



Human Resources Department  
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## **Sec. 6. STANDARDS OF CONDUCT FOR STATE EMPLOYEES.**

None of the funds appropriated by this Act shall be expended to pay the salary of a state employee who:

- (1) accepts or solicits any gift, favor, or service that might reasonably tend to influence the employee in the discharge of official duties or that the employee knows or should know is being offered with the intent to influence the employee's official conduct;
- (2) accepts other employment or engages in a business or professional activity that the employee might reasonably expect would require or induce the employee to disclose confidential information acquired by reason of the official position;
- (3) accepts other employment or compensation that could reasonably be expected to impair the employee's independence of judgment in the performance of the employee's official duties;
- (4) makes personal investments that could reasonably be expected to create a substantial conflict between the employee's private interest and in the public interest; or
- (5) intentionally or knowingly solicits, accepts, or agrees to accept any benefit for having exercised the employee's official powers or performed the employee's official duties in favor of another.

**A state employee who violates the Standards of Conduct or the university ethics Policy #3.314 is subject to termination of employment or other employment sanction. Additionally, an employee who violates the Standards of Conduct is subject to any applicable civil or criminal penalty if the violation also constitutes a violation of another statute.**

The head of each agency of the state shall furnish each employee of such agency with a copy of this section, and shall take a receipt therefore from each employee. The preceding sentence shall not be construed to mean the new receipts are to be obtained each year from continuing employees who have previously received from copies of identical provisions relating to the conduct of state employees. The receipts shall be kept accessible for public inspection.

CONDUCT; STATE AGENCY ETHICS

POLICY (a) A state officer or employee should not:

(1) accept or solicit any gift, favor, or service that might reasonably tend to influence the officer or employee in the discharge of official duties or that the officer or employee knows or should know is being offered with the intent to influence the officer's or employee's official conduct;

(2) accept other employment or engage in a business or professional activity that the officer or employee might reasonably expect would require or induce the officer or employee to disclose confidential information acquired by reason of the official position;

(3) accept other employment or compensation that could reasonably be expected to impair the officer's or employee's independence of judgment in the performance of the officer's or employee's official duties;

(4) make personal investments that could reasonably be expected to create a substantial conflict between the officer's or employee's private interest and the public interest; or

(5) intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the officer's or employee's official powers or performed the officer's or employee's official duties in favor of another.

(b) A state employee who violates Subsection (a) or an ethics policy adopted under Subsection (c) is subject to termination of the employee's state employment or another employment related sanction. Notwithstanding this subsection, a state officer or employee who violates Subsection (a) is subject to any applicable civil or criminal penalty if the violation also constitutes a violation of another statute or rule.

(c) Each state agency shall:

(1) adopt a written ethics policy for the agency's employees consistent with the standards prescribed by Subsection

(a) and other provisions of this subchapter; and (2) distribute a copy of the ethics policy and this subchapter to:

(A) each new employee not later than the third business day after the date the person begins employment with the agency; and

(B) each new officer not later than the third business day after the date the person qualifies for office.

(d) The office of the attorney general shall develop, in coordination with the commission, and distribute a model policy that state agencies may use in adopting an agency ethics policy under Subsection (c). A state agency is not required to adopt the model policy developed under this subsection. (e) Subchapters E and F, Chapter 571, do not apply to a violation of this section.

(f) Notwithstanding Subsection (e), if a person with knowledge of a violation of an agency ethics policy adopted under Subsection (c) that also constitutes a criminal offense under another law of this state reports the violation to an appropriate prosecuting attorney, then, not later than the 60th day after the date a person notifies the prosecuting attorney under this subsection, the prosecuting attorney

shall notify the commission of the status of the prosecuting attorney's investigation of the alleged violation. The commission shall, on the request of the prosecuting attorney, assist the prosecuting attorney in investigating the alleged violation. This subsection does not apply to an alleged violation by a member or employee of the commission.

(g) Not later than November 1, 2007, the office of the attorney general shall:

- (1) develop a model ethics policy as required by Subsection (d); and
- (2) distribute the policy to each state agency required to adopt an ethics policy under Subsection (c).

(h) Not later than January 1, 2008, each state agency shall:

- (1) adopt an ethics policy as required by Subsection (c); and
- (2) distribute a copy of the ethics policy and this subchapter to each employee of the agency.

(i) Subsections (g) and (h) and this subsection expire January 15, 2008.

