

The background of the entire page is a close-up, slightly blurred image of the American flag, showing the stars and stripes in detail.

2023 LEGISLATIVE BILL SUMMARY

California State Legislature Assembly Committee on Insurance Lisa Calderon, Chair

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Automobile Insurance

AB 711 (Jim Patterson) - Transportation network companies: participating drivers: proof of insurance.

This bill would authorize a participating driver to carry proof of insurance on a mobile electronic device.

Status: Pending in the Assembly Communications and Conveyance Committee

AB 844 (Gipson) - Zero-emission trucks: insurance.

This bill requires the California Department of Insurance (CDI) and the California Air Resources Board (CARB) to coordinate on activities related to insurance policies for medium- and heavy-duty zero-emission vehicles. Requires CDI, in consultation with CARB, to create a consumer-focused online insurance information resource too, for the public to use to readily find information and insurance options for battery-powered, hydrogen-powered, and/or other zero emission advanced truck technology, including which insurance companies offer coverage for trucks or fleets using different zero-emission technologies and any relevant coverage limits or fleet size specifications. Requires CDI, in consultation with CARB, to provide an assessment of the availability and affordability of insurance for existing and emerging advanced fleet technologies being deployed for heavy-duty vehicles; and, the role of insurance markets in meeting the greenhouse gas (GHG) reduction and short-lived climate pollutant emissions reduction goals of the state.

Status: Chaptered by Secretary of State, Chapter 347, Statutes of 2023

AB 917 (Ortega) - Low-cost automobile insurance program.

This bill makes permanent the California Low-Cost Auto (CLCA) Insurance program. Requires the California Department of Insurance to submit a report to the Legislature on an annual basis, on or before March 15, 2024, March 15, 2025, and March 15, 2026, and every five years thereafter, beginning with the report due on or before March 15, 2031.

Status: Chaptered by Secretary of State, Chapter 350, Statutes of 2023

Cannabis

AB 741 (Jones-Sawyer) - The California FAIR Plan Association: cannabis.

This bill would prohibit the California FAIR Plan Association from refusing to issue, canceling, or refusing to renew coverage because the applicant or policyholder possesses or has previously possessed a legal amount of cannabis, concentrated cannabis, or living cannabis plants, or the applicant or policyholder is or has been a commercial cannabis licensee.

Status: Pending in the Assembly Insurance Committee

Employment Development Department

AB 337 (Jim Patterson) - Unemployment compensation benefits: application processing timeframes: public information.

This bill, beginning on July 1, 2024, would have required the Director of the Employment Development Department (EDD) to post the average timeframes to process claims, on its website. The measure would have Required EDD to update the aforementioned information every two weeks and to display graphical representations of the most recent six months' of data for each of the required metrics.

Status: Held in the Assembly Appropriations Committee

AB 518 (Wicks) - Paid family leave: eligibility: care for designated persons.

This bill would expand eligibility for benefits under the Paid Family Leave program to include individuals who take time off work to care for a seriously ill designated person. This bill would define "designated person" to mean any individual related by blood or whose association with the employee is the equivalent of a family relationship and authorizes the employee to identify the designated person when they file a claim for benefits. This bill would also make conforming changes to the definitions of the terms "family care leave" and "family member." This bill would make these changes operative on and after November 1, 2024.

Status: Ordered to inactive file on the Senate Floor

AB 575 (Papan) - Paid family leave.

This bill, commencing on February 1, 2025, would have expanded eligibility for the Paid Family Leave (PFL) program to provide benefits to workers who take time off work to bond with a minor child within one year of assuming responsibilities of a child in loco parentis, as defined. Additionally, this bill would have deleted the restriction in law specifying that an individual is not eligible for PFL benefits if another family member is ready, willing, and able and available to provide the required care, and the authorization for an employer to require an employee to take two weeks of vacation leave before accessing PFL benefits that are funded by employees.

Status: Vetoed by Governor

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 575 without my signature.

This bill would expand eligibility for Paid Family Leave (PFL) benefits to include workers who take time off from work to bond with a child for whom they are acting in loco parentis. The bill also removes the restriction that only one family member at a time is allowed to access PFL benefits and also removes the provision that allows an employer to require an employee to use up to two weeks of vacation time before they can access PFL benefits.

