

PUBLIC MEETING MINUTES
Commission on Health and Safety and Workers' Compensation
June 26, 2026, 9:30 a.m.
Ronald Reagan State Building
300 South Spring Street, Auditorium, Los Angeles, California and by Zoom

Welcome and Introduction

Chair Roxborough started the meeting and began by providing a follow-up from the April 8 CHSWC public meeting to address questions brought up by Commissioner Hamelin. He said her questions were about the legislative intent for the creation of CHSWC. He explained that Labor Code section 77 establishes and empowers the Commission on Health and Safety and Workers' Compensation (CHSWC) to continuously examine, evaluate, and recommend improvements for the state's workers' compensation system and industrial injury prevention programs.

The key aspects of this intent include:

- Continuous Improvement: Mandating a perpetual review of the workers' compensation system and safety activities.
- Policy Recommendations: Requiring the commission to provide the Governor and Legislature with recommendations for administrative or legislative changes to improve system efficiency.
- System Oversight: Empowering the commission to examine other states' programs and contracts for studies on workers' compensation and safety.
- Safety Focus: Specifically tasking the commission with evaluating state efforts to prevent industrial injuries and occupational diseases.
- Notice Simplification: Ensuring improvement in the clarity and effectiveness of notices required to be provided by insurers and employers.

Chair Roxborough explained that the statute specifically authorizes the commission to monitor the "Return-to-Work Program" and oversee studies related to the overall functioning of the workers' compensation system, including its financial aspects.

Chair Roxborough indicated that if the majority of Commissioners would like to consider discussing this further, they can put it on the agenda for a future meeting.

1. Roll Call

The Commission on Health and Safety and Workers' Compensation (CHSWC) public meeting was called to order at 9:32 a.m. by Chair Roxborough. A quorum of members was present.

In Attendance: Nicholas Roxborough (Chair), Jen Hamelin, Shelley Kessler, Kristi Montoya, Chris Pedroza, Mitch Steiger, Meagan Subers

Absent: Sidharth Voorakkara.

2. Public Comment on members of the public to address the Commission on matters within the Commission's authority

There was no public comment.

3. Discussion, recommendation and possible action to approve minutes of the April 8, 2026, meeting

Nicholas Roxborough, Chair

<https://www.dir.ca.gov/chswc/Meetings/2026/06-26-26-Item-3-04-08-26-Meeting-Minutes.pdf>

A correction of the minutes was requested to update the meeting location to Sacramento.

On a motion by Commissioner Steiger and seconded by Commissioner Pedroza, the CHSWC meeting minutes were approved, with changes noted, unanimously by all CHSWC Commissioners in attendance.

The votes were as follows:

AYES: Hamelin, Kessler, Montoya, Pedroza, Roxborough, Steiger, Subers

NOES: None

ABSENT: Voorakkara

Commissioners' Questions and Comments:

A Commissioner noted that the minutes should reflect that the Firefighter Mechanics study scope and budget was expanded from Southern California to include other geographic areas in the state.

Public Comment: None

4. Discussion, recommendation and possible action to approve the final 2025 CHSWC Annual Report

Melissa Flores, Executive Officer

Executive Officer Flores stated that 2025 CHSWC Annual Report has been updated with additional data. Feedback from the public and the Office of the Director at the Department of Industrial Relations has been incorporated into the 2025 CHSWC Annual Report.

Executive Officer Flores requested CHSWC Commissioners' approval.

On a motion by Commissioner Steiger and second by Commissioner Subers, the 2025 CHSWC Annual Report was approved unanimously by all CHSWC Commissioners in attendance.

