



CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE • BEVERLY HILLS, CALIFORNIA 90210

John A. Mirisch, Mayor

June 19, 2019

The Honorable Sydney Kamlager-Dove
California State Assembly, 54th District
State Capitol, Room 4015
Sacramento, CA 95814

Re: AB 1400 (Kamlager-Dove) Worker's compensation: fire service personnel
City of Beverly Hills – OPPOSE

Dear Assembly Member Kamlager-Dove,

On behalf of the City of Beverly Hills, I write to you in respectful **OPPOSITION** to your **AB 1400** which would grant certain non-firefighter employees of a fire department the right to a presumption that cancer is a work-related condition for purposes of making a worker's compensation claim.

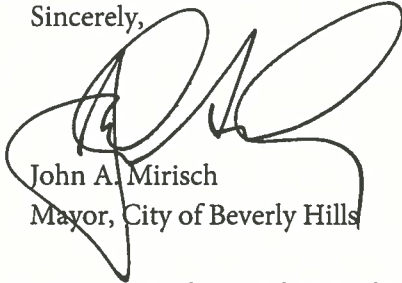
Worker's compensation presumptions have been adopted to reflect unique circumstances where injuries or illnesses appear to be logically work-related but are difficult for the safety officer to prove it is work-related. The current California workers' compensation system provides generous benefits to firefighters who are diagnosed with cancer. Medical evidence has linked excessive exposure to carcinogens with cancer. Because of this, firefighters do not need to demonstrate work causation for related workers compensation benefits. Instead, these injuries and illnesses are presumed under the law to be work related due to their regular exposure to carcinogens directly related to firefighting operations. Since these injuries are presumed to be industrial, compensation awarded for these injuries must include full hospital, surgical, medical treatment, disability indemnity payments, and death benefits.

Existing law specifically excludes administrative personnel from the presumption that cancer is work-related because they are not exposed to the risks of engaging in fire suppression, rescue operations, or the protection of life or property. **AB 1400** expands the qualification for the cancer presumption to non-safety personnel employees of local government fire departments whose job duties cause the employees to be regularly exposed to toxic materials. Expanding presumptive injuries to non-safety personnel, without supporting data, would have a significant impact on public agencies' budgets and their ability to appropriately administer existing workers compensation systems benefits that are already designed to favor injured workers.

AB 1400 fails to acknowledge that the broad application of the bill's provisions would ultimately lead to major investigative difficulties, exposure to civil liability by the local governments employing firefighter personnel and a misuse of millions of dollars of public funds that further restrict the ability to administer existing benefits and vital public services.

For these reasons, the City of Beverly Hills must respectfully **OPPOSE** your **AB 1400**.

Sincerely,

A handwritten signature in black ink, appearing to read 'John A. Mirisch', is written over the printed name and title.

John A. Mirisch
Mayor, City of Beverly Hills

cc: Members and Consultants, Senate Labor, Public Employment and Retirement Committee
The Honorable Ben Allen, 26th Senate District
The Honorable Richard Bloom, 50th Assembly District
Andrew K. Antwih, Shaw / Yoder / Antwih, Inc.