



March 10, 2023

The Honorable Lisa Calderon
Chair, Assembly Insurance Committee
1020 N St., Room 369
Sacramento, CA 95814

SUBJECT: AB 1156 (Bonta) — Oppose

Dear Assembly Member Calderon:

For California's hospitals, healthy patients and employees are paramount. Hospitals unequivocally support protecting their employees, and they simply could not fulfill their mission of care without healthy workers, which has taken on heightened importance during the pandemic. In fact, using the pandemic as an example, California's hospitals have seen a significantly lower rate of occupationally contracted COVID-19 claims, demonstrating that existing health and safety practices continue to protect workers.

It is against this backdrop that the California Hospital Association (CHA), on behalf of more than 400 hospitals and health systems, must oppose Assembly Bill (AB) 1156. This bill would create a series of workers' compensation rebuttable presumptions for hospital employees that a variety of conditions arose out of hospital direct patient care and would indefinitely extend a presumption for COVID-19, well beyond the expiration of the state's public health emergency.

Not only is the creation of these presumptions unsupported by data, but the presumptions do not further the goal of maintaining and strengthening existing health and safety practices in California's hospitals. 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. They have approved well over 90% of all claims — irrefutable proof that the system is taking care of its 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.

Given these facts, it is clear that the conditions that AB 1156 would cover are already addressed in the current workers' compensation system. These conditions include:

- Infectious diseases such as staph infections, tuberculosis, meningitis, bloodborne infections, and respiratory diseases such as COPD, COVID-19, and all its variants
- Post-traumatic stress disorder
- Musculoskeletal injuries (muscle, tendon, ligament, nerve, joint, bone, and blood vessel)

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- Cancers such as liver, myeloid leukemia, kidney, multiple myeloma, ovarian, breast, nasopharyngeal, thyroid, brain, nervous system, HPV-positive tonsillar, and others

The data demonstrate that the current workers' compensation system is working exceptionally well to care for employees who are injured or become ill due to any occupational hazards. For any non-work-related illnesses or injuries, hospitals fully support ensuring their workers have access to high-quality health care. Unfortunately, the presumptions that would be created by AB 1156 fail to balance what the system is designed to do.

For these reasons, CHA respectfully asks for your "NO" vote on AB 1156.

Sincerely,



Rony Berdugo

Vice President, State Advocacy

cc: The Honorable Mia Bonta
The Honorable Members of the Assembly Insurance Committee
Claire Wendt, Principal Consultant, Assembly Insurance Committee
Bill Lewis, Consultant, Assembly Republican Caucus