


MEMORANDUM

DATE	June 1, 2017
TO	Board of Psychology
FROM	 Cherise Burns Central Services Manager
SUBJECT	Agenda Item #12(b)(3)(B) – AB 44 (Reyes) Workers' Compensation: Medical Treatment: Terrorist Attacks: Workplace Violence

Background:

This bill would require employers to provide immediately accessible advocacy services to employees injured in the course of employment by an act of domestic terrorism, as defined, when the Governor has declared a state of emergency due to that act of domestic terrorism.

Prior to the April 20 amendments the bill would have created specified exemptions for workers' compensation claims and benefits when the individual was injured as a result of an act of terrorism or violence that occurred in the workplace and would have extended those benefits for these individuals.

According to the Assembly Committee on Insurances analysis, the previous version of the bill would not have resulted in faster dispute resolution for these injured workers. This analysis also noted that the Department of Workers' Compensation review of the San Bernardino case found that a nurse case manager serving as ombudsperson might be a more appropriate solution in these situations and that having someone available to these workers to facilitate the approval of claims and treatment requests between providers and claims administrators would likely resolve the problems that occurred in the San Bernardino case. The April 20 amendments move this bill to that ombudsman model and clarifies that it applies only to acts of domestic terrorism and when and how that determination is made.

Location: Senate Committee on Labor and Industrial Relations

Status: 6/1/2017 In committee, hearing postponed by committee.

Votes: 5/11/2017 Assembly Floor (77-0-3)
5/3/2017 Assembly Committee on Appropriations (16-0-1)
4/19/2017 Assembly Committee on Insurance (13-0-0)

Action Requested:

No action is required at this time. Staff will continue to watch AB 44 (Reyes) due to its potential to improve adequate and timely access to necessary treatment for workers injured during incidents of domestic terrorism.