The votes were as follows:

AYES: Hamelin, Kessler, Montoya, Pedroza, Roxborough, Steiger, Subers

NOES: None

ABSENT: Voorakkara

5. Further discussion on wearable personal monitoring devices to reduce heat-related injury for farm workers

Dean Florez, Former Senate Majority Leader, California State Legislature

<https://www.dir.ca.gov/chswc/meetings/2026/06-26-26-Item-5-Heat-Injury-Prevention-Ag-Workers.pdf>

Former Senate Majority Leader Dean Florez discussed the growing risks of heat illness for California outdoor workers including farm workers and the use of wearable personal monitoring devices to reduce heat-related injuries for workers. He highlighted research—especially the California Heat Illness Prevention Study (CHIPS) study—which shows that preventing heat illness requires monitoring multiple factors beyond outdoor temperature, including workload and core body temperature. Former Senate Majority Leader Florez advocated adopting the Wet Bulb Globe Temperature (WBGT) heat standard; technology (wearables and cooling technologies) and preventing heat illness using predictive Artificial Intelligence (AI) to anticipate dangerous conditions before workers begin their shifts; he said to move past pilot programs to implementation. He also stressed that heat illness is often under-reported and misdiagnosed; it can have long-term health consequences, suggesting the need for updated workers' compensation presumptions. Finally, he proposed creating a state heat-safety innovation fund to incentivize employers to adopt protective technologies and support broader innovation in heat-illness prevention.

Commissioners' Questions and Comments:

Commissioners had questions and comments regarding workers' compensation presumption, WBGT technology, effect of heat on illness, funding for heat illness, wearable technology, cooling vests and clothing, data monitoring and ownership, issues regarding the implementation of wearable technologies, Immigration and Customs Enforcement (ICE) and their impact on farm workers willingness to participate in wearables use and reporting of health and safety issues.

Public Comment: None

6. Presentation of results from reviewing 5 years of contracts for Copyright and Licensing provisions

Isaac S. Nicholson, Office of the Director Legal Unit. DIR

<https://www.dir.ca.gov/chswc/Meetings/2026/06-26-26-Item-6-CHSWC-Contracts.pdf>

Mr. Nicholson presented a review of the past five years of CHSWC contracts, 6 of 7 of which were with the researchers in the Universities in California (UC) system. He explained that there is project data created by the execution of the contract and distinguished it from deliverable data which is "work-for-hire" intellectual property created by the contractor and is the property of the party financing the contract and work. In the case of the included RAND Covid study contract, RAND was given copyright permission to produce derivative works, as a unique provision compared to the other UC contracts for training materials which only license the work to the contractor. Copyright goes to CHSWC/DIR in all contracts, and licensing provisions for derivative works may vary among the contracts but allow for educational, non-commercial and outreach uses.

The University Terms and Conditions (UTC) and license terms in an RFP and MOU when applicable are explicit. Subsequent derivative works are allowed whether by copyright or by licensure. In the case of RAND, they negotiated copyright terms for derivative works whereas the other studies and materials are licensed for use.

Commissioners' Questions and Comments:

A Commissioner asked whether RAND always negotiated copyright language for derivative works, and Mr. Nicholson replied that he did not know since he did not look at other RAND contracts.

A Commissioner expressed concern that if the final deliverable had results or findings that were based on methods that the Commission did not entirely agree with, that they could not prevent a research contractor from creating derivative works under their own copyright.

Another Commissioner expressed the belief that a standard should apply equally whether it is RAND, a university or private consulting research body.

Mr. Nicholson said that there's a very broad license granted to each of the non-RAND studies that allows for the re-publication and re-use of the information contained in the work-for-hire deliverable. He said that it is very difficult, in any context, to limit the subsequent use of a publicly funded study in the first place, but the contracts have a very specific grant of license to use the research contract materials for subsequent work.

Public Comment: None

7. Presentation “The Anatomy of a California Workers’ Compensation Claim: Injury to Resolution”

Jaci Caruso, Area Vice President, Arthur J. Gallaher & Co.

Carol Cattich, Area Vice President | National Risk Control – Claims, Arthur J. Gallaher & Co.

<https://www.dir.ca.gov/chswc/Meetings/2026/06-26-26-Item-7-Anatomy-CA-Workers-Comp-Claim.pdf>

The presenters provided a step-by-step overview of claim flow from injury reporting through resolution, beginning with reporting an injury to the employer where details about who, what and where are documented and data are submitted, and continuing to setting up a claim with an insurance adjuster and receiving medical treatment via an MPN physician or other provider, and consequent review and authorizations (accept/deny) to treat under workers’ compensation (UR/IMR), medical-legal disputes (QME) and resolution of the injury case and claim.

