WCIRB Bulletin

2024 California Legislation Summary

The California Legislature recessed for the year on August 31 and the Governor had until September 30 to sign or veto any bills passed by the Legislature. This Bulletin summarizes legislation that may be of interest to the workers' compensation insurance community.

Signed Bills

The following bills were signed by the Governor and become law effective January 1, 2025, except for Assembly Bill No. 171, which the Governor signed and became effective on July 2, 2024.

Assembly Bill No. 171

This bill, until July 1, 2026, deems a petition for reconsideration to have been denied by the Workers' Compensation Appeals Board (WCAB) unless it is acted upon by the WCAB within 60 days from the date a trial judge transmits a case to the WCAB. The bill also requires a trial judge, when it transmits a case to the WCAB, to provide notice to the parties of the case and the WCAB.

Assembly Bill No. 1239

This bill extends the authorization to deposit workers' compensation indemnity payments in a prepaid card account until January 1, 2027.

Assembly Bill No. 1870

Employers are required to post a notice in a conspicuous location that includes information regarding to whom injuries should be reported, the rights of an employee to select and change a treating physician, and certain employee protections against discrimination. This bill requires the notice to include information about an injured employee's ability to consult a licensed attorney to advise them of their rights under workers' compensations laws.

Assembly Bill No. 2337

This bill allows all documents that require a signature for workers' compensation purposes to be filed with an electronic signature.

Senate Bill No. 1455

This bill extends the sunset date for the Contractors State License Board (CSLB) from January 1, 2025 to January 1, 2029. SB 216, passed in 2022, required contractors with certain license types to have workers' compensation insurance unless they have no employees and file a certification of exemption with the CSLB. This bill extends the deadline for contractor applicants and licensees to comply with the SB 216 requirement from January 1, 2026 to January 2028. This bill also requires the CSLB, by no later than January 1, 2027, to establish a process and procedure to verify that applicants or licensees without an employee or employees are eligible for exemption from the workers' compensation insurance requirement.

Vetoed Bills
The following legislation was vetoed by the Governor.

<u>Senate Bill No. 636</u>
Existing law requires every employer to establish a medical treatment utilization review process either directly or through its insurer or an entity with which the employer or insurer contracts for these services. This bill, commencing July 1, 2026, for private employers, would have required the physician conducting medical treatment utilization review to be licensed by California state law.

<u>Senate Bill No. 1299</u>
This bill would have created a disputable presumption that a heat-related injury that develops within a specified timeframe after working outdoors for an employer in the agriculture industry that fails to comply with heat illness prevention standards arose out of and came in the course of employment. The bill would have also required the Workers' Compensation Appeals Board (WCAB) to find in favor of the employee if the employer fails to rebut the presumption. The bill specified that compensation awarded for heat-related injury to farmworkers was to include, among other things, medical treatment and disability. The bill would have established the Farmworker Climate Change Heat Injury and Death Fund that would consist of a one-time transfer of $5,000,000 derived from nongeneral funds of the Workers' Compensation Administration Revolving Fund for the purpose of administrative costs associated with this presumption.