



# **Operating Budget**

## **for Fiscal Year 2018**

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

by  
**The Office of Injured Employee Counsel**

**December 1, 2017**

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# OFFICE OF INJURED EMPLOYEE COUNSEL

## Operating Budget for Fiscal Year 2018

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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 Senate Bill 1, Article IX, Section 7.01, Eighty-fifth Legislature, Regular Session, 2017.

Public Counsel

*Jessica Barta*

Signature

Jessica Barta

Printed Name

Public Counsel

Title

December 1, 2017

Date

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# **Operating Budget for Fiscal Year 2018**

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Governor's Office of Budget, Planning and Policy  
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**December 1, 2017**

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**Budget Overview**  
**85th Regular Session, Fiscal Year 2018 Operating Budget**  
Automated Budget and Evaluation System of Texas (ABEST)

448 Office of Injured Employee Counsel  
Appropriation Years: 2018-19

	2017	2018	GR DEDICATED		2017	2018	2017	2018	ALL FUNDS	
			2017	2018					2017	2018
<b>Goal: 1. Assist Individual Injured Employees through the Ombudsman Program</b>										
1.1.1. Ombudsman Program			4,900,991	5,064,333					4,900,991	5,064,333
<b>Total, Goal</b>			<b>4,900,991</b>	<b>5,064,333</b>					<b>4,900,991</b>	<b>5,064,333</b>
<b>Goal: 2. Increase Injured Employee Education and Provide Referrals</b>										
2.1.1. Rights Responsibilities & Referral			1,798,369	1,927,811					1,798,369	1,927,811
<b>Total, Goal</b>			<b>1,798,369</b>	<b>1,927,811</b>					<b>1,798,369</b>	<b>1,927,811</b>
<b>Goal: 3. Advocate for Injured Employees As a Class</b>										
3.1.1. Advocate For Injured Employees			1,413,517	1,823,967					1,413,517	1,823,967
<b>Total, Goal</b>			<b>1,413,517</b>	<b>1,823,967</b>					<b>1,413,517</b>	<b>1,823,967</b>
<b>Total, Agency</b>			<b>8,112,877</b>	<b>8,816,111</b>					<b>8,112,877</b>	<b>8,816,111</b>
<b>Total FTEs</b>									<b>150.9</b>	<b>175.0</b>

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2.A. Summary of Budget By Strategy

DATE : 11/28/2017

TIME : 4:48:06PM

85th Regular Session, Fiscal Year 2018 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

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

Goal/Objective/STRATEGY	EXP 2016	EXP 2017	BUD 2018
1 Assist Individual Injured Employees through the Ombudsman Program			
1 Assist Unrepresented Injured Employees in Dispute Resolution			
1 OMBUDSMAN PROGRAM	\$5,407,534	\$4,900,991	\$5,064,333
<b>TOTAL, GOAL 1</b>	<b>\$5,407,534</b>	<b>\$4,900,991</b>	<b>\$5,064,333</b>
2 Increase Injured Employee Education and Provide Referrals			
1 Inform Injured Employees/System Participants and Provide Referrals			
1 RIGHTS RESPONSIBILITIES & REFERRAL	\$1,711,586	\$1,798,369	\$1,927,811
<b>TOTAL, GOAL 2</b>	<b>\$1,711,586</b>	<b>\$1,798,369</b>	<b>\$1,927,811</b>
3 Advocate for Injured Employees As a Class			
1 Ensure Adequate Rules to Protect Injured Employees and Act as Resource			
1 ADVOCATE FOR INJURED EMPLOYEES	\$1,557,388	\$1,413,517	\$1,823,967
<b>TOTAL, GOAL 3</b>	<b>\$1,557,388</b>	<b>\$1,413,517</b>	<b>\$1,823,967</b>

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

DATE : 11/28/2017

TIME : 4:48:06PM

85th Regular Session, Fiscal Year 2018 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 2016</b>	<b>EXP 2017</b>	<b>BUD 2018</b>
<b>General Revenue Dedicated Funds:</b>			
36 Dept Ins Operating Acct	\$8,676,508	\$8,112,877	\$8,816,111
	<b>\$8,676,508</b>	<b>\$8,112,877</b>	<b>\$8,816,111</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$8,676,508</b>	<b>\$8,112,877</b>	<b>\$8,816,111</b>
<b>FULL TIME EQUIVALENT POSITIONS</b>	<b>163.1</b>	<b>150.9</b>	<b>175.0</b>

