

Introduced by Senator Jackson

February 27, 2015

An act to amend ~~Section~~ *Sections 2608 and 2627* of the Unemployment Insurance Code, relating to disability.

LEGISLATIVE COUNSEL'S DIGEST

SB 667, as amended, Jackson. Disability insurance: eligibility: waiting period.

~~Under~~

(1) *Under* existing law, a disabled individual is eligible to receive disability benefits equal to $\frac{1}{7}$ of his or her weekly benefit amount for each full day during which he or she is unemployed due to a disability if the Director of Employment Development makes specified findings, including that the individual has been unemployed and disabled for a waiting period of 7 consecutive days during each disability benefit period. Existing law provides that during this 7-day waiting period, no disability benefits are payable.

This bill would waive the 7-day waiting period for an individual who has already served the 7-day waiting period *for the initial claim when that person files a subsequent claim for disability benefits* for the same or a related condition ~~within the previous 60 days~~. *60 days after the initial disability benefit period*. The bill would also require the director to submit a report regarding the effect of the modified waiting period to the Legislature by January 1, 2020, as specified.

(2) *Existing law provides that if an individual receives 2 consecutive periods of disability benefits due to the same or a related cause or*

condition and separated by not more than 14 days, they are considered as one disability benefit period.

This bill would extend to 60 days the time between claims for the same or related cause or condition to be considered one disability benefit period.

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 2608 of the Unemployment Insurance
 2 Code is amended to read:

3 2608. “Disability benefit period,” with respect to any
 4 individual, means the continuous period of unemployment and
 5 disability beginning with the first day with respect to which the
 6 individual files a valid claim for unemployment compensation
 7 disability benefits. For the purposes of this part, two consecutive
 8 periods of disability due to the same or related cause or condition
 9 and separated by a period of not more than ~~14~~ 60 days shall be
 10 considered as one disability benefit period.

11 ~~SECTION 1.~~

12 SEC. 2. Section 2627 of the Unemployment Insurance Code
 13 is amended to read:

14 2627. A disabled individual is eligible to receive disability
 15 benefits equal to one-seventh of his or her weekly benefit amount
 16 for each full day during which he or she is unemployed due to a
 17 disability only if the director finds that:

18 (a) He or she has made a claim for disability benefits as required
 19 by authorized regulations.

20 (b) (1) He or she has been unemployed and disabled for a
 21 waiting period of seven consecutive days during each disability
 22 benefit period with respect to which waiting period no disability
 23 benefits are payable.

24 (2) The waiting period requirement shall not apply to a person
 25 who has ~~already served the seven-day waiting period for the same~~
 26 ~~or a related condition within the previous 60 days.~~ *met the waiting*
 27 *period requirements on the initial claim for disability benefits*
 28 *when that person files a subsequent claim for disability benefits*
 29 *for the same or a related cause or condition within 60 days after*
 30 *the original disability benefit period.*

1 (c) Except as provided in Sections 2626.1, 2626.2, and 2709,
2 he or she has submitted to such reasonable examinations as the
3 director may require for the purpose of determining his or her
4 disability.

5 (d) Except as provided in Section 2708.1, he or she has filed a
6 certificate as required by Section 2708 or 2709.

7 (e) The director shall report to the Legislature regarding the
8 effect of the modified waiting period in paragraph (2) of
9 subdivision (b) on or before January 1, 2020, and may submit
10 subsequent reports thereafter. The report shall be submitted in
11 compliance with Section 9795 of the Government Code.

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