Added by Acts 1993, 73rd Leg., ch. 268, § 1, eff. Sept. 1, 1993.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. [629](#), § 1, eff. September 1, 2007.



**APPROPRIATIONS BILL, SEVENTY-FIFTH LEGISLATURE,**  
**STATE OF TEXAS, 1997. ARTICLE IX, SECTION 5**

**Sec. 5. Political Aid and Legislative Influence Prohibited.** None of the moneys appropriated by this Act, regardless of their source or character, shall be used for influencing the outcome of any election, or the passage or defeat of any legislative measure. This prohibition shall not be construed to prevent any official or employee of the state from furnishing to any Member of the Legislature or committee upon request, or to any other state official or employee or to any citizen information in the hands of the employee or official not considered under law to be confidential information. Any action taken against an employee or official for supplying such information shall subject the person initiating the action to immediate dismissal from state employment.

No funds under the control of any state agency or institution, including but not limited to state appropriated funds, may be used directly or indirectly to hire employees or in any other way fund or support candidates for the legislative, executive, or judicial branches of government of the State of Texas or the government of the United States.

None of the funds appropriated by this Act shall be expended in payment of the salary for full-time employment of any state employee who is also the paid lobbyist of any individual, firm, association or corporation. None of the funds appropriated by this Act shall be expended in payment of the partial salary of a part-time employee who is required to register as a lobbyist by virtue of the employee's activities for compensation by or on behalf of industry, a profession or association related to operation of the agency or institution for which the person is employed. A part-time employee may serve as a lobbyist on behalf of industry, a profession or association so long as such entity is not related to the agency with which he or she is employed.

Except as authorized by law, none of the funds appropriated by this Act shall be expended in payment of membership dues to an organization on behalf of the agency or an employee of an agency if the organization pays all or part of the salary of a person required to register under Chapter 305, Government Code.

No employee of any state agency shall use any state-owned automobile except on official business of the state, and such employees are expressly prohibited from using such automobile in connection with any political campaign or any personal or recreational activity.

None of the moneys appropriated by this Act shall be paid to any official or employee who violates any of the provisions of this section.



## **ARTICLE 8. PROPERTY ACCOUNTING**

### **Property accounting system**

Sec. 8.01. (a) All real and personal property belonging to the state shall be accounted for by the head of the agency which has possession of the property.

(b) The commission shall administer the property accounting system. The state auditor shall administer the property responsibility system. The commission shall issue rules and regulations and a manual of instruction and prescribe such records, reports, and forms necessary to accomplish the objects of this article subject to the approval of the state auditor. The state auditor is directed to cooperate with the commission in the exercise of the commission's rulemaking powers herein granted by giving technical assistance and advice.

(c) The commission shall maintain a complete and accurate set of centralized records of state property. Where the commission finds that an agency has demonstrated its ability and competence to maintain complete and accurate detailed records of the property it possesses without the detailed supervision by the commission, it may direct that the detailed records be kept at the principal office of such agency. Where the commission issues such order, it shall keep only summary records of the property of such agency and the agency shall keep such detailed records as the commission directs and furnish the commission with such reports at such times as directed by the commission.

(d) Each agency head shall cause each item of state property possessed by his agency to be marked so as to identify it. The agency head shall follow the instructions issued by the commission in marking state property.

### **Responsibility for property accounting**

Sec. 8.02. (a) All state agencies shall comply with the provisions of this article and keep the property records required.

(b) All real property owned by the state shall be accounted for by the agency which possesses the property. The real property administered by the General Land Office shall be accounted for by that office and not by the system prescribed herein, and the real property administered by the permanent funds established by the legislature and people shall be accounted for by the agency now charged with its administration and not by the system prescribed herein.

(c) All personal property owned by the state shall be accounted for by the agency that possesses the property. The commission shall by regulation define what is meant by personal property for the purposes of this article, but such definition shall not include nonconsumable personal property having a value of \$250 or less per unit. In promulgating such regulations, the commission shall take into account the value of the property, its expected useful life, and if the cost of record keeping bears a reasonable relationship to the cost of the property on which records are kept. The commission shall consult with the state auditor in making such regulations and the auditor shall cooperate with the commission in the exercise of this rulemaking power by giving technical assistance and advice.