I am a strong advocate for and believe in supporting individuals to care for family members or bond with a new child and have worked to expand access to the Disability Insurance (DI) and PFL programs. In 2019, I signed SB 83 which extended the maximum duration of PFL benefits from six to eight weeks. And in 2022, I signed SB 951, which, beginning in 2025, will permanently increase the wage replacement rate for these programs to 70-90 percent based on the individual's wages. This is significant progress, and I am proud of the advancements we have made in collaboration with the Legislature. This bill, however, would create pressure on the DI Trust Fund's solvency and adequacy resulting in higher disability contributions paid by employees. In addition, it contains implementation costs not accounted for in the annual budget process.

In partnership with the Legislature, we enacted a budget that closed a shortfall of more than \$30 billion through balanced solutions that avoided deep program cuts and protected education, health care, climate, public safety, and social service programs that are relied on by millions of Californians. This year, however, the Legislature sent me bills outside of this budget process that, if all enacted, would add nearly \$19 billion of unaccounted costs in the budget, of which \$11 billion would be ongoing. With our state facing continuing economic risk and revenue uncertainty, it is important to remain disciplined in considering bills with significant fiscal implications, such as this measure.

For these reasons, I cannot sign this bill.

Sincerely,

Gavin Newsom

AB 1355 (Valencia) - Employment: benefits: electronic notice and documents.

This bill allows employers to provide information to their employees regarding the Earned Income Tax Credit and the Unemployment Insurance Program via email to an email account of the employee's choosing, if the employee affirmatively, and in writing or by electronic acknowledgment, opts into receipt of electronic statements or materials, until January 1, 2029.

Status: Chaptered by Secretary of State, Chapter 277, Statutes of 2023

AB 1389 (Wendy Carrillo) - Notice of levy.

This bill extends the levy remittance time limit from five days to after ten, but no later than 14 business days after service of the levy. Defines "business day" as any day other than a Saturday, Sunday, legal holiday as recognized by the Internal Revenue Service, statewide legal holiday as recognized by the State of California, or a day in which the Employment Development Department is closed.

Status: Chaptered by Secretary of State, Chapter 839, Statutes of 2023

SB 227 (Durazo) - Unemployment: Excluded Workers Program.

This bill would establish, until January 1, 2027, upon appropriation by the Legislature, the Excluded Workers Program administered by the Employment Development Department to provide income assistance to workers ineligible for unemployment insurance benefits.

Status: Pending in the Assembly Appropriations Committee

SB 479 (Padilla) - Unemployment compensation benefits: eligibility.

This bill would clarify that an unemployed individual who is otherwise eligible for unemployment compensation benefits shall not be disqualified for eligibility for unemployment benefits for the purposes of the above-described provisions. The bill would state that its provisions are declaratory of existing law.

Status: Ordered to inactive file on the Assembly Floor

SB 799 (Portantino) - Unemployment insurance: trade disputes: eligibility for benefits.

This bill would have allowed individuals involved in a trade dispute to collect unemployment insurance (UI) benefits. Specifically, this bill would have permitted individuals involved in a trade dispute to be eligible to collect UI benefits after a two-week waiting period. Additionally, this bill would have codified a California Supreme Court decision that found individuals who left work due to a lockout, even if it was in anticipation of a trade dispute, are eligible for UI benefits.

Status: Vetoed by Governor

Governor's Veto Message:

To the Members of the California State Senate:

I am returning Senate Bill 799 without my signature.

This bill allows individuals who left work due to a trade dispute to become eligible for Unemployment Insurance (UI) benefits. The bill also codifies case law that employees who left work due to a lockout by their employer, even if it was in anticipation of a trade dispute, are eligible for UI benefits.

California employers fund UI benefits through contributions to the state's UI Trust Fund on behalf of each employee. The UI financing structure has not been updated since 1984, which has made the UI Trust Fund vulnerable to insolvency. Any expansion of eligibility for UI benefits could increase California's outstanding federal UI debt projected to be nearly \$20 billion by the end of the year and could jeopardize California's Benefit Cost Ratio add-on waiver application, significantly increasing taxes on employers. Furthermore, the state is responsible for the interest payments on the federal UI loan and to date has paid \$362.7 million in interest with another \$302 million due this month. Now is not the time to increase costs or incur this sizable debt.

