

PUBLIC MEETING MINUTES

Commission on Health and Safety and Workers' Compensation

February 18, 2026, 9:30 a.m.

Elihu Ellis State Building, Auditorium
1515 Clay Street, Oakland, CA 94104 and by Zoom

1. Roll Call

The Commission on Health and Safety and Workers' Compensation (CHSWC) public meeting was called to order at 9:34a.m. by Chair Roxborough. A quorum of members was present.

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

Absent: Sidharth Voorakkara

2. Public Comment

Jason Marcus of the California Applicants Attorneys Association (CAAA) made a comment in objection to the Governor's budget trailer bill making policy changes to the Subsequent Injuries Benefits Trust Fund (SIBTF), in favor of the normal legislative process. He added that major changes (in the system) are typically made prospectively and often do not apply to pending unresolved cases. He indicated a preference for any proposed changes in the bill to be prospective.

Catherine Montgomery, Co-Founder of DaisyBill, made a comment about SIBTF and stated that many of the problems of SIBTF today are inherent in workers' compensation in California in general, and she suggested that the problems be addressed at a holistic level rather than an SIBTF level.

3. Discussion, recommendation and possible action to approve minutes of the December 11, 2025, meeting

Presented by Nicholas Roxborough, Chair

<https://www.dir.ca.gov/chswc/Meetings/2026/02-18-26-Item-3-12-11-25-Meeting-Minutes.pdf>

On a motion by Commissioner Steiger and seconded by Commissioner Montoya, the CHSWC meeting minutes were 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

Commissioners' Questions and Comments: Commissioner Kessler commented on the accuracy of the vacancy positions at Cal/OSHA. The Chair said that any updates to the minutes

could be agendized for a future meeting, but that the minutes reflect what was said at the meeting.
Public Comment: None

4. **Discussion, recommendation and possible action to approve the final Report on Employer Use of Prepaid Card Account Programs for Workers' Compensation Disability Indemnity Payments in California: California Senate Bill 880 (2018) and California Labor Code §4651 (dated 2-18-2026)**
Presented by Melissa Flores, Executive Officer
<https://www.dir.ca.gov/chswc/Meetings/2026/02-18-26-Item-4-Prepaid-Card-Report.pdf>

Ms. Flores explained that the report received one public comment and that it was included in the version of the report, with no significant other changes.

Commissioners' Questions and Comments: Commissioner Steiger commented that the one written public comment received included interest in paying with Venmo or PayPal. He indicated that much more discussion would be required if such expansion were to be considered. Commissioner Kessler commented that the injured worker's perspective or preference for benefit payments should be considered in the report. Commissioner Montoya commented in reply that payment options are already explained to injured workers, including by check and EFT/direct deposit, and the Prepaid Card when applicable. Ms. Montoya said that injured workers already have a choice if there are several payment options in addition to a mailed check, and they can already notify a change of mailing address, as needed.

Public Comment: None

On a motion by Commissioner Subers and seconded by Commissioner Pedroza, the CHSWC meeting minutes were 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. **Discussion, recommendation and possible action to approve the final 2025 WOSHTEP Advisory Board Annual Report and presentation on WOSHTEP**
Presented by Melissa Flores, Executive Officer & Monique Hosein, DrPH, Program Coordinator, Labor Occupational Health Program, UC Berkeley
<https://www.dir.ca.gov/chswc/Meetings/2026/02-18-26-Item-5-2025-WOSHTEP-Annual-Report.pdf>
<https://www.dir.ca.gov/chswc/Meetings/2026/02-18-26-Item-5-WOSHTEP.pdf>

Ms. Flores presented the final report for the Commissioners approval and introduced Ms. Hosein. Ms. Hosein presented an overview of the WOSHTEP program.

Commissioners' Questions and Comments: A question was asked about the number of younger workers trained to date and how they hear about the program. Ms. Hossein explained that they conduct outreach, recruitment, use social media, and referrals from people who have been through the program, as well as a focus on young people in disadvantaged communities so that it

is equitable and accessible. A Commission mentioned the Trade Introductory Program (TIP) in San Mateo County and the Machinist Union at Mission High School in San Francisco as potential candidates for similar training. A Commissioner requested the total number of youth participants in follow-up and added the request to include the running total of youth participants in future WOSHTEP Advisory Board Annual Reports. Later in the meeting, Ms. Hosein provided the requested totals from 2005 and 2024 as 554 youth on teams, and 107 youth who returned as youth mentors.