(d) All medical, surgical, and technical equipment and supplies provided by the Texas Department of Health to local public health units, local public health laboratories, state institutions, and nonprofit institutions, contributing to the promotion and maintenance of public health by the usage of such medical, surgical, and technical equipment and supplies shall be accounted for by that department and not by the system prescribed in this article. The Texas Department of Health shall maintain at all times a complete record of such medical, surgical, and technical equipment and supplies provided and such records shall be verified by the state auditor and available to the federal auditors for the agency of the federal government making such grants for assistance in the purchase of such medical, surgical, and technical equipment and supplies.

### **Property manager; property inventory**

Sec. 8.03. (a) Each agency head is responsible for the proper custody, care, maintenance, and safekeeping of the state property possessed by his agency.

(b) Each agency head shall designate either himself or one of his employees as property manager. The commission shall be informed in writing by the agency head of the name of the property manager and shall be informed of any changes. Where the commission finds that convenience and efficiency will be served, it may permit more than one property manager to be appointed by the agency head.

- (c) The property manager shall maintain the required records on all property possessed by the agency and shall be the custodian of all such property.
- (d) No person shall entrust state property to any state official or employee or to anyone else to be used for other than state purposes.
- (e) When an agency's property is entrusted to some person other than the property manager, the property manager shall require a written receipt for such property executed by the person receiving custody of the property. When the possession of property of one agency is entrusted to another agency on loan, such transfer shall be done only when authorized in writing by the agency head who is lending such property and the written receipt shall be executed by the agency head who is borrowing such property. The property manager is relieved of the responsibility for property which is the subject of such a receipt.
- (f) Each agency shall make a complete physical inventory of all property in its possession once a year. The inventory shall be taken on the date prescribed for the agency by the commission.
- (g) The agency head shall forward a signed statement describing the method by which the inventory was verified, along with a copy of such inventory, within 45 days after the inventory date for the agency.
- (h) The commission shall supervise the property records of each agency so that the records accurately reflect the property currently possessed by the agency. The commission shall prescribe the methods whereby items of property are deleted from the property records of the agency. Property that has become surplus or obsolete and no longer serviceable and has been turned over to the commission for disposal under the laws relating thereto shall be deleted from the records of that agency upon the authorization of the commission. Property that is missing from the agency or property that is disposed of directly by the agency in a legal manner shall be deleted from the commission's records upon the authorization of the state auditor.

#### **Change of property managers**

Sec. 8.04. When there is a change in agency heads or property managers, the incoming agency head or property manager shall execute a receipt for all agency property accounted for to the outgoing agency head or property manager. A copy of such receipt shall be delivered to the commission, the state auditor, and the outgoing agency head or property manager. No further warrants in favor of the outgoing agency head or property manager shall be drawn or paid until the state auditor has certified that the agency property has been properly accounted for. The state auditor may make this certification without requiring that a physical inventory be taken.

#### **Liability for property**

Sec. 8.05. Where agency property disappears, whether through theft or other cause, as a result of the failure of the agency head, property manager, or agency employee entrusted with the property in writing to exercise reasonable care for its safekeeping, such person shall be pecuniarily liable to the state for the loss thus sustained by the state. Where agency property deteriorates as a result of the failure of the agency head, property manager, or agency employee entrusted with the property in writing to exercise reasonable care to maintain and service the property, such person shall be pecuniarily liable to the state for the loss thus sustained by the state. Where agency property is damaged or destroyed as a result of an intentional wrongful act or of a negligent act of any state official or employee, such person shall be pecuniarily liable to the state for the loss thus sustained by the state. The liability prescribed by this section may be found to attach to more than one person in a particular instance; in such cases, the liability shall be joint and several.

#### **Reporting to state auditor**

Sec. 8.06. When any state property has been lost, destroyed, or damaged through the negligence or fault of any state official or employee, the agency head responsible for such property shall immediately report such loss, destruction, or damage to the state auditor. Upon learning in any manner of such property loss, destruction, or damage, the state auditor shall investigate the matter. If the investigation discloses that an injury has been sustained by the state through the fault of a state official or employee, the state auditor shall make written demand upon such state official or employee for reimbursement to the state for the loss so sustained.

#### **Legal action to recover monetary loss of property**

Sec. 8.07. In case the demand made by the state auditor for reimbursement for property loss, destruction, or damage is refused or disregarded by the state official or employee upon whom such demand is made, the state auditor shall report the facts to the attorney general. If, after an investigation of the facts, the attorney general finds that legal liability may be adjudged against the state official or employee, he shall take such legal action to recover the monetary loss of the state property occasioned by the loss, damage, or destruction as in his opinion may be deemed necessary. Venue for all such suits instituted against a state official or employee shall lie in the courts of appropriate jurisdiction of Travis County.