I have deep appreciation and respect for workers who fight for their rights and come together in collective action. I look forward to building on the progress we have made over the past five years to improve conditions for all workers in California.

For these reasons, I cannot sign this bill.

Sincerely,

Gavin Newsom

General Insurance

AB 451 (Calderon) - Insurance: license examinations.

This bill requires the examination for a license for a life agent, accident and health or sickness agent, property broker-agent, and casualty broker-agent to be provided in English, Spanish, Simplified Chinese, Vietnamese, Korean, and, commencing July 1, 2024, Tagalog. This bill requires the commissioner of the California Department of Insurance to report specified information, including the number of people taking the non-English exams, and first-time pass rate.

Status: Chaptered by Secretary of State, Chapter 136, Statutes of 2023

AB 970 (Luz Rivas) - Insurance: Climate and Sustainability Insurance and Risk Reduction Program.

This bill would have required the California Department of Insurance (CDI), upon appropriation, to establish and administer the Climate and Sustainability Insurance and Risk Reduction Program for the purpose of achieving specified goals, including developing proof of concepts that expand insurance options, especially in vulnerable and disadvantaged communities where climate risks are currently uninsured or underinsured. This bill would have established climate insurance pilot projects in the following eight jurisdictions: Humboldt Bay, the City of Imperial Beach, the County of Imperial, the northern Sierra Nevada Mountains, the Reservation of the Pala Band of Mission Indians, the Sacramento-San Joaquin region within the County of Sacramento, the San Fernando Valley, and the San Mateo County Flood and Sea Level Rise Resiliency District. This bill would have required CDI to provide technical support for the pilot projects.

Status: Vetoed by Governor

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 970 without my signature.

This bill requires the California Department of Insurance, upon appropriation, to establish and administer the Climate and Sustainability Insurance and Risk Reduction Program and creates eight climate insurance pilot projects to reduce physical risks from flooding and extreme heat in communities with high risks and low insurance uptake.

While I support the author's goal to expand insurance options in communities where climate risks are currently underinsured, this bill creates a significant state reimbursable

mandate and new cost pressures in the millions of dollars that should be considered in the annual budget process.

In partnership with the Legislature, we enacted a budget that closed a shortfall of more than \$30 billion through balanced solutions that avoided deep program cuts and protected education, health care, climate, public safety, and social service programs that are relied on by millions of Californians. This year, however, the Legislature sent me bills outside of this budget process that, if all enacted, would add nearly \$19 billion of unaccounted costs in the budget, of which \$11 billion would be ongoing.

With our state facing continuing economic risk and revenue uncertainty, it is important to remain disciplined when considering bills with significant fiscal implications, such as this measure.

For this reason, I cannot sign this bill.

Sincerely,

Gavin Newsom

AB 1140 (Committee on Insurance) - Insurance.

This bill is the annual insurance omnibus bill, which includes several changes that are non-controversial, technical, or otherwise classified as code cleanup.

Status: Chaptered by Secretary of State, Chapter 204, Statutes of 2023

AB 1315 (Calderon) - Small business guide to commercial insurance.

This bill would require the commissioner of the California Department of Insurance to complete a revision of the small business guide to commercial insurance pamphlet.

Status: Pending in the Assembly Insurance Committee

AB 1442 (Chen) - Insurance: certificate of authority.

This bill would, on or before September 1, 2024, require the California Department of Insurance to provide a report to the Legislature on the number of applicants approved and denied in the preceding 10 years, the reasons for denying the certificates of authority, and recommendations on how to accommodate innovation and allow for more competition in California's insurance market.

Status: Pending in the Assembly Insurance Committee

AB 1578 (Valencia) - Insurance licensees.

This bill clarifies a provision enacted in 2022 that the license number of an organizational licensee must appear adjacent to or below the organization's name in an email only if the email is sent from the organization and not an individual licensee.

