

AMENDED IN ASSEMBLY APRIL 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1124**

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**Introduced by Assembly Member Perea**

February 27, 2015

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An act to add ~~Section~~ *Sections 5307.28 and 5307.29* to the Labor Code, relating to workers' compensation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1124, as amended, Perea. Workers' compensation: ~~formulary:~~ *prescription medications: medication formulary.*

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 employment. The administrative director is authorized to adopt, amend, or repeal, after public hearings, any rules and regulations that are reasonably necessary to enforce the state workers' compensation provisions, except ~~where~~ *when* that power is specifically reserved to the Workers' Compensation Appeals Board.

This bill would require the administrative director to, *on or before January 1, 2017*, establish a formulary for ~~the purposes of prescribing~~ *prescription medications: medications prescribed in the workers' compensation system to be effective commencing January 1, 2017. The bill would require the administrative director to convene a Workers' Compensation Formulary Advisory Committee to assist in the development of the formulary, and would require the committee to study and make recommendations on the development of a workers' compensation formulary in California.*

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 5307.28 is added to the Labor Code, to  
2 read:

3 5307.28. On or before January 1, 2017, the administrative  
4 director shall establish a formulary for medications prescribed in  
5 the workers' compensation system to be effective commencing  
6 January 1, 2017.

7 SEC. 2. Section 5307.29 is added to the Labor Code, to read:

8 5307.29. (a) The administrative director shall convene a  
9 Workers' Compensation Formulary Advisory Committee to assist  
10 in the development of a formulary pursuant to Section 5307.28.  
11 The committee shall be composed of members appointed by the  
12 director and shall include, but not be limited to, health care  
13 providers, insurers, employers, and injured worker representatives.

14 (b) The committee shall study and make recommendations on  
15 the development of a workers' compensation formulary in  
16 California.

17 (c) The committee shall convene on a quarterly basis and  
18 provide its recommendations to the administrative director on or  
19 before December 31, 2016.

20 ~~SECTION 1. Section 5307.28 is added to the Labor Code, to~~  
21 ~~read:~~

22 ~~5307.28. The administrative director shall establish a formulary~~  
23 ~~for the purposes of prescribing prescription medications.~~