



May 5, 2021

The Honorable Anthony Portantino
Chair, Senate Appropriations Committee
State Capitol, Room 5050
Sacramento, CA 95814

**SUBJECT: SB 213 (Cortese) – Workers’ compensation: hospital employees- OPPOSE
Suspense File – Senate Appropriations Committee**

Dear Senator Portantino:

The Association of California Healthcare Districts (ACHD) respectfully opposes Senate Bill 213, which would create a workers’ compensation presumption for hospital employees who provide direct patient care, with infectious disease, cancer, musculoskeletal injury, post-traumatic stress disorder, respiratory disease, including COVID-19, claims.

ACHD represents 77 healthcare districts throughout California, in both urban and rural settings. The districts offer a variety of services aimed at improving community health, including acute hospital care, public health services, ambulance services, primary care clinics, dental clinics, and long-term care/skilled nursing. In many instances, healthcare districts are the sole source of health care in the community – serving as an integral part of the safety net for the state’s uninsured and underinsured.

Healthcare districts prioritize the health and safety of their employees and patients; without a healthy workforce they simply cannot provide high quality health care to their communities. District hospitals work hard to create a safe work environment, complying with Cal/OSHA standards and engage regularly in various loss prevention practices. Through the current worker’s compensation systems, employees’ work-related injuries are fully covered, and in fact the system is geared toward the employees benefit. However, SB 213 would place the liability on employers for diseases and injuries that may not have arisen out of their work environment. Under SB 213, any claim of injury or disease would automatically be covered through the workers’ compensation system and the burden would fall on employers to prove otherwise, an almost impossible feat. Additionally, there is no evidence that valid claims of the diseases and injuries covered in this bill are being denied.

California’s district hospitals, especially those in rural and underserved areas, were facing significant financial burdens prior to the COVID-19 pandemic and have little room for additional costs. While difficult to quantify, SB 213 will dramatically effect hospitals’ workers’ compensation premiums and create a very unstable environment for those that are self-insured. These long-term increased costs will have a direct

impact on district hospitals' ability to provide access to care to their communities, in a time where hospitals are operating at unprecedented financial deficits.

While the long-term financial stress on our hospitals and health care providers is still unknown, we urge the Legislature to be mindful of creating further harmful financial liabilities within our health care system. While we share in the concern for the safety of our health care workforce, this bill extends non-COVID-19 presumptions into the private sector for the first time for a specific group of employees, without any evidence that they lack access to workers' compensation benefits for legitimate claims.

District hospitals remain committed to the health and wellbeing of their workforce; however, SB 213 creates an unreasonable and unnecessary mandate on hospitals and sets a bad precedence for the workers' compensation system in a time of extreme fragility across the health care continuum. For these reasons ACHD respectfully urges your "NO" vote on this legislation. Please contact me with questions on our position at amber.king@achd.org or (916) 266-5207.

Sincerely,



Amber King
Vice President Advocacy & Membership

Cc: The Honorable Senator Cortese
Members, Senate Appropriations Committee
Mark McKenzie, Consultant, Senate Appropriations Committee
Tim Conaghan, Consultant, Senate Republican Caucus