> <b>\$0</b>

**REVENUE ASSUMPTIONS:**

**CONTACT PERSON:**

Brian White

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