



**County Administrative Office**  
**Governmental & Legislative Affairs**

**Josh Candelaria**  
Director

August 15, 2016

The Honorable Lorena Gonzalez  
California State Senate  
State Capitol Sacramento, CA 95818

Re: AB 1643 – (Gonzalez) –**As Amended on March 16, 2016 - OPPOSE**

Dear Assemblywoman Gonzalez:

The County of San Bernardino respectfully opposes AB 1643, legislation which would undermine objectivity in workers' compensation permanent disability ratings and require employers to pay monetary awards to injured workers for disabilities or disease that did not result from a workplace injury.

California's workers' compensation system uses the American Medical Association (AMA) guidelines for determining impairment as the basis for establishing permanent disability awards. This is an objective, peer-reviewed, and nationally recognized methodology for measuring permanent impairment, which is the basis for a permanent disability award. AB 1643 asks that such objectivity be disregarded and instead that two vastly different types of conditions be conflated for the purpose of awarding permanent disability.

AB 1643 will increase litigation in an effort to overturn reasonable apportionment cases and raise costs on employers who would no longer be protected from paying for a disability or impairment that was not the result of an actual industrial injury. Employers strive to provide fair benefits to injured workers and agree that those workers should be protected from discrimination; however, AB 1643 will not provide any greater protection to those injured workers. Instead, it will create uncertainty in the area of apportionment law, spikes in costly litigation for California's employers, and will erode many of the reforms put into place by SB 863 (De Leon) negotiated in 2012, which were intended to create objectivity and fairness in the workers' compensation system.

For the above reasons, the County of San Bernardino opposes AB 1643. If you have any questions regarding the County's position, please do not hesitate to contact Josh Candelaria, Director of Governmental Affairs at (909) 387-4821 or [jcandelaria@sbcounty.gov](mailto:jcandelaria@sbcounty.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "James Ramos".

**JAMES RAMOS**  
Board of Supervisors Chairman  
Third District Supervisor  
County of San Bernardino

c: San Bernardino County Legislative Delegation

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