

Supplemental Job Displacement Benefit	RULEMAKING COMMENTS 4 <sup>th</sup> 15 DAY COMMENT PERIOD	NAME OF PERSON/ AFFILIATION	RESPONSE	ACTION
10133.31(f)(5)	<p>Commenter would like to know if the provision governing the purchase of a computer is dependent on whether or not the injured worker is enrolled in a training program.</p>	<p>Edna Young City of Sacramento August 27, 2013 Written Comment</p>	<p>Labor Code section 4658.7 provides that vouchers may be applied to the purchase of a computer at the choice of the injured employee; there is no requirement that the computer purchase be dependent upon enrollment in a training program.</p>	<p>No change.</p>
10133.31(f)(5)	<p>Commenter recommends the following revision:</p> <p><u>At the time the voucher is provided, the claims administrator <del>or employer</del> may give the employee the option to obtain computer equipment directly from the employer.</u></p> <p>Commenter does not expect to see this option utilized to any degree. Commenter states that the definition of Claims Administrator includes the employer. Commenter opines that the addition of the term employer here provides a lack of clarity as it could be interpreted to be the new employer. Commenter opines that it could also allow for an unknowing double allotment of resources if the “employer” is an insured employer or an employer using a third party</p>	<p>Steven Suchil Assistant Vice President &amp; Counsel American Insurance Association September 6, 2013 Written Comment</p>	<p>Agree.</p>	<p>10133.31(f)(5) has been amended.</p>

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10133.31(f)(5)	<p>administrator.</p> <p>Commenter recommends the following revised language:</p> <p>At the time the voucher is provided, the claims administrator <del>or employer</del> may give the employee the option to obtain computer equipment directly from the <del>employer claims administrator</del>. The employee shall not be entitled to reimbursement for purchase of games or any entertainment media.</p> <p>Commenter opines that in all cases, the payer in this program will be the claims administrator – either the claims administrator for an insurer, a self-insured employer, or a permissibly uninsured employer. Commenter states that employers will not be directly involved in the provision of benefits and it may be confusing to list them in addition to or instead of the claims administrators.</p>	<p>Michael McClain General Counsel California Workers' Compensation Institute (CWCI) September 6, 2013 Written Comment</p>	<p>Agree.</p>	<p>10133.31(f)(5) has been amended.</p>
10133.31(j)	<p>Commenter recommends the following revised language:</p> <p>If computer equipment will be provided directly to the employee, the <del>employer claims administrator</del> must</p>	<p>Michael McClain General Counsel California Workers' Compensation Institute (CWCI) September 6, 2013</p>	<p>Agree.</p>	<p>10133.31(f)(5) has been amended.</p>

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	<p>provide the computer equipment along with documentation of the cost of the computer equipment to the employee within 45 days of receipt of the Request for Purchase of Computer Equipment.</p> <p>Commenter opines that in all cases, the payer in this program will be the claims administrator – either the claims administrator for an insurer, a self-insured employer, or a permissibly uninsured employer. Commenter states that employers will not be directly involved in the provision of benefits and it may be confusing to list them in addition to or instead of the claims administrators.</p>	Written Comment		
DWC-AD Form 10133.32 (SJDB)	<p>Commenter states that the following revisions are consistent with his proposed revision to 10133.31(f)(5):</p> <p>Page 1, Paragraph 2, Subsection 5:</p> <p>The <del>employer</del> <u>claims administrator</u> may give the employee the option to obtain computer equipment directly from the <del>employer</del> <u>claims administrator</u></p> <p>Page 3, Third Box:</p>	<p>Steven Suchil Assistant Vice President &amp; Counsel American Insurance Association September 6, 2013 Written Comment</p>	Agree.	10133.31(f)(5) has been amended.

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	<p>I accept the claims administrator/<del>employer's</del> offer to furnish computer equipment (if an offer was provided.)</p> <p>Page 3, Paragraph 2 under Employee Signature:</p> <p>If the computer equipment will be provided directly to you, your <del>employer-claims administrator</del> must provide the computer equipment along with documentation of the cost of the computer equipment within 45 days of receipt of this Request for Purchase of Computer Equipment.</p> <p>Page 5, Last paragraph:</p> <p>For computer equipment purchases, please complete a Request for Purchase of Computer Equipment (page4) and mail to the claims <del>adjuster</del> administrator with appropriate documentation.</p>			
DWC-AD Form 10133.32 (SJDB)	<p>Commenter recommends the following revised language:</p> <p>(5) Computer equipment including, but not limited to monitors, software,</p>	Michael McClain General Counsel California Workers' Compensation Institute (CWCI)	Agree	DWC-AD Form 10133.32 has been amended.

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	<p>networking devices, input devices (such as keyboard and mouse), peripherals (such as printers), and tablet computers of up to \$1,000 submitted with appropriate documentation (page 4 of this packet). The <del>employer</del> <u>claims administrator</u> may give the employee the option to obtain computer equipment directly from the <del>employer-claims administrator</del>. The employee shall not be entitled to reimbursement for games or any entertainment media.</p> <p>....</p> <p><input type="checkbox"/> I accept the claims administrator's/<del>employer's</del> offer to furnish computer equipment. (If an offer was provided.)</p> <p>....</p> <p>If the computer equipment will be provided directly to you, <del>your employer must</del> <u>the claims administrator will</u> provide the computer equipment along with documentation of the cost of the computer equipment within 45 days of receipt of this Request for Purchase of Computer Equipment.</p>	<p>September 6, 2013 Written Comment</p>		

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	<p>Commenter opines that in all cases, the payer in this program will be the claims administrator – either the claims administrator for an insurer, a self-insured employer, or a permissibly uninsured employer. Commenter states that employers will not be directly involved in the provision of benefits and it may be confusing to list them in addition to or instead of the claims administrators.</p>			
General Comment	<p>Commenter is pleased to support the SJDB regulations promulgated by the DWC. Commenter opines that these regulations fall within the intent of SB 863 and will result in both reduced system friction and better benefit delivery to injured workers. Commenter thanks the DWC for considering and accepting some of the more important recommendations contained in his previous letters of March 19, May 30, June 21 and July 18, 2013.</p>	<p>Jeremy Merz CalChamber</p> <p>Jason Schmelzer CCWC September 6, 2013 Written Comment</p>	No need for comment.	No change.
General Comment	<p>Commenter has reviewed the proposed revisions to the regulations and has no comment at this time.</p>	<p>Peggy Thill Claims Operations Manager September 6, 2013 Written Comment</p>	No need for comment.	No change.