**2.B. Summary of Budget By Method of Finance**  
 85th Regular Session, Fiscal Year 2018 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 11/28/2017  
 TIME: 4:49:34PM

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

METHOD OF FINANCING	Exp 2016	Exp 2017	Bud 2018
<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 (2016-17 GAA)	\$8,645,239	\$8,645,239	\$0
Regular Appropriations from MOF Table (2018-19 GAA)	\$0	\$0	\$8,816,111
<i>TRANSFERS</i>			
Art IX, Sec 18.02, Salary Increase for General State Employees (2016-17)	\$156,435	\$111,053	\$0
<i>LAPSED APPROPRIATIONS</i>			
Savings due to Hiring Freeze	\$0	\$(768,581)	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>			
Art VIII, p. VIII-16 Rider 2, Appropriation of Unexpended Balances (2016-17)	\$(125,166)	\$125,166	\$0
<b>TOTAL, GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036</b>	<b>\$8,676,508</b>	<b>\$8,112,877</b>	<b>\$8,816,111</b>
<b>TOTAL, ALL GENERAL REVENUE FUND - DEDICATED</b>	<b>\$8,676,508</b>	<b>\$8,112,877</b>	<b>\$8,816,111</b>
<b>GRAND TOTAL</b>	<b>\$8,676,508</b>	<b>\$8,112,877</b>	<b>\$8,816,111</b>

**2.B. Summary of Budget By Method of Finance**  
 85th Regular Session, Fiscal Year 2018 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **11/28/2017**  
 TIME: **4:49:34PM**

Agency code: **448**

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

<b>METHOD OF FINANCING</b>	<b>Exp 2016</b>	<b>Exp 2017</b>	<b>Bud 2018</b>
<b>FULL-TIME-EQUIVALENT POSITIONS</b>			
REGULAR APPROPRIATIONS			
Regular Appropriations from MOF Table (2016-17 GAA)	175.0	175.0	0.0
Regular Appropriations from MOF Table (2018-19 GAA)	0.0	0.0	175.0
LAPSED APPROPRIATIONS			
Savings due to Hiring Freeze	0.0	(18.3)	0.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP			
Unauthorized Number Over (Below) Cap	(11.9)	(5.8)	0.0
<b>TOTAL, ADJUSTED FTES</b>	<b>163.1</b>	<b>150.9</b>	<b>175.0</b>

**NUMBER OF 100% FEDERALLY FUNDED FTEs**

**2.C. Summary of Budget By Object of Expense**  
 85th Regular Session, Fiscal Year 2018 Operating Budget  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **11/28/2017**  
 TIME: **4:50:24PM**

Agency code: **448**

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

<b>OBJECT OF EXPENSE</b>	<b>EXP 2016</b>	<b>EXP 2017</b>	<b>BUD 2018</b>
1001 SALARIES AND WAGES	\$7,331,362	\$6,891,361	\$8,058,039
1002 OTHER PERSONNEL COSTS	\$468,520	\$489,941	\$224,391
2001 PROFESSIONAL FEES AND SERVICES	\$64,615	\$73,888	\$67,000
2003 CONSUMABLE SUPPLIES	\$458	\$680	\$0
2004 UTILITIES	\$16,593	\$12,675	\$10,834
2005 TRAVEL	\$464,314	\$366,087	\$227,128
2006 RENT - BUILDING	\$4,250	\$1,175	\$583
2007 RENT - MACHINE AND OTHER	\$5,280	\$0	\$0
2009 OTHER OPERATING EXPENSE	\$321,116	\$277,070	\$228,136
<b>Agency Total</b>	<b>\$8,676,508</b>	<b>\$8,112,877</b>	<b>\$8,816,111</b>

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**2.D. Summary of Budget By Objective Outcomes**  
 85th Regular Session, Fiscal Year 2018 Operating Budget  
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 11/28/2017  
 Time: 4:51:59PM

