

ASSEMBLY BILL

No. 1329

Introduced by Assembly Member Cox

February 26, 1999

An act to amend Section 4660 of the Labor Code, relating to workers' compensation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1329, as introduced, Cox. Workers' compensation: disabilities: schedule.

Existing law permits the Director of the Division of Workers' Compensation, the administrative director, to prepare, adopt, and from time to time amend, a schedule for the determination of the percentage of permanent disabilities in accordance with specified provisions of law.

This bill would require the administrative director on or before January 1, 2001, to review and revise the schedule for the determination of the percentage of permanent disabilities, 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 4660 of the Labor Code is
2 amended to read:
3 4660. (a) In determining the percentages of
4 permanent disability, account shall be taken of the nature
5 of the physical injury or disfigurement, the occupation of

1 the injured employee, and his *or her* age at the time of
2 ~~such~~ *the* injury, consideration being given to the
3 diminished ability of—~~such~~ *the* injured employee to
4 compete in an open labor market.

5 (b) The administrative director may prepare, adopt,
6 and from time to time amend, a schedule for the
7 determination of the percentage of permanent
8 disabilities in accordance with this section. ~~Such~~—*The*
9 schedule shall be available for public inspection, and
10 without formal introduction in evidence shall be prima
11 facie evidence of the percentage of permanent disability
12 to be attributed to each injury covered by the schedule.

13 (c) ~~Any—such—The~~ schedule and any amendment
14 thereto or revision thereof shall apply prospectively and
15 shall apply to and govern only those permanent
16 disabilities which result from compensable injuries
17 received or occurring on and after the effective date of
18 the adoption of such schedule, amendment or revision, as
19 the fact may be.

20 (d) On or before January 1,—~~1995~~ *2001*, the
21 administrative director shall review and revise the
22 schedule for the determination of the percentage of
23 permanent disabilities. The revision shall include, but not
24 be limited to, an updating of the standard disability
25 ratings and occupations to reflect the current labor
26 market. However, no change in standard disability
27 ratings shall be adopted without the approval of the
28 Commission of Health and Safety and Workers'
29 Compensation. A proposed revision shall be submitted to
30 the commission on or before July 1,—~~1994~~ *2001*.

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