

Introduced by Senator Cedillo

January 29, 2007

An act to amend Section 4656 of the Labor Code, relating to workers' compensation.

LEGISLATIVE COUNSEL'S DIGEST

SB 154, as introduced, Cedillo. Workers' compensation: temporary disability: public safety personnel.

Existing workers' compensation law generally requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees that arise out of, or in the course of, employment. Existing law prohibits aggregate disability payments for a single injury occurring on or after April 19, 2004, causing temporary disability from extending for more than 104 compensable weeks within a period of 2 years from the date of commencement of temporary disability payment, except if an employee suffers from certain injuries or conditions.

This bill would provide that the 2-year limit on the payment of temporary disability shall not apply to certain volunteer and paid law enforcement and firefighting employees, as specified.

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 4656 of the Labor Code is amended to
- 2 read:
- 3 4656. (a) Aggregate disability payments for a single injury
- 4 occurring prior to January 1, 1979, causing temporary disability

1 shall not extend for more than 240 compensable weeks within a
2 period of five years from the date of the injury.

3 (b) Aggregate disability payments for a single injury occurring
4 on or after January 1, 1979, and prior to the effective date of
5 subdivision (c), causing temporary partial disability shall not extend
6 for more than 240 compensable weeks within a period of five years
7 from the date of the injury.

8 (c) (1) Aggregate disability payments for a single injury
9 occurring on or after the effective date of this subdivision, causing
10 temporary disability shall not extend for more than 104
11 compensable weeks within a period of two years from the date of
12 commencement of temporary disability payment.

13 (2) Notwithstanding paragraph (1), for an employee who suffers
14 from the following injuries or conditions, aggregate disability
15 payments for a single injury occurring on or after the effective
16 date of this subdivision, causing temporary disability shall not
17 extend for more than 240 compensable weeks within a period of
18 five years from the date of the injury:

- 19 (A) Acute and chronic hepatitis B.
- 20 (B) Acute and chronic hepatitis C.
- 21 (C) Amputations.
- 22 (D) Severe burns.
- 23 (E) Human immunodeficiency virus (HIV).
- 24 (F) High-velocity eye injuries.
- 25 (G) Chemical burns to the eyes.
- 26 (H) Pulmonary fibrosis.
- 27 (I) Chronic lung disease.

28 (3) *Paragraph (1) shall not apply to members of a sheriff's*
29 *office, or a police or fire department of a city, county, city and*
30 *county, district, or other public or municipal corporation or*
31 *political subdivision, or individual described in Chapter 4.5*
32 *(commencing with Section 830) of Title 3 of Part 2 of the Penal*
33 *Code, or to firefighters of the Department of Forestry and Fire*
34 *Protection, or of any county forestry or firefighting department or*
35 *unit, whether voluntary, fully paid, or partly paid, excepting those*
36 *whose principal duties are clerical or otherwise do not clearly fall*
37 *within the scope of active law enforcement service or active*

- 1 *firefighting services, such as stenographers, telephone operators,*
- 2 *and other office workers.*

O