**Failure to keep records**

Sec. 8.08. When any agency fails to keep the records required under the provisions of this article or fails to take the annual physical inventory, the commission shall so inform the comptroller and the comptroller may refuse to draw any warrants on behalf of such agency.

**Transfer of personal property**

Sec. 8.09. (a) Any state agency is authorized to transfer any personal property of the state under its control or jurisdiction to any other state agency with or without reimbursement between the agencies; provided, however, that the provisions of this article shall not apply to any real property.

(b) When any personal property under the control or jurisdiction of one state agency is transferred to the control or jurisdiction of any other state agency, such transfers shall be immediately and simultaneously reported to the commission by the transferor and the transferee on forms prescribed by the commission, and it shall adjust the inventory records of the agencies involved in making the transfer. Whenever any transfer is made with reimbursement from funds deposited in the state treasury, the transferee shall issue a voucher payable to the transferor, and the comptroller of public accounts shall issue warrants for reimbursement.

**Distribution of this article** Sec. 8.10. Each agency head shall distribute a copy of this article to each official and employee of his agency and shall give a copy to each new employee of the age.

# HIV and the Workplace

You may be wondering what HIV and AIDS could have to do with your job and workplace. Well, it depends on the type of work you do. Some people, like health care workers, may encounter HIV every day. Most of us, though, don't need to give much thought to HIV when it comes to our jobs. And that makes a lot of sense, because HIV is not spread through the type of casual day-to-day contact that most of us have with other people in our jobs. On the other hand, it does make sense to be familiar with HIV for our own personal health, as well as with the situations that might come up at work that do involve HIV.

## What you should know about HIV, AIDS and the workplace:

- HIV is the virus that causes AIDS, a disease that destroys a person's immune system.
- There are only a few ways that a person can be exposed to HIV - most of which don't involve work related situations.
- It is easy to protect yourself from being exposed to HIV, both in your personal life and in workplace settings.

## Some general information about HIV/AIDS:

**Acquired Immune Deficiency Syndrome (AIDS)** is the final stage of an infection caused by the **Human Immunodeficiency Virus (HIV)** and is also known as Stage 3 HIV. HIV attacks the body's immune system, hurting the body's ability to fight off diseases and other infections.

**There is no cure for HIV or AIDS.** There are also no clear symptoms of HIV infection, although some people may have flu-like symptoms for a few days after they are infected with HIV. But, even if an infected person has no symptoms, feels, and looks healthy, he or she can still pass the virus to others.

**HIV medication**, when taken as prescribed to a person living with HIV (PLWH), helps the person stay virally suppressed which makes transmitting HIV to a person who does not have HIV rare. **This is sometimes called Treatment as Prevention (TasP).**

### HIV is spread from person to person in the following body fluids:

- blood
- semen
- vaginal secretions
- breast milk

HIV is **NOT** spread through the environment; it is a very fragile blood-borne virus. PLWH do not pose a threat to co-workers or clients during casual, day-to-day activities and contacts.

### You CANNOT become HIV positive through:

- handshakes
- hugs or casual touching
- close working conditions
- telephones, office equipment, or furniture
- sinks, toilets, or showers
- dishes, utensils, or food
- sneezing or coughing
- air
- water
- insects



Texas Department of State  
Health Services



## **There are only a few ways for a person to come in contact with HIV:**

- by having sex, either anal, oral, or vaginal, without the use of a condom;
- by sharing needles, syringes, and other instruments that break the skin, such as tattoo and/or ear/body piercing needles;
- from an HIV positive mother to her baby during pregnancy, birth, or breastfeeding; and
- by encountering HIV positive blood either through an open wound or through a blood transfusion. Risks from transfusions, however, are now very low because of blood-screening, which started in 1985.

## **How HIV/AIDS affects you in your workplace:**

As you can see from the information on the last page, most of the behaviors that pass HIV from one person to another do not occur in the workplace. The only way that most people in the average workplace could be exposed to HIV would be if they had an open wound and someone else's infected blood entered their body through that broken skin.

## **How to avoid HIV exposure in the workplace:**

It is easy to avoid being exposed to HIV and other blood-borne diseases by using good personal hygiene and common sense at all times:

- keep broken skin covered with a clean, dry bandage;
- avoid direct contact with blood spills;
- wear gloves to clean spills that contain visible blood; and
- clean blood spills with an appropriate disinfectant or 1:10 solution of freshly mixed household bleach and water. After cleanup, wash hands thoroughly with soap and running water.

