



## **SENATE FLOOR ALERT: Vote NO on SB 213**

January 26, 2022

To: The Honorable Members of the California State Senate

From: Rony Berdugo, Legislative Advocate

**Subject: SB 213 (Cortese) – Oppose, As Amended**

For California's hospitals, healthy patients and employees are of paramount importance. Hospitals unequivocally support protecting employees, and they simply could not fulfill their mission of care without healthy workers, which has taken on heightened importance during the pandemic. However, SB 213's creation of a workers' compensation presumption for hospital employees that a host of injuries and illnesses are caused by their place of work does not further these goals. In fact:

- 2019 data from the California Workers' Compensation Institute show that health care employers have one of the lowest denial rates of any industry for workers who file workers' compensation claims, approving well over 90% of all claims — irrefutable proof that the system is taking care of our workers when they get sick or are injured on the job.
- With a presumption, workers would need to provide little to no evidence that their injuries are work-related when making a claim for workers' compensation.
- More importantly, no evidence whatsoever of improperly denied claims has been provided to justify the creation of these presumptions.

**Unfortunately, SB 213 and its recent amendments do not address any of these concerns. The amendments also fail to address prior commitments that were made to remove certain injuries from the bill, such as cancer, asthma, and COPD. The amendments do not substantively alter or narrow the scope of this sweeping bill as it continues to create a presumption for the following:**

- Infectious diseases (such as staph infections, tuberculosis, meningitis, bloodborne infections, and COVID-19) and respiratory diseases (such as chronic pulmonary disease and COVID-19)
- Post-Traumatic Stress Disorder
- Musculoskeletal injuries (such as muscle, tendon, ligament, nerve, joint, bone, and blood vessel injuries)
- Cancer (such as liver cancer, myeloid leukemia, kidney cancer, multiple myeloma, ovarian cancer, breast cancer, nasopharyngeal cancer, thyroid cancer, brain cancer, nervous system cancers, HPV-positive tonsillar cancer, and other cancers)

**For these reasons, the California Hospital Association, on behalf of its more than 400 hospital and health system members, strongly urges your NO vote on SB 213.**