The presenters further identified friction points:

- Growing cumulative trauma (CT) claims
- Access issues in Medical Provider Networks (MPNs)
- Increasing reliance on utilization review (UR) even during the initial 30-day treatment window
- Extended WCAB hearing delays due to judge shortages

Commissioners’ Questions and Comments:

Commissioners discussed regional patterns in CT claims moving north at least partially due to attorneys able to use teleconferencing, as well as MPN shortages, and litigation pressures.

A Commissioner asked why settlements take so long and the presenters answered that the problem was staffing and a shortage of judges.

Public Comment: None

8. Panel Discussion and Roundtable: A further examination of Workers' Compensation Medical Care Delivery perspectives from Insurers and Providers

Basil R. Besh, M.D., FORM Hand, Wrist & Elbow Institute

<https://www.dir.ca.gov/chswc/meetings/2026/06-26-26-Item-8-Promise-Unkept.pdf>

Catherine Montgomery, Founder & CEO, daisyBill

<https://www.dir.ca.gov/chswc/meetings/2026/06-26-26-Item-8-Physician-Workflow-WC-Claim.pdf>

Lisa Anne Hurt-Forsythe, Vice President Government Affairs, American Association of Payers, Administrators and Networks

<https://www.dir.ca.gov/chswc/Meetings/2026/06-26-26-Item-8-MPN-CA-Work-Comp-System.pdf> - White paper

<https://www.dir.ca.gov/chswc/Meetings/2026/06-26-26-Item-8-CHSWC-Presentation-re-MPNs.pdf> - presentation

Dr. Basil R. Besh said that California's workers' compensation system has become burdened by excessive friction, particularly utilization review delays, prior authorization requirement, opaque and inaccurate medical provider networks, and inconsistent treatment quality; he proposed a statewide overhaul centered on improving medical access and accountability. Dr. Besh explained that many specialists avoid workers' compensation because reimbursement is low and administrative obstacles are high, leading to access shortages that force injured workers toward low-quality, high-volume providers who "game the system." Dr. Besh urged CHSWC to adopt a Qualified Treating Physician (QTP) program modeled after the Qualified Medical Evaluator (QME) credentialing system, requiring standardized training, competency testing, and ongoing education to ensure consistent, evidence-based care. He emphasized that a simplified, statewide provider list, stronger oversight of treatment quality, and incentive-based system design—not punitive enforcement—would reduce system waste.

Commissioners' Questions and Comments:

Commissioners had several questions and comments including the cost of implementation of Dr. Besh's recommendations as well as the impact of additional requirements on the workers' compensation system, and addressing the current workers' compensation system, rural workers' compensation care, and Medical Provider Networks.

Public Comment: None

Ms. Catherine Montgomery, CEO of daisyBill, said her company has built technology specifically for providers. She explained that California's workers' compensation system imposes overwhelming administrative burdens on medical providers, from outdated paper forms and complex treatment authorization rules to a highly fragmented Medical Provider Network (MPN) system that makes it difficult to confirm network participation and leads to frequent bill denials. Ms. Montgomery noted that providers are often reimbursed far below the already low fee schedule and face inconsistent, error-prone utilization review decisions. Overall, she emphasized that these systemic failures discourage providers from treating injured workers and significantly reduce access to timely care.

Commissioners' Questions and Comments:

Commissioners asked about daisyBill data, MPNs, what happens to audit requests, and lack of incentives to join the workers' compensation system.

Public Comment: None

Ms. Hurt-Forsythe outlined California's significant primary healthcare provider shortage, projecting a deficit of about 10,500 providers by 2030. She explained the original purpose of Medical Provider Networks (MPNs)—to manage rising healthcare costs, improve provider quality, and increase transparency—and noted key reforms such as Medical Access Assistants and roster requirements. She clarified that there are roughly 300 MPNs in California, not thousands, and emphasized the difference between MPNs (regulated under Labor Code and approved by DWC) and PPOs (private contracts).