## **Ways to reduce your risk for HIV exposure in your personal life:**

- Do not have sex (abstain)
- Delay having sex until you are in a faithful relationship with one person who you know is not living with HIV.
- If you choose not to abstain from sex or to limit sex to one faithful, partner not living with HIV, then always use a latex condom every time you have sex (oral, anal, or vaginal). If used correctly and every time you have sex, latex condoms can provide protection against HIV and other sexually transmitted diseases (STDs).
- If you think you may be in situations where you may come in contact with HIV, ask your provider about pre-exposure prophylaxis (PrEP). PrEP are drugs given to people who are not living with HIV to help them lower their chances of contracting HIV if exposed.
- If you have a drug habit, do not share needles or syringes. If you can't stop sharing needles/syringes, clean them with bleach and then rinse them with water between every use. Also, do not share any other type of needles, such as tattoo and ear/body piercing needles.
- The best thing for your health is to stop using drugs. If you need help to stop using, call the National Drug Abuse Hotline at 1-800-662-4357.

## **If you work with someone who is living with HIV and/or AIDS:**

If you have a cold, flu or other virus, remember that PLWH do not have a healthy immune system. They are more likely to become ill from a virus that a healthy person's body could easily fight. Remember, too, that PLWH are just like anyone else living with an ailment: they need caring, support, and understanding.



Texas Department of State  
Health Services

**DSHS HIV/STD Program** | (737) 255-4300 | [dshs.texas.gov/hivstd](https://dshs.texas.gov/hivstd)

Publication No. 4-148 | Revised 12/2020

## **Campus Sexual Violence Elimination Act (Campus SaVE Act)**

Midwestern State University is committed to ensuring the safety and well being of our students, faculty, and staff both on and off campus. Sexual Misconduct is taken very seriously and significant measures are in place to inform the campus population and to preempt its occurrence. Midwestern State University will not tolerate Sexual Assault, Domestic Violence, Dating Violence, or Stalking in any form.

### **Definitions**

#### **Sexual Assault:**

Any involuntary sexual act in which a person is threatened, coerced or forced to engage in against their will, or any nonconsensual sexual touching of a person. This includes rape, sodomy, sexual assault with an object, fondling, incest, or statutory rape.

#### **Dating Violence:**

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, including sexual or physical abuse or threats of such abuse.

#### **Domestic Violence:**

A felony or misdemeanor crime of violence committed by:

- (1) A current or former spouse or intimate partner of the victim;
- 2) A person with whom the victim shares a child in common;
- (3) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner

#### **Stalking:**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (1) Fear for his or her safety or the safety of others
- (2) Suffer substantial emotional distress

For the purpose of this definition:

- (1) Course of conduct means two or more acts, including but not limited to, acts in which the stalker follows, monitors, observes, threatens, or communicates to or about, a person, or interferes with a person's property.
- (2) Substantial emotional distress means significant mental suffering or anguish that may require medical or other professional treatment or counseling.

### Consent:

Clear sexual permission given with clear words and/or actions.

Considered an act of mutual understanding actively communicated both knowingly and voluntarily that clearly conveys permission for a specific activity.

Only may be given by one of legal age.

### **Warning Signs and Prevention**

Sexual Violence can happen to anyone and it is never the victim's fault. Sometimes there are warning signs before the violence takes place. Be cautious of the following red flags in a partner. Someone who:

- ☐ Isolates you from friends or family
- ☐ Has frequent, angry outbursts
- ☐ Acts excessively jealous or possessive
- ☐ Threatens physical violence
- ☐ Ignores your personal space and boundaries
- ☐ Acts controlling or belittling

The presence of these red flags does not always mean someone will commit a sexual crime nor does it mean the absence of these red flags makes someone safe from a sexual crime. Trust your instincts. Be aware of your surroundings.

### **Duty to Report**

No member of the university community who receives a complaint of sexual violence may ignore it. To the contrary, the person making the complaint should be assisted with bringing the complaint to the attention of either the Associate Vice President of Student Affairs/Dean of Students (Title IX Coordinator), Director of Student Conduct, Campus Police, Academic Dean, Athletic Head Coach, or Director of Human Resources. If you have experienced any of these crimes or have witnessed any of these crimes on campus, you may remain anonymous when reporting.

