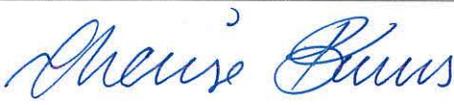


MEMORANDUM

| | |
|----------------|--|
| DATE | October 24, 2016 |
| TO | Board of Psychology |
| FROM |  Cherise Burns Central Services Manager |
| SUBJECT | Agenda Item #14(a)(2)(B) – AB 2086 (Cooley and Mathis) Worker's Compensation: Neuropsychologists |

Background:

This bill would have authorized a licensed clinical psychologist meeting specified requirements to be appointed as a qualified medical evaluator in neuropsychology. Additionally, it provides that a medical doctor or osteopath who has successfully completed a residency or fellowship program accredited a predecessor to the Accreditation Council for Graduate Medical Education would satisfy the residency training requirement for an evaluator under the Worker's Compensation Law.

At the May Board Meeting, the Board took a "Support if Amended" position on AB 2086. On May 24, 2016, the Board sent a letter to the Senate Committee on Labor and Industrial Relations seeking clarifying language changes, which were not taken.

At the August Board Meeting, the Board took a "Support" position on AB 2086. On September 2, 2016, the Board sent a letter urging the Governor to "Sign" AB 2086.

On September 30, 2016, Governor Brown vetoed AB 2086, stating that "The changes contemplated by this bill relate to legal evaluations, not medical treatment of injured workers as suggested by the declaratory text of the measure. If enacted, the bill would create a unique lower standard for a select group of providers with a direct financial interest in being appointed as QMEs in California's workers' compensation system."

Status: On September 30, 2016, Governor Brown vetoed AB 2086.

Action Requested:

This is for informational purposes only.

Attachment A is the Governor's veto message.



OFFICE OF THE GOVERNOR

SEP 30 2016

To the Members of the California State Assembly:

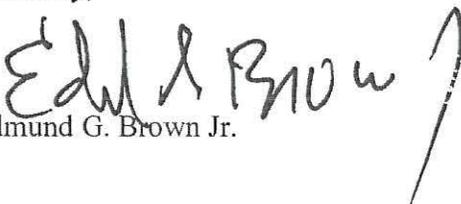
I am returning Assembly Bill 2086 without my signature.

This bill requires the Division of Worker's Compensation to appoint qualified clinical neuropsychologists as Qualified Medical Examiners (QMEs).

I have the same concerns with this bill as with its predecessor, AB 1542, which I vetoed last year. The changes contemplated by this bill relate to legal evaluations, not medical treatment of injured workers as suggested by the declaratory text of the measure. If enacted, the bill would create a unique lower standard for a select group of providers with a direct financial interest in being appointed as QMEs in California's workers' compensation system.

In addition to increasing benefits and stabilizing costs, the 2013 workers' compensation reforms were intended to return medical treatment decisions to doctors and reduce the excessive litigation relating to medical treatment disputes. Treatment of injuries by neuropsychologists where medically appropriate as determined by injured workers' physicians will be unchanged by a signature or veto of this measure. However, a signature would be a step backwards in the ongoing efforts to reduce unnecessary costs that do not benefit injured workers.

Sincerely,


Edmund G. Brown Jr.