











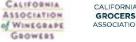


claims professionals

association of













ASSOCIATION OF CALIFORNIA
HEALTHCARE DISTRICTS





FLASHER BARRICADE ASSN.



CISIDIA





























August 5, 2022

The Honorable Anthony Portantino Chair, Senate Appropriations Committee 1021 O Street, Suite 7630 Sacramento, CA 95814

Subject: AB 1751 (Daly) - COVID-19 Workers' Compensation Presumption

Oppose Unless Amended

Dear Senator Portantino,

The undersigned organizations write to respectfully Oppose AB 1751, which would extend the sunset date on the existing workers' compensation presumption for COVID-19 by two years to January 1, 2025. However, our coalition would remove our opposition if AB 1751 were amended to extend the presumption for only one year to January 1, 2024. We understand that the legislature may want to extend this policy for a year to allow the situation around COVID-19 to become more clear, but we see no reason at this time to extend the policy for two years.

California, early in the pandemic, chose to implement a COVID-19 presumption to ensure that employees would have access to the workers' compensation system in the event of an infection. Employers opposed the imposition of a presumption because, we argued, COVID-19 was a community spread virus, and there was no reason to believe that the employment posed a heightened risk or that a presumption was needed. However, employers worked in good faith with the legislature to develop a <u>temporary</u> policy that would help meet the needs of our employees in the face of a new and unpredictable virus.

According to an <u>ongoing analysis</u> from the California Workers' Compensation Institute, California employers have received over 250,000 workers' compensation claims for COVID-19 since the start of the pandemic. Health care providers and taxpayer-funded public agencies have been especially hard hit, accounting for over 50% of all claims and over 60% of the accepted claims. And the data suggests that employers have accepted most of these claims and provided benefits.

Our coalition believes that the COVID-19 presumption should be allowed to sunset as agreed upon in SB 1159. California is no longer sheltering in place and the workplace does not represent a unique risk in most situations. California has implemented an Emergency Temporary Standard for COVID-19 and for most Californians their place of employment is the safest environment in which they spend time. There are also multiple free vaccines available for Californians who want to protect themselves from the most severe consequence of COVID-19.

We understand, however, that policymakers are unsure of the direction that COVID-19 will take in coming months and may reasonably want to continue the presumption for one additional year. While we are all hopeful that falling case counts, increasing vaccination rates, expanding natural immunity, improved treatment options, and mindful precautions will bring us out of the pandemic, it is hard to say what might happen in coming months. So, while we do not believe that the presumption needs to be extended, we're willing accept an additional year as a precaution. After that point, for the reasons mentioned above and more, we'd respectfully urge the legislature to allow this presumption to sunset.

Sincerely,

Acclamation Insurance Management Services (AIMS)

Allied Managed Care (AMC)

American Property Casualty Insurance Association Association of California Healthcare Districts

Association of Claims Professionals (ACP)

Breckpoint

California Association of Joint Powers Authorities

California Association of Winegrape Growers

California Beer and Beverage Distributors

California Business Properties Association

California Chamber of Commerce

California Coalition on Workers' Compensation

California Farm Bureau

California Grocers Association

California Hospital Association

California League of Food Producers

California New Car Dealers Association

California Restaurant Association

California Special Districts Association

California State Association of Counties

Coalition of Small and Disabled Veteran

Businesses

Flasher Barricade Association (FBA)

Independent Insurance Agents and Brokers,

California

League of California Cities

National Federation of Independent Business

Public Risk Innovation, Solutions, and

Management (PRISM)

The Protected Insurance Programs for Schools &

Community Colleges Joint Powers

Authority (PIPS)

Urban Counties of California

Wine Institute