

Workers' Compensation Legislation

AB 228 (Fuentes) State Compensation Insurance Fund: Employee Exemptions

Last Action: From consent calendar. Ordered to third reading 4/4/11

Amends existing law which exempts positions funded by the State Compensation Insurance Fund from hiring freezes and staff cutbacks otherwise required by law. Adds furloughs to those employee exemptions.

AB 974 (Portantino) Workers' Compensation Insurance: Rates

Last Amended: 3/31/11 Last Action: Re-referred to Committee on Insurance 4/4/11

Amends existing law that regulates the rate that may be charged on workers' compensation insurance and requires every such insurer to adhere to a uniform experience rating plan filed with the Insurance Commissioner by a rating organization designated by the Commissioner. Provides that a rate that includes a price differential because the policyholder purchased the policy through a broker is unfairly discriminatory and shall not be approved.

AB 1263 (Williams) State Compensation Insurance Fund: Directors and Officers: Postemployment

Last Amended: 4/7/11 Last Action: Read second time. Ordered to third reading 4/14/11

Prohibits a member of the State Compensation Insurance Fund's Board of Directors and Fund Officers appointed by the Board from lobbying the Fund for 2 years after leaving the Fund. Requires that any consulting for the Fund by former members of the Fund's Board and former Officers, who had been appointed by the Board, be approved by the Board.

AB 375 (Skinner) Hospital Employees: Presumption

Last Action: Re-referred to Committee on Appropriations 4/13/11

Relates to the workers' compensation system. Provides, with respect to hospital employees who provide direct patient care in an acute care hospital, that the term "injury" includes a blood borne infectious disease, neck or back impairment, or methicillin-resistant Staphylococcus aureus that develops or manifests itself during the period of the person's employment with the hospital.

AB 378 (Solario) Workers' Compensation: Pharmacy Products

Last Amended: 4/4/11 Last Action: Re-referred to Committee on Business, Professions and Consumer Protection 4/13/11

Adds pharmacy goods to the list of medical goods or services for which it is unlawful for a physician to refer a person under the provision of existing law that provides it is unlawful for a physician to refer a person for specified goods or services whether for treatment or medical-legal purposes if the physician or an immediate family has a financial interest with the person or in the entity that receives the referral. Provides the maximum fee for drugs and pharmacy services not covered by Medi-Cal.

AB 947 (Solario) Workers' Compensation: Temporary Disability Payments

Last Amended: 3/10/11 Last Action: Re-referred to Committee on Insurance 3/14/11

Amends workers' compensation law relating to temporary disability payments. Adds prescribed injuries that require treatment that cannot medically be completed within 104 weeks to the specified injuries or conditions that prohibit aggregate disability payments from extending for more than 240 compensable weeks within a period of 5 years from the date of injury.

AB 975 (Ma) Professional Employer Organizations

Last Action: Re-referred to Committee on Appropriations 4/14/11

Prohibits a person or entity from providing, advertising for, or otherwise holding itself out as providing, professional employer services in the state, unless that person or entity is registered as a professional employer organization with the department.

AB 1155 (Alejo) Workers' Compensation

Last Action: Referred to Committee on Insurance 3/17/11

Provides that a workers' compensation claim shall not be denied because the employee's injury or death was related to the employee's civil rights status. States the intent of the Legislature to enact legislation that would apply employment discrimination protections to workers' compensation law. Prohibits civil rights status from being considered a cause or other factor of disability by a physician.

AB 1363 (Alejo) Workers' Compensation Insurance: Rating
Organizations: Statistical Agent

Last Amended: 3/25/11 Last Action: Re-referred to Committee on
Insurance 3/29/11

Prohibits the Insurance Commissioner from designating a rating organization as his or her statistical agent unless the organization agrees to comply with the Bagley-Keene Open Meeting Act and the State Public Records Act with regard to activities as the commissioner's agent. Provides the commissioner is not obligated to defend or represent the organization in actions enforcing compliance. Prohibits the organization from releasing information under the acts that is deemed confidential.

SB 457 (Calderon R) Workers' Compensation: Liens

Last Action: Set for hearing on May 2. 4/13/11

Requires the Workers' Compensation Appeals Board to allow a lien to the extent of benefits paid for reimbursement for self-procured medical costs.

SB 631 (Evans) Insurance Commissioner: Violations: Remedies

Last Amended: 3/24/11 Last Action: Set for hearing on April 27. 4/4/11

Authorizes the Insurance Commissioner, in the exercise of his or her discretion to take enforcement action, to impose upon an insurer, licensee, or other entity or person subject to the commissioner's authority specified remedies, either by way of settlement or following a hearing, whenever the commissioner finds that there has been a violation of an applicable insurance provision.

SB 684 (Corbett) Workers' Compensation Insurance: Dispute Resolution

Last Amended: 3/25/11 Last Action: Set for hearing on May 2. 4/13/11

Requires that any agreement between an employer and a workers' compensation insurer concerning resolution of disputes be part of a form or endorsement filed with the rating organization, provided to the employer in writing with any written quote that offers to provide insurance coverage. Requires that where a state agency has been granted the authority to resolve the dispute, it would not be subject to an alternative dispute resolution between an employer and workers' compensation carrier.