

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Administration of Workers' Compensation Liabilities

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Purpose

To define the County of San Diego's self-funded and self-administered Workers' Compensation Program, under the direction of the Chief Administrative Officer, as implemented through the Risk Management Division of the Department of Human Resources, for meeting and resolving its industrial injury liabilities in compliance with the Workers' Compensation provisions of Division 4 of the California Labor Code and all other appropriate codes and regulations.

Background

The County of San Diego has self-funded and self-administered (i.e., self-insured) its Workers' Compensation liabilities since November 28, 1968. In 2008, the decision was made to obtain excess Workers' Compensation coverage through a pooled insurance program with other California public entities. The levels of excess insurance are continually evaluated as part of the County's overall risk management program. Increasing liberalization of this state-wide program by both the Legislature and the Courts since 1968 makes it incumbent upon County Administration to clearly define County policy in managing this risk, to prevent abuse, to control costs, to provide appropriate benefits to County employees, and to deliver a program that is equitable to both County employees and County taxpayers.

Policy

It is the policy of the Board of Supervisors to:

1. Self-fund the County's Workers' Compensation liabilities and to self-administer the program in accordance with State Law as applied to legally self-insured public entities.
2. Provide employees with all Workers' Compensation benefits to which they are entitled under law.
3. Provide for effective medical treatment, including managed care, to achieve timely medical rehabilitation in order to return the occupationally injured or ill employee to work as soon as possible. Early return to work in a modified or alternate position is encouraged while an injured worker is recuperating to full pre-injury duties.
4. Direct and control medical care pursuant to the Labor Code.

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5. Monitor treatment of injured or ill employees to assure that proper care is provided as outlined by the Labor Code of the State of California and in accordance with definitions outlined in Labor Code 3209.3-3209.10.

6. Develop a program which enables occupationally injured employees to be returned to work in accordance with the Federal Americans with Disabilities Act (ADA) and the State Department of Fair Employment and Housing Act.

7. Obtain approval by the State of California Workers' Compensation Appeals Board of all settlements and adjudicate all issues under the authority of the California Workers' Compensation Appeals Board per the California Labor Code.

Sunset Date

This policy will be reviewed for continuance by 12-31-23.

Board Action

8-14-79 (40)

11-6-84 (14)

8-8-89 (34)

4-4-95 (28)

6-15-04 (25)

12-9-08 (33)

09-15-09 (16)

10-18-16 (15)

CAO Reference

1. Department of Human Resources