

## California Legislative Update – March 16, 2020

As of March 16<sup>th</sup>, there are several current bills in the California legislature that will have a direct, or indirect impact on workers’ compensation if they are passed into law and signed by the Governor.

These bills cover a wide range of topics from workers’ compensation and safety issues, labor and employment matters including the gig economy, privacy and technology, and some slow-moving legislation held over from 2019.

As workers’ compensation professionals we recognize the importance of staying current on the laws governing the industry. It is also equally important to stay abreast of potential laws and emerging trends that may impact the industry.

Below are 14 current bills that should be watched. The hyperlink to the full bill will redirect the reader to the California Legislature’s official information website which contains detailed analysis of each bill, the current status of the bills as they move through committees, the next action date, along with a means for public input and comment to be made to the individual bill’s author.

BILL NUMBER	SUMMARY	STATUS	LINK TO FULL BILL
SB 924	Utilization Review	Set for hearing March 25	<a href="https://bit.ly/2WhHeJf">https://bit.ly/2WhHeJf</a>
SB 1047	Firefighters and peace officers: post-traumatic stress protections	Set for hearing March 25	<a href="https://bit.ly/3d0v2CC">https://bit.ly/3d0v2CC</a>
SB 1103	Occupational safety: carcinogens: civil penalties	Referred to Senate Judiciary	<a href="https://bit.ly/33rs1XM">https://bit.ly/33rs1XM</a>
AB 2294	An act to amend Section 139.45 of the Labor Code, relating to misleading advertising in workers’ compensation	May be heard in committee March 16	<a href="https://bit.ly/3b1iQQd">https://bit.ly/3b1iQQd</a>
AB 2537	An act to add Section 6403.7 to the Labor Code, workplace safety and IIPP: relating to opioid exposure and health care workers	Referred to Assembly Comm. On Labor and Employment	<a href="https://bit.ly/2Ufarlm">https://bit.ly/2Ufarlm</a>
AB 2665	An act to amend Section 3212.11 of the Labor Code, relating to skin cancer protection	Referred to Assembly Insurance Comm. May be heard on March 22	<a href="https://bit.ly/2vrC02H">https://bit.ly/2vrC02H</a>
SB 1039	An act relating to worker classification and independent workers – gig economy	Referred to Senate Rules Comm. May be acted upon on or after March 19	<a href="https://bit.ly/2wZTri4">https://bit.ly/2wZTri4</a>
AB 713	An act to amend Sections 1798.130 and 1798.145 of the Civil Code relating to consumer privacy in response to health care and workers’ comp professionals’ complaints about unintended consequences	Referred to Senate Judiciary	<a href="https://bit.ly/2w2CVXK">https://bit.ly/2w2CVXK</a>

BILL NUMBER	SUMMARY	STATUS	LINK TO FULL BILL
AB 2269	This bill would require CA businesses to provide a person, including an insurer or third-party administrator (TPA), with a program or device that uses an automated decision system (ADS) to continually test for biases during the development and usage of the ADS.	In Assembly pending referral, may be heard March 16	<a href="https://bit.ly/2x4UE0s">https://bit.ly/2x4UE0s</a>
AB 2414	Relates to privacy laws, apps and wearable technologies emerge in the workplace, it's important that workers' comp professionals stay up to date on privacy laws	Assembly Privacy & Consumer Protection Comm.	<a href="https://bit.ly/2UaGmN">https://bit.ly/2UaGmN</a>
AB 2604	An act to add Article 2.7 (commencing with Section 2820) to Chapter 2 of Division 3 of the Labor Code, relating to employment, health information technology: worker rights	Assembly Comm. On Labor and Employment hearing on April 1	<a href="https://bit.ly/3d4fWw4">https://bit.ly/3d4fWw4</a>
SB 731	This bill seeks to eliminate discrimination in the workers' comp system by prohibiting the consideration of race, religious creed, color, national origin, age, gender, marital status, sex, sexual identity, sexual orientation or genetic characteristics in determining the percentage of a permanent disability caused by other factors.	Assembly Insurance Comm.	<a href="https://bit.ly/2WkR8tt">https://bit.ly/2WkR8tt</a>
AB 1107	An act to amend Section 4610.1 of the Labor Code, relating to workers' compensation. The Assembly Insurance Committee amended the bill which now has substantive language regarding the availability of Labor Code 5814 penalties when the administrative director approves IMR determination overturning a UR decision.	Senate Labor, Public Employment and Retirement	<a href="https://bit.ly/38VMWTQ">https://bit.ly/38VMWTQ</a>
AB 5	As AB5 becomes law in California, more than 30 bills have been introduced to amend and modify the impact and applicability of AB5 and the gig economy	Too many bills to list here	