Status: Chaptered by Secretary of State, Chapter 280, Statutes of 2023

SB 743 (Nguyen) - Insurance: false and fraudulent claims.

This bill requires an insurer to provide a statement regarding false and fraudulent information on a form upon which a person seeks to amend insurance coverage, or furnishes information relating to underwriting criteria affecting premium or eligibility for coverage, under an existing policy, instead of only when that person applies for a policy or seeks to make a change to an existing policy.

Status: Chaptered by Secretary of State, Chapter 217, Statutes of 2023

SB 793 (Glazer) - Insurance: privacy notices and personal information.

This bill codifies the requirement to annually provide a clear and conspicuous privacy notice to customers. The bill states that an insurance institution or agent is in compliance with this requirement if specified criteria are met, including informing the consumer of the right to submit a written request to access, correct, amend, or delete their personal information. The bill also authorizes the notice to be combined with the notice provided in connection with specified insurance transactions.

Status: Chaptered by Secretary of State, Chapter 184, Statutes of 2023

Liability Insurance

AB 458 (Jones-Sawyer) - Shared mobility devices: insurance.

This bill makes clarifying changes related to the insurance requirements for shared mobility devices. This bill provides that automobile insurance requirements do not apply to shared mobility devices, that the requirement for shared mobility service providers to maintain commercial general liability insurance of not less than \$5 million is aggregate for all occurrences during the policy period, and that the insurance required shall not be considered a group policy.

Status: Chaptered by Secretary of State, Chapter 440, Statutes of 2023

AB 571 (Petrie-Norris) - Medical malpractice insurance.

This bill prohibits insurers from refusing to provide professional liability coverage to health care providers or from imposing a surcharge on health care providers, because they offer abortion, contraception, or gender-affirming services, as specified.

Status: Chaptered by Secretary of State, Chapter 256, Statutes of 2023

AB 1095 (Low) - Insurance: personal vehicle sharing.

This bill would delete the insurance coverage requirement for a personal vehicle sharing program, and would instead require a personal vehicle sharing program, when a vehicle is engaged in personal vehicle sharing, to provide liability insurance coverage of the same minimum coverage that applies to an owner or operator of a motor vehicle. The bill would require a personal vehicle sharing program to provide the vehicle owner and operator with the ability to purchase additional coverage and to make specified disclosures.

Status: Pending in the Assembly Insurance Committee

Life and Long Term Care Insurance

AB-1709 (Calderon) - Life insurance policy illustrations.

This bill would allow, for an annual report that does not include an in force illustration, the insured may submit a request by accessing the insurer's internet website address.

Status: Pending in the Assembly Insurance Committee

SB 263 (Dodd) - Insurance: annuities and life insurance policies.

This bill would revise and recast, beginning January 1, 2025, provisions related to the standards and procedures for the recommendation of annuity products, including any recommendation to purchase, exchange, or replace an annuity. Specifically, this bill would: require a life agent licensed on or after January 1, 2024, who engages in the sale of specified life insurance policies on or after January 1, 2025 to complete training, approved by the Insurance Commissioner (Commissioner), as provided; require an insurance producer to act in the best interest of the consumer when making a recommendation of an annuity and specifies duties and obligations, such as those related to disclosure, conflict of interest, and documentation, to ensure a producer acts accordingly; require an insurance producer to complete an annuity training course approved by the Commissioner before transacting annuities; and require an insurer to establish a supervision system for producer compliance with these requirements and provide a buyer's guide to all consumers who purchase an annuity.

Status: Pending in the Assembly Appropriations Committee

Property Insurance

AB 478 (Connolly) - Wildfires: insurance.

This bill, for insureds 65 years of age or older, would limit an increase in their yearly premium for a policy of residential property insurance by no more than 25 percent for insured property located in a high or very high fire hazard severity zone, as identified by the State Fire Marshal, and allow only one premium increase in a 5-year period. This bill would allow the increased premium to be paid over a 3-year period as part of the insured's residential property insurance premium payments. This bill would also prohibit an insurer from canceling or refusing to renew a policy of residential property insurance based solely on the fact that the insured property is located in a high or very high fire hazard severity zone, as identified by the State Fire Marshal, if the insured is 65 years of age or older.

