ASSEMBLY BILL   No. 1168

Introduced by Assembly Member Pan

February 18, 2011

An act to add Section 5307.7 to the Labor Code, relating to workers' compensation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1168, as introduced, Pan. Workers' compensation: vocational expert fee schedule.

Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of his or her employment. Existing law requires the administrative director, after public hearings, to adopt and revise periodically official fee schedules that establish reasonable maximum fees paid for, among other things, medical services, medicines, and medical supplies. Existing law authorizes the Workers' Compensation Appeals Board to determine and allow certain expenses as liens against any award of compensation.

This bill would require, on or before January 1, 2013, the administrative director to adopt, after public hearings, a fee schedule that establishes reasonable maximum fees paid for services provided by vocational experts. This bill would prohibit a vocational expert from being paid, and prohibit the appeals board from allowing, vocational expert fees in excess of those established in the fee schedule.

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

99

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

1 SECTION 1. Section 5307.7 is added to the Labor Code, to
2 read:
3 5307.7. (a) On or before January 1, 2013, the administrative
4 director shall adopt, after public hearings, a fee schedule that shall
5 establish reasonable maximum fees paid for services provided by
6 vocational experts, including, but not limited to, vocational
7 evaluations and expert testimony determined to be admissible by
8 the appeals board.
9 (b) A vocational expert shall not be paid, and the appeals board
10 shall not allow, vocational expert fees in excess of those set forth
11 in the fee schedule adopted pursuant to this section.

O