

March 31, 2011

The Honorable Luis Alejo  
California State Assembly  
State Capitol, Room 2137  
Sacramento, CA 95814

**Re: Assembly Bill 1155 (Alejo): Oppose**

Dear Assemblymember Alejo,

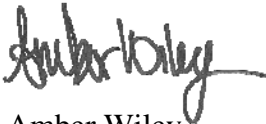
ALPHA Fund respectfully opposes your Assembly Bill 1155 which would provide that race, religious creed, color, national origin, age, gender, marital status, sex, or genetic predisposition shall not be considered a cause or other factor of disability with regard to any Workers' Compensation apportionment determination.

ALPHA Fund is a self-insurance pool that provides Workers' Compensation coverage to Health Care Districts, public and non-profit hospitals, clinics and nursing facilities throughout California. The 53 Participants in the Fund range from major urban medical centers to rural facilities and cover approximately 18,000 employees.

This bill weakens the statute and could allow judges to overrule apportionment even when based on actual findings of previous disability. Employers deserve to be protected from paying increased compensation for a disability that does not arise from an industrial injury. Furthermore, employees should only be liable for the percentage of the permanent disability caused directly by the injury incurred during their employment.

SB 1115 will roll back a major provision in the 2004 reform and increase claims costs for hospitals. For these reasons, ALPHA Fund respectfully opposes this bill.

Sincerely,



Amber Wiley  
Legislative Advocate

Cc: Assembly Insurance Committee