



California Applicants Attorneys Association
Affiliated with the International Brotherhood of Teamsters

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**Two-Year Temporary Disability Limit Harms
Severely Injured Workers:**
*Assembly Insurance Committee Passes AB 947 (Solorio),
Extends Disability Insurance for the Seriously Injured*

SACRAMENTO, CA - The Assembly Insurance Committee today passed AB 947 (Solorio), to extend workers' compensation temporary disability insurance beyond two years for those most seriously injured at work. Current law caps Temporary Disability insurance at two years' maximum, except in rare specified cases. Treatment, waiting for approval of care or surgery, and recovery frequently takes longer than two years, and temporary disability support often ends before recovery from the most serious work injuries is complete. The committee passed AB 947, sponsored by the California Applicants Attorneys' Association (CAAA), to address such cases and prevent further hardship to those injured at work. AB 947 passed on an 8 to 4 vote, with the support of Chairman Jose Solorio, Chuck Calderon, Wilma Carter, Mike Feuer, Mary Hayashi, Nancy Skinner, Norma Torres, and Bob Wieckowski. The measure now goes to the Assembly floor.

“Workers who sustain severe injuries requiring surgeries often take more than two years to heal. But after two years, even when not healed, these injured workers lose the temporary disability insurance payments that are to provide minimum income until they can return to work,” said Linda Atcherley, a San Diego attorney for injured workers and CAAA board member. “Delays in getting medical care, recovery from surgery and the injuries themselves also often take more than two years. Temporary Disability insurance frequently ends before recovery from the work injury is complete.”

AB 947 (Solorio) would add injuries that require treatment that cannot medically be completed within 104 weeks to specified injuries that could qualify for no more than 240 compensable weeks of temporary disability within a period of 5 years from the date of injury.

“I worked as a truck driver for 36 years. I injured my left shoulder in 2008 as I tried to stop a steel rack from hitting me in the face. It jerked my shoulder and I felt a sudden pop,” said David Cook, an injured Lakeside trucker. “I have had two operations on my left shoulder and one on my right shoulder. My Temporary Disability insurance ran out on November 3, 2010, three months before my right shoulder surgery.”

The measure is supported by the California Labor Federation, the California Professional Firefighters, and the California Nurses Association, and the International Brotherhood of Teamsters, among others.

“My temporary disability ran out, and our income was cut below survival level. The cap on temporary disability is harming injured workers like myself who have complex injuries and need multiple surgeries,” said Richard Chance, injured worker. “The insurance carrier's delays and denials of medical care exhausted my temporary disability. In such a vulnerable position, injured workers often agree to insurance carriers’ offers to settle their claims for pennies on the dollar.”

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