### **Anti-Retaliation**

In the event sexual violence occurs, measures will be taken to ensure the behavior is stopped, not repeated, and that the victim does not suffer retaliation. Retaliation in any form against individuals who report cases of sexual violence, whether those individuals are directly or indirectly involved, is strictly prohibited and will result in appropriate disciplinary action up to and including possible suspensions or termination.



### What are my legal rights?

The Labor Code and the DWC Rules govern the rights and responsibilities of the employee, employer, and carrier and provide remedies in case of a dispute. As an employee:

- You are entitled to necessary medical care provided by a conveniently located doctor and hospital at a reasonable cost.
- You are entitled to an initial choice of doctors. You may make a request to change your doctor by contacting the DWC. A referral by your doctor to another doctor does not count as a second choice.
- You may be entitled to income benefits if you are unable to retain or obtain employment as a result of your injury.
- You may be entitled to partial compensation if an injury permits you to work, but at less than your regular wages.
- You may hire an attorney to represent you, if you so choose.
- You may get free advice from an Office of Injured Employee Council ombudsman by calling (800) 252-7031 or, if in Austin, (512) 933-1899. The ombudsman will handle all grievances and complaints arising from claims, and may recommend solutions to problems.

You may request that the DWC arrange a benefit review conference for you, a SORM representative, and the Workers' Compensation Division if there is a dispute about your claim.

### Where can I get more information?

If you have questions about an injury or a claim, contact your agency's claims coordinator. You may contact the SORM claims adjuster assigned to your case if you need information that is not available from your claims coordinator.



**State Office of Risk Management**  
**P.O. Box 1377**  
**Austin, Texas, 78711-3777**  
**Telephone: (512) 475-1440**  
**Toll-free: (877) 445-0006**  
**[www.sorm.state.tx.us](http://www.sorm.state.tx.us)**

If you have other questions regarding your claim, you should contact:

**Texas Department of Insurance**  
**Division of Workers' Compensation**  
**7551 Metro Center Drive, Suite 100**  
**Austin, TX 78744-1609**  
**Telephone: (800) 252-7031**  
**or (512) 804-4000**  
**Or the DWC office in your area**



**SORM**  
State Office of Risk Management



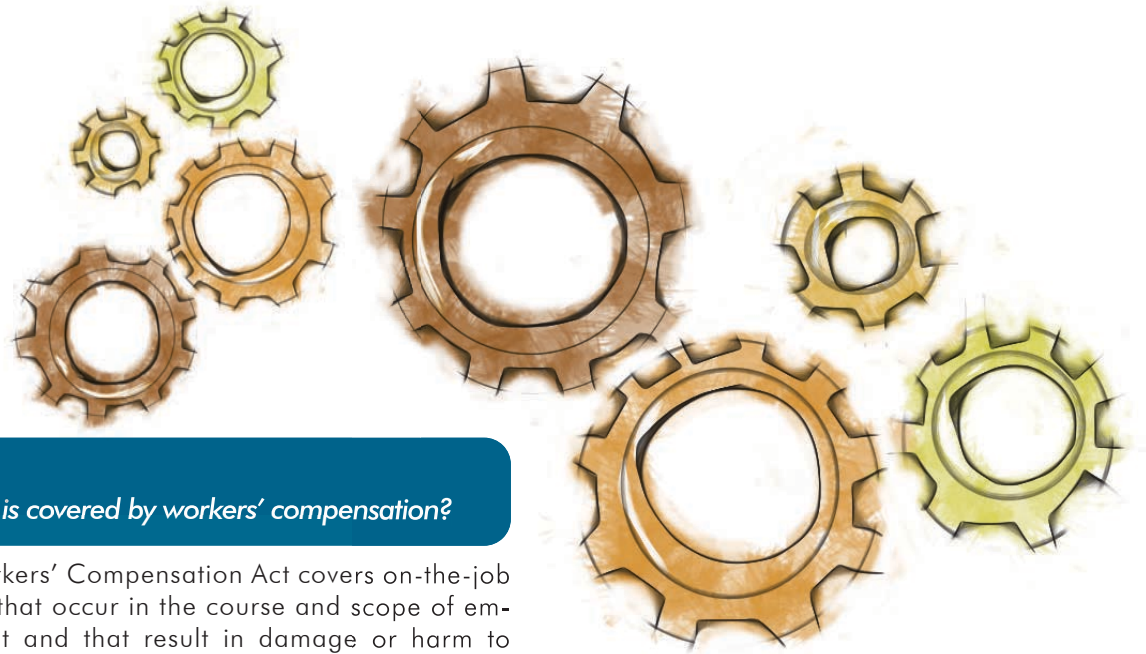
**WORKERS'**  
**COMPENSATION**  
**BENEFITS**  
**FOR**  
**STATE**  
**EMPLOYEES**

## WORKERS' COMPENSATION BENEFITS FOR STATE EMPLOYEES

### *What is the State Employees Workers' Compensation Program?*

The State Employees' Workers' Compensation Program pays for medical treatment and lost wages for state workers who are injured or become ill as a result of their work. Coverage is provided at no cost and employees are not required for sign-up for this coverage.

