



**California Workers' Compensation Institute**  
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March 15, 2022

VIA E-MAIL – [dwcrules@dir.ca.gov](mailto:dwcrules@dir.ca.gov)

Maureen Gray, Regulations Coordinator  
Division of Workers' Compensation  
1515 Clay Street, 18<sup>th</sup> Floor  
Oakland, CA 94612

**Re: Electronic Service of Medical-Legal Reports by Medical Evaluators – 15  
Day Comment Period**

Dear Ms. Gray:

On behalf of its members, California Workers' Compensation Institute offers these comments on the Electronic Service of Medical-Legal Reports by Medical Evaluators regulation. The Institute's members include insurers writing 78% of California's workers' compensation premium, and self-insured employers with \$89B of annual payroll (33.7% of the state's total annual self-insured payroll).

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

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

Recommended revisions to the proposed regulations are indicated by **underscore** and **strikeout**. Comments and discussion by the Institute are identified by *italicized text*.

## Discussion

*The Institute supports the continuing effort by the Division to improve the efficiency of the workers' compensation system with permanent rules for electronic delivery of medical-legal reports. Specifically, we agree with the updated proposal in section 36.7(a)(3) to charge a party whose email address has changed with the obligation to file a notice of change of address with the physician and on all parties. As we noted in our original Comments, this new language will make section 36.7 more consistent with Rules of Court §2.251(g)(1).*

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

Sincerely,

***Sara Widener-Brightwell***

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

SWB/pm

cc: Katrina Hagen, DIR Executive Director  
George Parisotto, DWC Administrative Director  
CWCI Claims Committee  
CWCI Medical Care Committee  
CWCI Legal Committee  
CWCI Regular Members  
CWCI Associate Members