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Assembly California Legislature



BLANCA E. RUBIO
CHAIR, HUMAN SERVICES COMMITTEE
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COMMITTEES
CHAIR: HUMAN SERVICES
BUDGET
GOVERNMENTAL ORGANIZATION
PUBLIC SAFETY
WATER, PARKS, AND WILDLIFE
BUDGET SUBCOMMITTEE NO. 1 ON
HEALTH AND HUMAN SERVICES
JOINT LEGISLATIVE AUDIT

June 20th, 2018

JUL - 2 2018

2018-128

The Honorable Al Muratsuchi
Chair, Joint Legislative Audit Committee
1020 N Street, Room 107
Sacramento, CA 95814

RE: Audit of the Department of Corrections and Rehabilitation: Work-related Injuries for Employees and Inmates

Dear Assemblymember Muratsuchi:

Following the enactment of Governor Brown's Workers' Compensation reforms (SB 863, De Leon) in 2012, there has been much debate about the impact of delays on both injured employees and additional costs of friction within the system.

A new report now shows that over the last 5 years 82% of denied claims have been reversed. The result has been a 55% increase in costs to insurers and employers for these denied-then-paid claims. (http://www.lockton.com/whitepapers/Flannery_Cooley_Geldes_Billings-Workers_Compensation-May18-LR.pdf)

The Legislature needs its own source of information that compares the costs of quickly accessed medical care for work injuries to the more lengthy process established by SB 863.

I suggest that one way for legislators to have such data would be through a comparison of the time between injury and treatment for both employees of the Department of Corrections and Rehabilitation and inmates who perform work in the CDCR system when both incur work-related injuries to similar body parts.

The audit by the California State Auditor will examine and compare the efficiency of the delivery of medical care under the workers' compensation system for CDCR employees (Correctional officers, chefs, custodians, teachers, etc.) through Medical Provider Networks (MPNs) by comparing it to the medical care delivery systems provided to prisoners who incur injuries while performing work in the prison system (fire camps, kitchen, cleaning, etc). Clearly, the privacy of patients and their doctors must be protected. The Audit must be conducted in a manner that does so.

The audit's scope will include, but not be limited to, the following activities related to worker related injuries:

1. Assess and compare (as requested below) the timeliness of medical treatment provided to

CDCR employees and inmates for the following most common workplace conditions/injuries:

- Low back
- Neck
- Knee(s)
- Shoulder(s)
- Hand(s)
- Wrist(s)
- Ankle(s)
- Eye(s)

2. To the extent information is readily available, compare and contrast the timeliness of medical treatment provided to CDCR employees and inmates for work-related medical conditions by doing the following steps. If the information is not readily available, compare and contrast a meaningful sample of CDCR employees and inmates with workplace conditions/injuries:

a. Determine the number of days between when a work-related condition/injury takes place to the date the recommended treatment is provided.

b. Determine the number of days between when a medical treatment recommendation is made to the date the recommended treatment is provided.

c. Determine the number of days from the first day medical treatment is received to the date when the employees and inmates are released from care.

d. Determine the number of days from the first day medical treatment is received for a work-related medical condition to the date when the employees and inmates returned to work.

e. Determine the number of days between when a surgical intervention recommendation is made for a work-related medical condition to the date the recommended surgical intervention is provided.

3. Determine and recommend what CDCR and the Legislature can do to help improve the medical treatment provided to CDCR employees and inmates.

Thank you for your consideration of this audit request. If you have additional questions, please don't hesitate to get back to me directly at (916) 319-2048.

Sincerely,



Blanca E. Rubio
Assemblymember, 48th District