The State Office of Risk Management (SORM) serves as the state's insurance carrier for this benefit. The program generally provides coverage to persons in the service of the State of Texas whether by hire, election, appointment or as employees of Community Supervision and Corrections Departments.



### *What is covered by workers' compensation?*

The Workers' Compensation Act covers on-the-job injuries that occur in the course and scope of employment and that result in damage or harm to the body. It also covers occupational diseases directly caused by exposure in the workplace. It can provide:

- Payment of doctor bills, hospital, medicine, ambulance, and other reasonable and necessary medical care;
- Weekly income benefits in the event income is lost as a result of your injury;
- and other benefits as appropriate

Weekly income payments are based on your average weekly wage during the 13 weeks prior to the injury. Maximum and minimum payments are established by statute, and while payments are almost always less than your full regular wages, your benefits are generally not subject to income tax.

Compensation payments are exempt from all liens except those for attorney fees, court-ordered child support, and recovery of state costs.

### *How do I file a claim for workers' compensation?*

If you have an injury on the job, notify your supervisor, personnel office or agency claims coordinator immediately. You may lose coverage if your injury is not reported within 30 days after the injury occurs.

After receiving the Notice of Injury, our office will assign an adjuster to process your claim. You should contact the adjuster if you need information that is not available from your claims coordinator.

You must file a claim with the Texas Department Insurance's Division of Workers' Compensation (DWC) within one year of your injury. You must do so in order to preserve your legal rights in the event there is a dispute over benefits.

DWC will send you the proper form for filing. The Division's address is 7551 Metro Center Drive, Suite 100, Austin, TX 78744-1609, (512) 804-4000, or you may contact the nearest DWC field office.



**Human Resources Department**

3410 Taft Boulevard Wichita Falls, Texas 76308-2099  
o 940.397.4221 f 940.397.4780

September 26, 2013

You are receiving this form due to the Affordable Care Act (Obama Care).

If you are eligible for insurance through Midwestern State University, you have already been contacted by the MSU Human Resources Department.

The Marketplace can help you evaluate your coverage options, including your eligibility for coverage through the Marketplace and its cost. **Please visit [HealthCare.gov](http://HealthCare.gov) or call (800) 318-2596 for more information, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in your area.**

Human Resources Department  
Midwestern State University





# New Health Insurance Marketplace Coverage Options and Your Health Coverage

Form Approved  
OMB No. 1210-0149  
(expires 11-30-2013)

## PART A: General Information

When key parts of the health care law take effect in 2014, there will be a new way to buy health insurance: the Health Insurance Marketplace. To assist you as you evaluate options for you and your family, this notice provides some basic information about the new Marketplace and employment-based health coverage offered by your employer.

### What is the Health Insurance Marketplace?

The Marketplace is designed to help you find health insurance that meets your needs and fits your budget. The Marketplace offers "one-stop shopping" to find and compare private health insurance options. You may also be eligible for a new kind of tax credit that lowers your monthly premium right away. Open enrollment for health insurance coverage through the Marketplace begins in October 2013 for coverage starting as early as January 1, 2014.

### Can I Save Money on my Health Insurance Premiums in the Marketplace?

You may qualify to save money and lower your monthly premium, but only if your employer does not offer coverage, or offers coverage that doesn't meet certain standards. The savings on your premium that you're eligible for depends on your household income.