She noted that providers sign a single acknowledgment allowing participation in multiple MPNs, often through “leased” PPO networks, and that current regulations already require disclosure when bills are repriced through such contracts. She reminded the audience that MPNs are networks, not providers, and that employees can predesignate outside physicians—though many are unaware.

She concluded that MPNs are functioning effectively, citing WCRI data showing lower claim costs, faster treatment and return-to-work timelines, better outcomes, and fewer disputes.

Ms. Hurt-Forsythe then presented data suggesting MPN contract-related friction, including IBR filings is negligible and provided additional data on the lack of phone calls for contract disclosure requests.

Commissioners' Questions and Comments:

Chair Roxborough opened up the discussion for questions, comments and recommendations for all commissioners and panelists.

Public Comment: None

9. Report from Executive Officer

Melissa Flores, Executive Officer

Melissa Flores provided an administrative update on staffing, telework policy change, and CHSWC's contracting progress. Executive Officer Flores noted the retirement of long-time staff member Nurgul Toktogonova. She reported on efforts to finalize several key contracts, including the School Action for Safety and Health (SASH) program expansion, and two legislatively mandated studies—before fiscal-year end deadlines. Executive Officer Flores provided details on the Impact Report reviewing a decade of CHSWC studies produced internally by CHSWC staff.

10. Standing Written Reports

a. Legislative update

<https://www.dir.ca.gov/chswc/Meetings/2026/06-26-26-Item-10a-Leg-Update.pdf>

b. Mandated Reports & Other Studies Status

<https://www.dir.ca.gov/chswc/Meetings/2026/06-26-26-Item-10b-Mandated-Reports-Other-Studies.pdf>

Commissioners' Questions and Comments: None

11. Other Commission matters

Chair Roxborough asked the Commissioners if there were other Commission matters to discuss.

Mr. Steiger commented that he would like to propose to agendize Cumulative Trauma with a panel-like format similar to recent discussions with representatives in a future agenda item. He said that CT claims are being described as responsible for rising costs in the system, that they are typically attorney-represented, the number of CT claims are rising and that they are prevalent more in Southern California than Northern California, with a certain implication that such CT claims are not legitimate, if not fraudulent according to some commenters at public meetings. He said that some people even cite Post-Termination claims as self-evident of fraud. He said he believes that they need to better understand these claims, where they come from, review the need to protect workers' rights to them, and explain why they don't appear until a worker has stopped working. He suggested the topic for the meeting after the next one (after August).

Ms. Subers commented that it would be helpful to have DWC talk to the Commission about some of the issues presented at the last several meetings, such as medical treatment, UR, and MPNs.

Ms. Hamelin added that it would be helpful to have DWC provide an update on the software solutions they are embarking on surrounding data collection and analysis abilities.

Chair Roxborough invited Labor representatives on the Commission if they would like to invite a Labor representative to present at next Oakland CHSWC meeting, and they answered affirmatively. Chair Roxborough indicated that they should lead the organization of that effort to identify someone.

Chair Roxborough concluded that perhaps by the end of the year, they could come up with recommendations for regulations or workers' compensation reform areas. He noted simplifying antiquated forms, obtaining a correct number for MPNs in the system in the absence of a current list – that there should be a list – and added that some areas are not rocket science, and that they could perhaps piecemeal recommendations.

Mr. Steiger echoed support for having DWC present at CHSWC meetings where these areas are discussed and giving them the opportunity to contribute to the discussion even though, like any state agency, they may not be able to comment entirely frankly.

12. Adjournment

On a motion by Commissioner Pedroza and second by Commissioner Subers, Chair Roxborough adjourned the meeting at 2:28 p.m. by unanimous consent of all members in attendance.

Approved:

Nicholas Roxborough, Chair

Date

Respectfully submitted:

Melissa Flores, Executive Officer, CHSWC

Date