Status: Pending in the Assembly Insurance Committee

AB 703 (Hart) - Residential property insurance: dog breeds.

This bill would prohibit an insurer from refusing to issue, canceling, refusing to renew, or increasing the premium for a policy of residential property insurance on the sole basis that the applicant or insured owns or harbors a dog that is a specific breed or mixture of breeds, except if the dog is known to be or has been declared potentially dangerous or vicious. This bill would authorize an insurer to ask an applicant or insured if a dog that they own or harbor is known to be or has been declared potentially dangerous or vicious.

Status: Pending in the Assembly Insurance Committee

AB 903 (Essayli) - Insurance: the California FAIR Plan Association.

This bill would delete the requirement that the toll-free number established by the California FAIR Plan Association be published in all general distribution telephone directories in the state.

Status: Pending in the Assembly Insurance Committee

AB 905 (Essayli) - Residential property insurance: Wildfire risk reporting penalties.

This bill would increase the limit of the penalty against an admitted insurer for a willful failure to report specified fire risk information on its residential property policies from \$10,000 to \$15,000.

Status: Pending in the Assembly Insurance Committee

SB 505 (Rubio) - Property insurance.

This bill requires, by July 1, 2024, the Fair Access to Insurance Requirements Plan to establish a clearinghouse program for commercial insurance policies.

Status: Chaptered by Secretary of State, Chapter 180, Statutes of 2023

SB 528 (Rubio) - California Earthquake Authority.

This bill would clarify sections of the California Earthquake Authority's statute regarding potential assessments of the insurance industry, and consolidates a Legislative reporting requirement.

Status: Pending in the Assembly Insurance Committee

SB 672 (McGuire) - Residential property insurance.

This bill would prohibit an admitted insurer that offers residential property insurance from refusing to offer or sell residential property insurance to an applicant whose property meets specified best practices for wildfire building hardening and property-level mitigation.

Status: Pending in the Assembly Insurance Committee

Workers' Compensation

AB 489 (Calderon) - Workers' compensation: disability payments.

This bill extends an existing pilot program by one year to allow workers' compensation temporary and permanent disability indemnity payments to continue to be made using prepaid cards.

Status: Chaptered by Secretary of State, Chapter 63, Statutes of 2023

AB 597 (Rodriguez) - Workers' compensation: first responders: post-traumatic stress.

This bill would extend, for injuries occurring on or after January 1, 2024, an existing industrial injury rebuttable presumption for a diagnosis of a post-traumatic stress disorder to emergency medical technicians and paramedics, as defined.

Status: Pending in the Assembly Insurance Committee

AB 621 (Irwin) - Workers' compensation: special death benefit.

This bill allows the spouse and children of specified state safety members, peace officers, and firefighters for the Department of Forestry and Fire Protection (CAL FIRE) who are killed in the line of duty to receive both the workers' compensation death benefit and the Public Employees' Retirement System special death benefit.

Status: Chaptered by Secretary of State, Chapter 448, Statutes of 2023

AB 699 (Weber) - Workers' compensation: presumed injuries.

This bill would have granted year-round, full-time lifeguards employed by the City of San Diego in the Boating Safety Unit the same workers' compensation presumptive coverages currently afforded to firefighters and public safety officers.

Status: Vetoed by Governor

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 699 without my signature.

This bill would extend the rebuttable presumptions currently provided to safety officers for hernia, pneumonia, heart trouble, cancer, tuberculosis, bloodborne infectious

disease, methicillin-resistant Staphylococcus aureus skin infections (MRSA), meningitis-related illnesses and injuries, post-traumatic stress disorder (PTSD) and for illness or injury as a result of exposure to biochemical substances, to lifeguards employed on a year-round, full-time basis in the Boating Safety Unit by the City of San Diego Fire-Rescue Department, but would except application of the skin cancer presumption to lifeguards in that Unit.

A presumption is not required for an occupational disease to be compensable. Although lifeguards engage in hazardous responsibilities, a presumption should be provided sparingly and based upon the unique hazards or proven difficulty of establishing a direct relationship between a disease or injury and the employee's work. Although well-intentioned, the need for the presumption envisioned by this bill must be supported by clear and compelling evidence.