### Does Employer Health Coverage Affect Eligibility for Premium Savings through the Marketplace?

Yes. If you have an offer of health coverage from your employer that meets certain standards, you will not be eligible for a tax credit through the Marketplace and may wish to enroll in your employer's health plan. However, you may be eligible for a tax credit that lowers your monthly premium, or a reduction in certain cost-sharing if your employer does not offer coverage to you at all or does not offer coverage that meets certain standards. If the cost of a plan from your employer that would cover you (and not any other members of your family) is more than 9.5% of your household income for the year, or if the coverage your employer provides does not meet the "minimum value" standard set by the Affordable Care Act, you may be eligible for a tax credit.<sup>1</sup>

**Note:** If you purchase a health plan through the Marketplace instead of accepting health coverage offered by your employer, then you may lose the employer contribution (if any) to the employer-offered coverage. Also, this employer contribution—as well as your employee contribution to employer-offered coverage—is often excluded from income for Federal and State income tax purposes. Your payments for coverage through the Marketplace are made on an after-tax basis.

### How Can I Get More Information?

For more information about your coverage offered by your employer, please check your summary plan description or contact \_\_\_\_\_.

The Marketplace can help you evaluate your coverage options, including your eligibility for coverage through the Marketplace and its cost. Please visit [HealthCare.gov](http://HealthCare.gov) for more information, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in your area.

<sup>1</sup> An employer-sponsored health plan meets the "minimum value standard" if the plan's share of the total allowed benefit costs covered by the plan is no less than 60 percent of such costs.

## PART B: Information About Health Coverage Offered by Your Employer

This section contains information about any health coverage offered by your employer. If you decide to complete an application for coverage in the Marketplace, you will be asked to provide this information. This information is numbered to correspond to the Marketplace application.

3. Employer name		4. Employer Identification Number (EIN)	
5. Employer address		6. Employer phone number	
7. City	8. State	9. ZIP code	
10. Who can we contact about employee health coverage at this job?			
11. Phone number (if different from above)		12. Email address	

Here is some basic information about health coverage offered by this employer:

- As your employer, we offer a health plan to:  
All employees.

Some employees. Eligible employees are:

- With respect to dependents:  
We do offer coverage. Eligible dependents are:

We do not offer coverage.

If checked, this coverage meets the minimum value standard, and the cost of this coverage to you is intended to be affordable, based on employee wages.

\*\* Even if your employer intends your coverage to be affordable, you may still be eligible for a premium discount through the Marketplace. The Marketplace will use your household income, along with other factors, to determine whether you may be eligible for a premium discount. If, for example, your wages vary from week to week (perhaps you are an hourly employee or you work on a commission basis), if you are newly employed mid-year, or if you have other income losses, you may still qualify for a premium discount.

If you decide to shop for coverage in the Marketplace, [HealthCare.gov](https://www.healthcare.gov) will guide you through the process. Here's the employer information you'll enter when you visit [HealthCare.gov](https://www.healthcare.gov) to find out if you can get a tax credit to lower your monthly premiums.



The information below corresponds to the Marketplace Employer Coverage Tool. Completing this section is optional for employers, but will help ensure employees understand their coverage choices.

**13. Is the employee currently eligible for coverage offered by this employer, or will the employee be eligible in the next 3 months?**

**Yes** (Continue)

13a. If the employee is not eligible today, including as a result of a waiting or probationary period, when is the employee eligible for coverage? \_\_\_\_\_ (mm/dd/yyyy) (Continue)

**No** (STOP and return this form to employee)

**14. Does the employer offer a health plan that meets the minimum value standard\*?**

Yes (Go to question 15)      No (STOP and return form to employee)

**15. For the lowest-cost plan that meets the minimum value standard\* offered **only to the employee** (don't include family plans): If the employer has wellness programs, provide the premium that the employee would pay if he/ she received the maximum discount for any tobacco cessation programs, and didn't receive any other discounts based on wellness programs.**

a. How much would the employee have to pay in premiums for this plan? \$

b. How often?      Weekly      Every 2 weeks      Twice a month      Monthly      Quarterly      Yearly

If the plan year will end soon and you know that the health plans offered will change, go to question 16. If you don't know, STOP and return form to employee.

**16. What change will the employer make for the new plan year?**

Employer won't offer health coverage

Employer will start offering health coverage to employees or change the premium for the lowest-cost plan available only to the employee that meets the minimum value standard.\* (Premium should reflect the discount for wellness programs. See question 15.)

a. How much will the employee have to pay in premiums for that plan? \$

b. How often?      Weekly      Every 2 weeks      Twice a month      Monthly      Quarterly      Yearly

Date of change (mm/dd/yyyy):

• An employer-sponsored health plan meets the "minimum value standard" if the plan's share of the total allowed benefit costs covered by the plan is no less than 60 percent of such costs (Section 36B(c)(2)(C)(ii) of the Internal Revenue Code of 1986)