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

Goal/ Objective / OUTCOME	Exp 2016	Exp 2017	Bud2018
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>	60.00 %	63.50 %	62.00 %
<b>KEY 2 % Dispute Resolution Proceedings at DWC with Ombudsman Assistance</b>	44.70 %	50.60 %	44.00 %
<b>KEY 3 % CCH Issues in which Injured Employees Prevailed w/ Ombudsman Assist</b>	27.40 %	23.40 %	27.00 %
<b>KEY 4 Percentage of Appeal Issues Prevailed with Ombudsman Assistance</b>	25.80 %	21.30 %	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 Percent Adopted WC Rules in which OIEC Participated</b>	100.00 %	100.00 %	100.00 %
<b>3 Percentage of Rules Changed for the Benefit of Injured Employees</b>	100.00 %	100.00 %	75.00 %

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3.A. Strategy Level Detail

DATE: 11/29/2017  
TIME: 9:26:58AM

85th Regular Session, Fiscal Year 2018 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 2016	EXP 2017	BUD 2018
<b>Output Measures:</b>				
	1 Number of Injured Employees Prepared for BRC by an Ombudsman	6,357.00	6,074.00	5,500.00
KEY	2 Number of Benefit Review Conferences with Ombudsman Assistance	6,887.00	7,739.00	6,500.00
	3 Number of Injured Employees Prepared for CCH by an Ombudsman	3,212.00	3,900.00	3,000.00
KEY	4 Number of Contested Case hearings with Ombudsman Assistance	2,737.00	3,770.00	3,000.00
KEY	5 Number of Injured Employees Prepared for an Appeal by an Ombudsman	1,348.00	1,572.00	1,000.00
<b>Efficiency Measures:</b>				
	1 Avg Days to Resolve a Disputed Issue Prior to Entering a Proceeding	21.80	22.00	22.00
<b>Explanatory/Input Measures:</b>				
	1 Avg Dollar Amount Saved/Injured Employee Assisted by Ombudsman	2,105.00	2,145.00	1,800.00
	2 Number of Disputed Issues Resolved Prior to Entering a Proceeding	4,932.00	5,147.00	4,800.00
KEY	3 Number of Preparation Appointments Prior to Benefit Review Conference	17,958.00	17,132.00	15,000.00
KEY	4 Number of Preparation Appointments Prior to Contested Case Hearing	5,200.00	6,510.00	5,000.00
KEY	5 Number of Preparation Appointments Held for an Appeal by an Ombudsman	1,454.00	1,659.00	1,050.00
<b>Objects of Expense:</b>				
1001	SALARIES AND WAGES	\$4,683,611	\$4,178,257	\$4,666,152
1002	OTHER PERSONNEL COSTS	\$272,761	\$327,933	\$151,968
2001	PROFESSIONAL FEES AND SERVICES	\$5,276	\$25,719	\$2,300
2003	CONSUMABLE SUPPLIES	\$0	\$69	\$0
2004	UTILITIES	\$5,726	\$6,193	\$4,587
2005	TRAVEL	\$270,760	\$227,560	\$152,757
2006	RENT - BUILDING	\$2,750	\$300	\$0
2007	RENT - MACHINE AND OTHER	\$3,810	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$162,840	\$134,960	\$86,569

**3.A. Strategy Level Detail**

DATE: 11/29/2017

TIME: 9:26:58AM

85th Regular Session, Fiscal Year 2018 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 2016	EXP 2017	BUD 2018
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$5,407,534</b>	<b>\$4,900,991</b>	<b>\$5,064,333</b>
<b>Method of Financing:</b>				
	36 Dept Ins Operating Acct	\$5,407,534	\$4,900,991	\$5,064,333
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)</b>		<b>\$5,407,534</b>	<b>\$4,900,991</b>	<b>\$5,064,333</b>
<b>TOTAL, METHOD OF FINANCE :</b>		<b>\$5,407,534</b>	<b>\$4,900,991</b>	<b>\$5,064,333</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>105.6</b>	<b>92.3</b>	<b>103.0</b>

