

ASSEMBLY BILL

No. 2125

Introduced by Assembly Member Negrete McLeod

February 20, 2002

An act to add Section 3212.12 to the Labor Code, relating to workers' compensation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2125, as introduced, Negrete McLeod. Workers' compensation: Lyme disease.

Existing law provides that an injury of an employee arising out of and in the course of employment is generally compensable through the workers' compensation system. Existing law provides that, in the case of certain law enforcement officers and firefighters, the term "injury" includes heart trouble, hernia, pneumonia, and other injuries and diseases, and establishes a disputable presumption in this regard.

This bill would provide that in the case of certain state law enforcement and California Conservation Corps personnel, the term "injury" also includes Lyme disease that develops or manifests itself during a period while the person is in that service.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3212.12 is added to the Labor Code, to
2 read:
3 3212.12. (a) This section applies to peace officers, as defined
4 in subdivision (b) of Section 830.1 of the Penal Code, subdivisions

1 (e) and (f) of Section 830.2 of the Penal Code, and corpsmembers,
2 as defined by Section 14302 of the Public Resources Code, and
3 other employees at the California Conservation Corps classified as
4 any of the following:

5	Title	Class
6	Backcounty Trails Camp Supervisor,	
7	California Conservation Corps	1030
8	Conservationist I, California	
9	Conservation Corps	1029
10	Conservationist II, California	
11	Conservation Corps	1003
12	Conservationist II, Nursery	
13	California Conservation Corps	7370
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16 (b) The term “injury,” as used in this division, includes Lyme
17 disease that develops or manifests itself during a period in which
18 any person described in subdivision (a) is in the service of the
19 department.

20 (c) The compensation that is awarded for Lyme disease shall
21 include full hospital, surgical, medical treatment, disability
22 indemnity, and death benefits, as provided by this division.

23 (d) Lyme disease so developing or manifesting itself in these
24 cases shall be presumed to arise out of and in the course of the
25 employment. This presumption is disputable and may be
26 controverted by evidence that the Lyme disease is not reasonably
27 linked to the work performance. Unless so controverted, the
28 appeals board shall find in accordance with the presumption. This
29 presumption shall be extended to a person described in subdivision
30 (a) following termination of service for a period of three calendar
31 months for each full year of the requisite service, but not to exceed
32 60 months in any circumstance, commencing with the last date
33 actually worked in the specified capacity.

