

From Dr. Lauren Papa:

I am a treating doctor for injured workers. I act in the capacity of primary treating physician, which means that I evaluate the injured worker, and write a report correlating treatment and referrals to specialists with the industrial injury. I am an advocate for my patients, which should be the role of ANY doctor.

When people ask me what I do for a living and I tell them, the response is usually, "*Injured workers are all faking it*". Actually, the contrary is true. The majority of injured workers whom I evaluate are legitimately injured and want to go back to work in order to support themselves and their families. Temporary and permanent disability (TD and PD respectively) provides for a meager existence. People really do want to work. In fact, I recently read a study where 25% of foreclosures result from injuries rendering employees incapable of working.

I have been treating injured workers for 14 years and in my opinion, the majority of injured workers have been stripped of their rights to proper medical treatment for their industrial injuries. SB 863 will only make their plight worse.

Injured workers are also stripped of their dignity and their rights as human beings, for no other reason than they made the mistake of showing up at work and incurring an industrial injury. In fact, if pets received medical treatment with the same disregard as California's injured workers, P.E.T.A. would be in Sacramento and I guarantee you that they would insist on being heard.

SB863 will ultimately prove to be as ineffective as SB899.

Medically speaking, diagnosis and treatment protocols of an industrial injury should be no different than protocols for an injury incurred outside of the work place. **THE MOST EFFECTIVE COURSE OF ACTION TO TREAT AN INJURY OR ILLNESS IS TO PROPERLY DIAGNOSE THE INJURY IN ORDER TO IMPLEMENT AN EFFECTIVE MEDICAL TREATMENT PLAN.** This is common sense.

An insurance carrier should NOT have the right to make medical decisions, nor should they be allowed to choose an injured worker's doctor. A doctor contracted by a Utilization Review company should also NOT be allowed to make medical decisions regarding the treatment of a patient whom (s)he has not personally examined.

An injured worker SHOULD have the right to be examined by a doctor of his/her selection. Therefore, where there is a medical dispute, the injured worker should have a right to a medical advocate and not have the medical decisions for treatment be made by the employer's doctors alone. How can a judge be impartial if he is only presented medical evidence from the employer's doctors?

The injured worker should also have the right to have his/her own interpreter attend medical examinations. Again, the injured worker should have the right to a judge

rendering an impartial decision concerning his/her disability.

Disability components presented by the injured worker should not be disallowed by the legislator or an independent medical review committee set up by the employer. Again, how can a judge be impartial if all the evidence is not presented. In the end, the one who suffers is the injured worker.

Furthermore, there are legislative proposals for all medical providers and diagnostic companies to pay \$150.00 to file a lien and an additional \$100.00 to file for a Declaration of Readiness to Proceed (DOR). Therefore, a medical provider with a bill of \$600.00 has to pay \$250.00 to collect their money. This will result in providers and diagnostic facilities being limited on providing diagnostic and medical treatment for injured workers.

This will only slow down the med-legal process even more in a system that is already slow.

This Senate Bill will also result in an injured worker, who can potentially recuperate and return to work, become permanently disabled for no other reason than appropriate medical treatment was denied for too long. I haven't even mentioned the fact that these injured workers are in pain for long periods of time while they await treatment.

This proposed legislation is dangerous and will ultimately result in raised insurance premiums, emergency rooms closing for non-payment and businesses shutting down. California suffered enough from the disaster resulting from SB899. We don't need more drastic legislation.

Please help to put a stop to Senate Bill 863. Please contact your local state representative, your congressman or the office of Senator Pro tem Darrell Steinberg at <http://sd06.senate.ca.gov/contact> and let him know that this bill will ultimately hurt California.