For these reasons, I cannot sign this bill.

Sincerely,

Gavin Newsom

AB 1107 (Mathis) - Workers' compensation: presumptive injuries.

This bill would extend, for injuries occurring on or after January 1, 2024, an existing industrial injury rebuttable presumption for a diagnosis of a post-traumatic stress disorder to additional members and employees of the Department of Corrections and Rehabilitation, including members of the Office of Correctional Safety or the Office of Internal Affairs.

Status: Pending in the Assembly Insurance Committee

AB 1145 (Maienschein) - Workers' compensation.

This bill would have extended, for injuries occurring on or after January 1, 2024, an industrial injury rebuttable presumption for a diagnosis of a post-traumatic stress disorder to certain nurses, psychiatric technicians, and various medical social services specialists who work in state prisons, state veteran's homes, state developmental centers, and state hospitals. The provisions of this bill would have remained in effect until January 1, 2030.

Status: Vetoed by Governor

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 1145 without my signature.

This bill would establish a statutory post-traumatic stress disorder (PTSD) presumption for certain state nurses, psychiatric technicians, and various medical and social services specialists employed by the Department of Corrections and Rehabilitation (CDCR), the State Department of Developmental Services (DDS), and the State Department of State Hospitals (DSH), who provide direct care to prison inmates and state hospital patients.

I am a firm supporter of the ability of individuals to seek treatment for mental health conditions and my Administration has initiated multiple programs to provide our valued workforce with mental wellness support during times of trauma. Additionally, the Posttraumatic Stress Disorder and Acute Stress Disorder Guideline was adopted in 2019.

PTSD is compensable under the workers compensation system. However, altering the burden of proof through a presumption should be provided sparingly and based upon the unique hazards or proven difficulty of establishing a direct relationship between a disease or injury and the employee's work. Although well-intentioned, the need for the presumption envisioned by this bill must be supported by clear and compelling evidence.

For this reason, I cannot sign this bill.

Sincerely,

Gavin Newsom

AB 1156 (Bonta) - Workers' compensation: hospital employees.

This bill would define "injury," for a hospital employee who provides direct patient care in an acute care hospital, to include infectious diseases, cancer, musculoskeletal injuries, post-traumatic stress disorder, and respiratory diseases. This bill would include the 2019 novel coronavirus disease (COVID-19) from SARS-CoV-2 and its variants, among other conditions, in the definitions of infectious and respiratory diseases. This bill would establish a rebuttable presumption that a hospital employee in an acute care hospital who suffers illness or death related to these diseases and injuries has suffered an occupational injury and is therefore eligible for workers' compensation benefits. This bill would extend these presumptions for specified time periods after the hospital employee's termination of employment.

Status: Pending in the Assembly Insurance Committee

AB 1213 (Ortega) - Workers' compensation: aggregate disability payments.

This bill, from January 1, 2024, until January 1, 2027, would have required that if a denial of treatment requested by a treating physician is subsequently overturned by independent medical review or by the Workers' Compensation Appeals Board, any temporary disability to which the employee is entitled to receive or becomes entitled to receive from the date of the denial until the treatment is authorized would not be included in the calculation of the aggregate disability payments, as specified.

Status: Vetoed by Governor

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 1213 without my signature.

This bill would provide, until January 1, 2027, that when a utilization review (UR) denial of treatment is overturned by independent medical review (IMR) or by the Workers' Compensation Appeals Board, any temporary disability (TD) payments received during this period would not be included in the maximum aggregate calculation of TD payments.

While I understand the goal of the author and sponsor, there is a lack of data to support such a change. Under the existing workers' compensation system, employers are required to establish a UR process to evaluate the necessity and appropriateness of requested medical treatments. This process is in place to ensure that employees receive the appropriate evidence-based medical care.

Realigning incentives is an important policy tool to deliver on our shared goal of returning injured workers back to work. Such realignment should be done cautiously to avoid further friction in the system that frustrates the objective of providing timely treatment, prompt payment of benefits and returning injured workers back to work. Unfortunately, this bill does not strike the right balance.

For these reasons, I cannot sign this bill.