Public Comment: None

On a motion by Commissioner Kessler and seconded by Commissioner Montoya, the WOSHTEP Advisory Board 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

6. Presentation on California's Subsequent Injuries Benefits Trust Fund

Presented by Michael Dworsky PhD and Stephanie Rennane PhD, RAND

<https://www.dir.ca.gov/chswc/meetings/2026/02-18-26-Item-6-SIBTF-Report.pdf>

Michael Dworsky stated California's Subsequent Injury Trust Fund (SIBTF) was designed to solve a problem posed by pre-existing disabilities in the workers' compensation system, and it is at a critical inflection point. SIBTF pays for the difference in benefits between the subsequent injury and the combined benefit of the subsequent injury and the preexisting disability. It has been the subject of legislative attention both this year and last year. Dr. Dworsky stated payments from SIBTF grew 1,600 percent between 2010 and 2022, from 13 million dollars in 2010 to 230 million dollars in 2022.

Dr. Dworsky stated that the most critical policy change to SIBTF is due to the case law named Todd versus SIBTF. Additionally, DIR had asked RAND to provide a liability estimate for existing caseloads until 2022. Potential liabilities range from 6.3 to 8.4 billion dollars. Then, Dr. Dworsky discussed reforms to make SIBTF more sustainable.

Commissioners' Questions and Comments:

Commissioners had numerous questions and comments regarding SIBTF. Commissioners asked if there had been any updates to this report since 2024, whether injured workers had been interviewed, comments about Incurred But Not Reported (IBNR) claims, chronic illness and its impact on SIBTF, disability ratings and SIBTF, savings from the SIBTF reforms recommended by RAND, role of Qualified Medical Evaluator (QME) specialties, role of Senate Bill (SB) 863 in applying for SIBTF benefits, and whether the workers' compensation system was functional. Additional questions by Commissioners included: the length of time it takes for injured workers to receive benefit payments from SIBTF, pre-existing conditions, medical legal payments, number of applications to SIBTF, reviewing the Request for Proposal (RFP), examiners' caseloads, non-benefit payments, subcontracting for this Study, among others.

Chair Roxborough asked Executive Officer Flores to notify CHSWC about studies that are being conducted by DIR.

Public Comment: Jason Marcus, California Applicant Attorneys Association, asked CHSWC to consider the impact of the *California's Subsequent Injuries Benefits Trust Fund* study, commission additional studies, and receive input from those who had not participated in this Study to make recommendations to the Legislature.

Jason Schmelzer, California Coalition on Workers' Compensation and California Chamber of Commerce, stated that SIBTF is warped and its liabilities and growth make it unsustainable. The proposed solutions to SIBTF are reasonable and should be quickly adopted. He had several additional comments.

7. **Presentation on the School Action for Safety and Health (SASH) Program**
Presented by Monique Hosein, DrPH, Program Coordinator, Labor Occupational Health Program, UC Berkeley
<https://www.dir.ca.gov/chswc/Meetings/2026/02-18-26-Item-7-LOHP-SASH.pdf>

Ms. Hosein presented an overview of the School Action for Safety and Health (SASH) program.

Commissioners' Questions and Comments: A Commissioner asked about reaching out to apprenticeship programs. Ms. Hosein explained that SASH was just for schools, but that other WOSHTEP programs work with apprenticeship programs. A Commissioner commented that there was a lack of knowledge and compliance with the workplace violence standard, which is still relatively new. Ms. Hosein stated that they have held a webinar on the subject but agreed that there exists a large knowledge gap on this subject since the effective date of July 2024. She was careful to distinguish between workplace violence prevention training and paraeducator safety training which is more focused on student behavior. A Commissioner asked what year the SASH program started, and whether the efficacy of the SASH program can be described in terms of reduced injuries. Ms. Hosein answered that they have not conducted a causal analysis which could credit SASH for single-handedly preventing injuries. She said the program began training in 2010. Another Commissioner asked if the training courses were free and Ms. Hosein answered that they were all free. The same Commissioner commented that evaluation metrics could include whether hazards were reported more frequently after the training, among other measurements. The Commissioner also asked about the occupation with the highest risk of injuries, and Ms. Hosein explained that WOSHTEP focuses on prevention training in high hazard occupations, like agricultural work, and that SASH training is for school workers in occupations with the highest rates of illnesses and injuries compared to the general working population in general. One Commissioner asked about PTSD among school administrators in the case of school shootings. Ms. Hosein explained that WOSHTEP has a fact sheet on active shooter safety, and SASH has a fact sheet on stress.

Public Comment: None

8. **Report from the Executive Officer**
Presented by Melissa Flores, Executive Officer
<https://www.dir.ca.gov/chswc/Meetings/2026/02-18-26-Item-9b-Legislative-Mandates.pdf>

Ms. Flores provided an update on contract negotiations with the universities on the Fire Mechanics (AB 1400) study and the PTSD (SB 623) study. She added that CHSWC is

working with the Labor Occupational Health Program at U.C. Berkeley on expanding the SASH program.

