



California Workers' Compensation Institute

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November 3, 2025

VIA E-MAIL – DWCForums@dir.ca.gov

Division of Workers' Compensation
P.O. Box 420603
San Francisco, CA 94142
Attn: DWC Forums

Re: Proposed Changes to the Supplemental Job Displacement Benefits and Return to Work Regulations

Dear Forum Director:

These comments on proposed modifications to the text of rules related to the Supplemental Job Displacement Benefits and Return to Work Regulations are presented on behalf of members of the California Workers' Compensation Institute (the Institute). Institute members include insurers writing 76% of California's workers' compensation premium, and self-insured employers with \$92B of annual payroll (30.3% of the state's total annual self-insured payroll).

Insurer members of the Institute include AF Group/CompWest, AIG, AmTrust North America, Berkshire Hathaway Homestate Companies, CHUBB, CNA, CopperPoint Insurance Companies, Crum & Forster, EMPLOYERS, Everest Insurance, GUARD Insurance Companies, The Hanover Insurance Group, The Hartford, ICW Group Insurance Companies, Liberty Mutual Insurance, North American Casualty Company/Applied Underwriters, Pie Insurance, Preferred Employers Insurance, Republic Indemnity, Sentry Insurance, State Compensation Insurance Fund, Travelers, WCF Insurance, Zenith Insurance Company, and Zürich North America.

Self-insured employer members include Albertsons Companies, Alliance of Schools for Cooperative Insurance Programs, BETA Healthcare Group Risk Management Authority, California Fair Services Authority, California Joint Powers Insurance Authority, California State University Risk Management Authority, City and County of San Francisco, City of Los Angeles, City of Pasadena, Costco Wholesale, County of Los Angeles, County of Santa Clara Risk Management, Dignity Health, Disneyland Resort, East Bay Municipal Utility District, Grimmway Farms, Kaiser Permanente, Loma Linda University Health Risk Management, North Bay Schools Insurance Authority, Pacific Gas & Electric Company, San Diego Gas & Electric Company, Schools Insurance Authority, Shasta County Risk Management, Shasta-Trinity Schools Insurance Group, Southern California Edison, Southern California Gas Company, Special District Risk Management Authority, Sutter Health, United Airlines, and the University of California.

The Institute offers the following comments:

Section 10116.9(s):

The Institute supports the verification of a VRTWC applicant's threshold qualifications.

Section 10133.31(b)(1):

The Institute questions the purpose of requiring claims administrators to forward the Form DWC-AD 10133.36 to the DIR. We note that while this form is rarely completed by physicians, requiring provision of the form to the DIR in a manner to be determined does not allow stakeholders to comment on the specific administrative burden that may be created.

Section 10133.31(f)(1):

The Institute recommends a requirement that training at California public schools be provided directly by that school or through a third party that is approved and included on the list of approved training providers and schools only. The Institute also recommends that payment for education-related training or skill enhancement be limited to those programs for which the provider has been approved.

Section 10133.31(f)(6):

The Institute supports the change from "claims examiner" to "claims administrator," which is defined in section 10116.9(c).

Section 10133.31(j):

The Institute questions the purpose of requiring claims administrators to forward the completed voucher to the DIR. Requiring provision of the completed voucher to the DIR in a manner to be determined does not allow stakeholders to comment on the specific administrative burden that may be created.

Section 10133.31(k):

The Institute supports the addition of this section. We recommend requiring a statement under penalty of perjury that all services were provided directly by the VRTWC and not by others. A copy of the voucher signed by the injured worker should be submitted with the invoice.

Section 10133.32:

We recommend retaining the reference to the Eligible Training Provider list on page 1, consistent with the language in section 10133.31(f)(1).

Section 10133.59(f):

The Institute recommends amending this section to prohibit VRTWCs from holding financial interests in entities that receive proceeds from the SJDB voucher consistent with Newsline Release Number 2025-103. Requiring disclosure at the time of billing would not provide either the injured worker or the claims administrator with timely notice of the self-referral.

Section 10133.59.1:

The Institute supports the addition of this section.

Thank you for the opportunity to comment. Please contact us if additional information would be helpful.

Sincerely,

Sara Widener-Brightwell

Sara Widener-Brightwell, EVP and General Counsel
California Workers' Compensation Institute

SWB/pm

cc: Jennifer Osborn, DIR Director
George Parisotto, DWC Administrative Director
CWCI Claims Committee
CWCI Medical Care Committee
CWCI Legal Committee
CWCI Regular Members
CWCI Associate Members