Sincerely,

Gavin Newsom

AB 1278 (Rodriguez) - Workers' compensation: medical provider networks.

This bill would allow an injured worker to authorize their primary treating physician to request an electronic copy of the medical provider network (MPN) notification that is provided to the injured worker. This bill would require the roster of participating providers posted to the MPN's website to include persons or entities that provide or contract with persons or entities that provide ancillary services, treatment, management services, or coordinate patient care, as provided and requires the Administrative Director (Director) of the Division of Workers' Compensation to allow the MPN applicant to submit additional information and materials, as provided, if the Director disapproves a plan for the applicant or determines that it contains deficiencies. This bill also would provide that an employer or insurer has the right to determine the members of their MPN in regards to physicians, if the physician is duly licensed, and in regard to a person or entity that provides ancillary services regardless of whether the person or entity is doing business as a sole proprietorship, partnership, corporation, or other business entity.

Status: Held in the Assembly Appropriations Committee

SB 391 (Blakespear) - Workers' compensation: skin cancer.

This bill would have granted certain peace officers of the Department of Fish and Wildlife and the Department of Parks and Recreation the presumption that skin cancer is a work related condition for purposes of making a workers' compensation claim, unless the presumption is rebutted.

Status: Vetoed by Governor

Governor's Veto Message:

To the Members of the California State Senate:

I am returning Senate Bill 391 without my signature.

This bill would create a rebuttable presumption of industrial causation for skin cancer under the workers' compensation system to specified peace officers of the Department of Fish and Wildlife and Department of Parks and Recreation.

A presumption is not required for an occupational disease to be compensable. I vetoed AB 334 in 2021 which was nearly identical to this bill. As stated in my previous veto message, such presumptions should be provided sparingly and should be based on the unique hazards or proven difficulty of establishing a direct relationship between a disease or injury and the employee's work. Although well-intentioned, the need for the presumption envisioned by this bill is not supported by clear and compelling evidence.

For these reasons, I cannot sign this bill.

Sincerely,

Gavin Newsom

SB 623 (Laird) - Workers' compensation: post-traumatic stress disorder.

This bill extends, until January 1, 2029, an existing industrial injury rebuttable presumption for a diagnosis of a post-traumatic stress disorder (PTSD) for specified firefighters and public safety officers. This bill requires the Commission on Health and Safety and Workers' Compensation (CHSWC) to submit a report to the Legislature, by January 1, 2027, that reviews data related to the effectiveness of the existing PTSD presumption and for CHSWC to also submit a report to the Legislature, by January 1, 2025, that reviews data related to workers' compensation claims filed for PTSD by public safety dispatchers.

Status: Chaptered by Secretary of State, Chapter 621, Statutes of 2023

SB 631 (Cortese) - Workers' compensation: gender equity comparative analysis.

This bill, upon appropriation, would require the Division of Workers' Compensation and the University of California, Berkeley to conduct a comparative analysis to examine differences in workers' compensation benefits provided to employees of different genders. The bill requires the comparative analysis to be submitted to the Legislature no later than 6 months after its completion.

Status: Held in the Assembly Appropriations Committee

SB 636 (Cortese) - Workers' compensation: utilization review.

This bill would require, beginning January 1, 2025, a private employer's medical treatment utilization review process under the workers' compensation system be performed by medical professionals licensed under California state law.

Status: Ordered to inactive file on the Assembly Floor

SB 697 (Hurtado) - Value of care review.

This bill would require the Administrative Director of the Division of Workers' Compensation to adopt regulations to establish and maintain a secure, searchable, and interactive internet portal to provide access to physicians participating in a medical provider network (MPN) and claims administrators or their designees. This bill would require the portal to allow access to specified information pertaining to MPNs. This bill would not apply to a MPN that serves only one entity and is the only network serving that entity.