Ms. Flores shared that Irina Nemirovsky presented on WOSHTEP at IAIABC's Western Association Workers' Compensation Boards (WAWCB) winter seminar and noted the Young Workers Leadership Academy recently held on Feb. 12-14 @ UCLA.

Ms. Flores also informed the Commissioners of the upcoming Division of Workers' Compensation's 33rd annual Educational Conference on March 5-6, 2026 at the Oakland Marriott City Center Hotel and on March 19-20, 2026 at the Los Angeles Airport Marriott, and the California Workers' Compensation Institute 62nd Annual Meeting on March 26, 2026 in Sacramento.

She informed the Commissioners that the next CHSWC public meeting date has been moved to Wednesday, April 8, 2026.

Commissioners' Questions and Comments: A Commissioner offered assistance with contract negotiations and Flores stated her appreciation and intent to reach out as needed. Another Commissioner indicated that she had the names of firefighter mechanics that she wanted to provide for the above-mentioned study. Flores indicated that those names can be submitted to her.

Public Comment: None

9. Standing Written Reports

a. Legislative update

<https://www.dir.ca.gov/chswc/Meetings/2026/02-18-26-Item-9a-CHSWC-Legislative-Update.pdf>

b. Mandated Reports & Other Studies Status

<https://www.dir.ca.gov/chswc/Meetings/2026/02-18-26-Item-9b-Legislative-Mandates.pdf>

Commissioners' Questions and Comments: A Commissioner stated that they wanted to be informed of any legislation that impacts the work of the Commission. The Chair asked to get a report on the impact/usage of studies published by CHSWC for the last ten years. Another Commissioner commented that they find the CHSWC Annual Report helpful to obtaining answers to questions, recognizing that it may not be read cover-to-cover but is thorough and an important resource.

Public Comment: None

10. Other Commission matters

A Commissioner raised the issue of ownership of the research studies in the context both of using the research for other purposes and in the context of attracting the most bidders on contracts. They raised the question of what ownership of the research really means and how control of the final product should be viewed. Another Commissioner commented that in the past when the Commission has disagreed with some approach in the study or when Commission comments are not included in the study, that ownership becomes the guiding principle. Another Commissioner added that when the Commission disagrees with the study and does not want it to be released to the public, do they have that right in terms of ownership definitions. Ms. Flores commented that she is learning that ownership and licensing have their separate definitions and

CHSWC staff are presently working to develop that understanding and agreement. Another Commissioner agreed that a joint or co-ownership arrangement are among the several options.

A Commissioner raised a new topic of access to medical care in the worker's compensation system, including delays. In addition, they added from the December CHSWC meeting they thought there would be a follow-up DWC presentation on access to WCIS data. They used the example of a request to add the date of a denial on the subsequent report of injury form, and they were told that it would cost \$12 million to add a field for the date but it was contingent on appropriation and so it is not in effect. The Commissioner said that they believe a data discussion is still needed.

A Commissioner commented that they think they need to redouble their efforts to have stakeholders present when certain topics are discussed, as it helps inform the issues that impact workers that have been injured or have to navigate the system.

A Commissioner requested instructions on the Commission's authority to request a study on a certain topic, when there is no budget for it and when it is not at the request of the legislature. They asked to understand when DIR has the authority to do studies and when CHSWC does not, and whether DIR has to advise CHSWC. Another Commissioner said that the statute does not restrict CHSWC from doing studies. A Commissioner said that perhaps the statute itself may need updating for such clarity. A Commissioner concluded that having an attorney present would be helpful in providing clarity on this issue of conducting studies at the next meeting.

A Commissioner specifically asked what the CHSWC budget was, and whether there is a separate fund for studies. Ms. Flores answered that they have several million dollars for this year, the bulk of which was for the legislatively mandated studies; that there is an administrative and operations budget; and that the AB 1400 study was expanded by \$100,000 with savings from the administrative and operations budget. She said that she is still learning the process at DIR but that CHSWC should be thinking two-years ahead in order to seek additional funds through the annual budgeting and Budget Changes Proposal (BCP) process timelines; she said the funds derive from the General Fund.

In a concluding comment, Chair Roxborough, on behalf of the Commission, congratulated Nicole Richardson on her appointment as Acting Administrative Director of Division of Workers' Compensation at California Department of Industrial Relations.

11. Adjournment

On a motion by Commissioner Pedroza and second by Commissioner Subers, Chair Roxborough adjourned the meeting at 12:56 p.m. by unanimous consent of all members in attendance.

Approved:

Nicholas Roxborough, Chair

Date

Respectfully submitted:

Melissa Flores, Executive Officer, CHSWC

Date