3.A. Strategy Level Detail

DATE: 11/29/2017  
TIME: 9:26:58AM

85th Regular Session, Fiscal Year 2018 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 2016	EXP 2017	BUD 2018
<b>Output Measures:</b>				
1	Nbr of Calls and Emails Where Injured Employees Were Educated/Assisted	281,608.00	257,019.00	250,000.00
2	Number of Injured Employees Assisted at Local Field Offices	27,725.00	26,801.00	27,000.00
3	Number of Public Outreach Presentations Performed	265.00	253.00	200.00
4	Number of Referrals Made to Social Service Entities	5,514.00	5,029.00	4,800.00
<b>Efficiency Measures:</b>				
KEY 1	Avg # of Educational Sessions Provided to Injured Employees Per Month	25,800.00	23,673.00	20,000.00
<b>Objects of Expense:</b>				
1001	SALARIES AND WAGES	\$1,426,103	\$1,516,887	\$1,729,629
1002	OTHER PERSONNEL COSTS	\$65,006	\$111,330	\$46,247
2001	PROFESSIONAL FEES AND SERVICES	\$966	\$1,593	\$19,500
2003	CONSUMABLE SUPPLIES	\$442	\$611	\$0
2004	UTILITIES	\$6,317	\$2,980	\$3,000
2005	TRAVEL	\$146,723	\$106,289	\$62,518
2006	RENT - BUILDING	\$1,000	\$0	\$0
2007	RENT - MACHINE AND OTHER	\$1,470	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$63,559	\$58,679	\$66,917
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$1,711,586</b>	<b>\$1,798,369</b>	<b>\$1,927,811</b>
<b>Method of Financing:</b>				
36	Dept Ins Operating Acct	\$1,711,586	\$1,798,369	\$1,927,811
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)</b>		<b>\$1,711,586</b>	<b>\$1,798,369</b>	<b>\$1,927,811</b>
<b>TOTAL, METHOD OF FINANCE :</b>		<b>\$1,711,586</b>	<b>\$1,798,369</b>	<b>\$1,927,811</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>39.7</b>	<b>39.6</b>	<b>48.0</b>

3.A. Strategy Level Detail

DATE: 11/29/2017  
TIME: 9:26:58AM

85th Regular Session, Fiscal Year 2018 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 2016	EXP 2017	BUD 2018
<b>Output Measures:</b>				
	1 Number of Workers' Compensation Rules Analyzed by OIEC	7.00	1.00	4.00
KEY	2 Number of Assists a Regional Staff Attorney Provides to an Ombudsman	2,961.00	3,369.00	2,700.00
	3 Number of Advocacy Training Sessions by Regional Staff Attorneys	0.00	0.00	100.00
<b>Explanatory/Input Measures:</b>				
	1 Number of Workers' Compensation Rules Adopted	4.00	1.00	4.00
<b>Objects of Expense:</b>				
	1001 SALARIES AND WAGES	\$1,221,648	\$1,196,217	\$1,662,258
	1002 OTHER PERSONNEL COSTS	\$130,753	\$50,678	\$26,176
	2001 PROFESSIONAL FEES AND SERVICES	\$58,373	\$46,576	\$45,200
	2003 CONSUMABLE SUPPLIES	\$16	\$0	\$0
	2004 UTILITIES	\$4,550	\$3,502	\$3,247
	2005 TRAVEL	\$46,831	\$32,238	\$11,853
	2006 RENT - BUILDING	\$500	\$875	\$583
	2007 RENT - MACHINE AND OTHER	\$0	\$0	\$0
	2009 OTHER OPERATING EXPENSE	\$94,717	\$83,431	\$74,650
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$1,557,388</b>	<b>\$1,413,517</b>	<b>\$1,823,967</b>
<b>Method of Financing:</b>				
	36 Dept Ins Operating Acct	\$1,557,388	\$1,413,517	\$1,823,967
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)</b>		<b>\$1,557,388</b>	<b>\$1,413,517</b>	<b>\$1,823,967</b>
<b>TOTAL, METHOD OF FINANCE :</b>		<b>\$1,557,388</b>	<b>\$1,413,517</b>	<b>\$1,823,967</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>17.8</b>	<b>19.0</b>	<b>24.0</b>

**3.A. Strategy Level Detail**

DATE: 11/29/2017

TIME: 9:26:58AM

85th Regular Session, Fiscal Year 2018 Operating Budget  
Automated Budget and Evaluation System of Texas (ABEST)

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**SUMMARY TOTALS:**

<b>OBJECTS OF EXPENSE:</b>	<b>\$8,676,508</b>	<b>\$8,112,877</b>	<b>\$8,816,111</b>
<b>METHODS OF FINANCE :</b>	<b>\$8,676,508</b>	<b>\$8,112,877</b>	<b>\$8,816,111</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>	<b>163.1</b>	<b>150.9</b>	<b>175.0</b>

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