Status: Pending in the Assembly Insurance Committee

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Assembly California Legislature



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Informational Hearing Assembly Insurance Committee Wednesday, March 8, 2023 1:30pm-3:30pm, State Capitol, Room 437 **The California FAIR Plan**

I. Opening Remarks

- Assemblymember Lisa Calderon, Chair, Assembly Insurance Committee

II. The California Department of Insurance

- Honorable Ricardo Lara, Insurance Commissioner, Department of Insurance
- Michael Martinez, Chief Deputy Commissioner and Legislative Director, Department of Insurance

III. The California FAIR Plan

- Victoria Roach, President, FAIR Plan
- Armand Feliciano, General Counsel, Public Policy Advocates

IV. Surplus Lines

- Clifton Brown, Vice President, Public Affairs, Surplus Line Association of California

V. Insurer Perspectives

- Mark Sektnan, Vice President, American Property Casualty Insurance Association
- Seren Taylor, Vice President, Personal Insurance Federation of California

VI. Policyholder Perspectives

- Amy Bach, Executive Director, United Policyholders
- John Norwood, Legislative Advocate, Independent Insurance Agents & Brokers of California

VII. Public Comment

Committee hearing documents located at: <https://ains.assembly.ca.gov/committeehome>



California Legislature

Joint Informational Hearing
Assembly Insurance Committee

&

Assembly Emergency Management Committee

Wednesday, June 14, 2023

9:00am, State Capitol, Room 437

Looking Forward: Insurance and Catastrophe Modeling

I. Opening Remarks

- Assemblymember Lisa Calderon, Chair, Assembly Insurance Committee
- Assemblymember Freddie Rodriguez, Chair, Assembly Emergency Management Committee

II. Catastrophe Modeling

- Roger Grenier, Ph.D., Senior Vice President, Consulting and Client Services, Verisk
- Ahmad Wani, Chief Executive Officer, One Concern

III. Utilization of Catastrophe Modeling

- Ryan Buras, Deputy Director of Response and Recovery, California Office of Emergency Services
- Glenn Pomeroy, Chief Executive Officer, California Earthquake Authority
- Lynn Von Koch-Liebert, Executive Director, Strategic Growth Council
- Mike Peterson, Deputy Commissioner for Climate and Sustainability, California Department of Insurance
- Lucy Wang, Deputy Commissioner and Special Counsel, California Department of Insurance

IV. Wildfires & Catastrophe Modeling

- Daniel Berlant, Acting State Fire Marshal, Cal-FIRE
- Frank L. Frievault, Director, Wildland-Urban Interface FIRE Institute, Cal Poly, San Luis Obispo
- Nancy Watkins, Principal and Consulting Actuary, Milliman, Inc.

V. Public Comment

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Joint Informational Hearing

Assembly Insurance Committee Select Committee on Wildfire Prevention

Wildfire Insurance: Risk, Resiliency & Recovery

Monday, October 9, 2023

1:00 p.m. – 3:00 p.m.

Santa Rosa City Council Chambers
100 Santa Rosa Ave, Santa Rosa, CA

- I. **Welcome and Opening Remarks**
 - *Assemblymember Lisa Calderon*, Chair, Assembly Insurance Committee
 - *Assemblymember Damon Connolly*, Chair, Select Committee on Wildfire Prevention
 - *Assemblymember Jim Wood*, Assembly District 2
- II. **How risky are California wildfires?**
 - *Dr. Brandon Collins*, Associate Adjunct Professor, Department of Environmental Science, Policy, and Management and Lead Scientist, Berkeley Forests, U.C. Berkeley
 - *Dave Winnacker*, Fire Chief, Moraga-Orinda Fire District
- III. **How does California become resilient to wildfires?**
 - *Mark Brown*, Executive Officer, Marin Wildfire Prevention Authority
 - *Mike Noonan*, Manager, Training, Compliance and Assessment, Wildfire Defense Systems
 - *Mike Peterson*, Deputy Commissioner for Climate and Sustainability, California Department of Insurance
- IV. **Can consideration of risk and resiliency lead to property insurance market recovery?**
 - *Karen Collins*, Vice President, Property & Environmental, American Property Casualty Insurance Association
 - *Robert Herrell*, Executive Director, Consumer Federation of California
 - *Seren Taylor*, Vice President, Personal Insurance Federation of California
 - *Amy Bach*, Executive Director, United Policyholders
- V. **Public Comment**

Committee hearing documents located at: <https://ains.assembly.ca.gov/committeehome>