

STATE OF CALIFORNIA  
DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF WORKERS' COMPENSATION

COPY SERVICE PRICE SCHEDULE  
PUBLIC HEARING (VIA ZOOM)

Friday, February 25, 2022

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WCAB Hearing Reporter

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22  
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24  
25

I N D E X

Darcy Duran	5, 29, 37
Anonymous Speaker	7, 23
John Castro	9, 33
Dan Mora	10
Diane Worley	12
Diann Cohen	14, 31
Daniel Lopez	15, 36
Christian Groneberg	16
Charles Rondeau	18, 27
Donna Gaetano	20
Katheryn Greve	22, 32
Sophia Duncan	26
Victor Altamirano	35

1 (Time Noted: 10:15 a.m.)

2 MS. FINULIAR: Welcome everyone. This is the Public  
3 Hearing for the Copy Service Price Schedule. My name is Carol  
4 Finuliar. I'm an attorney at the Division of Workers'  
5 Compensation. I will be your moderator today. George Parisotto,  
6 Administrative Director, is also here. I have some DWC  
7 attorneys: Lindsey Urbina and Nicole Richardson are also here.

8 This hearing is being recorded and will be transcribed.  
9 Our Hearing Reporter is Jerilyn McGuire. DWC Regulations  
10 Coordinator, Maureen Gray, is our lovely host. She's labeled as  
11 Request to Speak in the chat box, and Kathleen Estrada is  
12 assisting with un-muting speakers.

13 I hope you've had chance to review the Copy Service Price  
14 Schedule. We will continue to accept written comments up until  
15 midnight tonight.

16 Your input is a vital part of the rule making process.  
17 We're here today mainly to listen. I'm not going to engage in a  
18 discussion with you, and I won't be able to tell you if your  
19 suggestions will be implemented, but every comment will be  
20 considered in drafting the final proposal. The final version  
21 will still need to be approved by the Office of Administrative  
22 Law before it becomes effective.

23 Getting to the mechanics of today's hearing - thank you  
24 everyone that registered to speak today. That was kind of a new  
25 process that we put in. If you have not registered, you can

1 still sign up to speak using the Zoom chat function. Send your  
2 chat message to "Request to Speak." Please provide your full  
3 name and organization. If you're calling in, please provide your  
4 phone number. Maureen is handling the Request to Speak function.  
5 You can also sign up to speak by sending an email to  
6 DWCrules@dir.ca.gov. Please put "Request to Speak" in the  
7 subject line along with your full name and organization, and if  
8 you're calling in, please provide your phone number so that you  
9 can be identified in the Zoom call.

10 Each speaker will have three minutes. Everyone is  
11 currently muted, so you'll need to click on the un-mute message  
12 before you speak. Please state your name and organization and  
13 spell your name for the record if you didn't pre-register. If  
14 you're from a copy service, can let us know if you're from the  
15 applicants' side or the defense side, or if you do both. Nicole  
16 will give you a warning when you have a minute left. Please take  
17 that opportunity to wrap things up because you will be muted, and  
18 the next speaker will be called. If you weren't able to finish  
19 you can sign up to continue. If time allows, you'll be called up  
20 again after everyone has been given an opportunity to speak.  
21 Follow-ups are limited to two minutes.

22 Our Hearing Reporter will not be taking down chat messages.  
23 All of your comments will be taken down by the Hearing Reporter.  
24 Please pace yourself; especially if you're reading your  
25 statement. Our Hearing Reporter will remain unmuted in the event



1 she needs to ask for clarification. Please spell out technical  
2 terms for the record.

3 Please restrict your comments to the Copy Service Price  
4 Schedule. This is not a general complaint forum. Please don't  
5 talk about Appeals Board cases, because nothing is going to be  
6 turned over to the judge.

7 We'll be closing the hearing at 5:00 or earlier if everyone  
8 is finished speaking. We'll take a break at 11:00, and then  
9 another break for lunch, and we'll reopen the record after the  
10 breaks if there are still people signed up to speak.

11 Lastly, everyone who signed up to speak is on Maureen's  
12 list for notice. If you would like to receive notice of any  
13 changes to the Copy Service Price Schedule and be added to the  
14 list, please email DWCRules@dir.ca.gov with your name, contact  
15 information, and please indicate that you would like to receive  
16 notice of the Copy Service Price Schedule. You can also request  
17 notice of other DWC Rules and send in written comments until  
18 midnight to the same email address.

19 I believe we have 11 speakers signed up, but first is Darcy  
20 Duran. After Darcy John -- no. Anonymous will speak. Go ahead,  
21 Darcy.

22 MS. DURAN: Hi. Can everyone hear me? This is Darcy  
23 Duran. I'm the office manager here at Hard Copy. We do  
24 primarily defense work, and I have been with the company 30  
25 years, and another copy service prior to that. I would like to

1 address -- I have a list of ten concerns, but I'd like to address  
2 my three main ones first in an effort to allow time for everyone.  
3 May I please find out if everyone can hear me?

4 MS. FINULIAR: Yes.

5 MS. DURAN: Okay, perfect. Thank you. First of all, I  
6 don't think we can really afford anymore delays, so I think that  
7 a lot of our arguments or concerns -- certain ones may have to be  
8 put to rest and reviewed at another time. I think we just have  
9 to get something passed, rather than nothing passed. We have  
10 been waiting almost seven years, and it's getting extremely more  
11 difficult. I also don't see any provisions listed for the  
12 future. So, are we going to have to do this again in another  
13 seven years? Our issues are that during the same time the State  
14 of California has required us to raise minimum wages from \$9 to  
15 \$15, and on July First -- being in the City of Los Angeles -- we  
16 have to be raise our minimum wages to over \$16 an hour. During  
17 that same time period, we have not been allowed to increase fees  
18 whatsoever. The same state that's trying to give the workers  
19 more money is trying to put the company out of business, and we  
20 just can't continue like that. That's why we're also concerned  
21 that there are no provisions for any future increases. The two  
22 particular subjects that I'd like to discuss are number 1 for us,  
23 under Section 9984(b)(2), the new third-party fees. The  
24 regulation states that we're only going to have to pay \$15 to  
25 these ROI services for C&R's, and thirty-some dollars for

1 records. The question is, who's going to tell these ROI services  
2 that --

3 MS. RICHARDSON: One minute remaining.

4 MS. DURAN: -- and who's going to enforce it? I'd like to  
5 know that, because we're at their mercy. They make more money  
6 than we do. The other section is the remaining part of the bill  
7 that we get to charge 25 percent penalty -- we don't even get  
8 paid on most of our bills now, and we work for the defense. I'm  
9 not interested in 25-percent penalty. I'm interested in better  
10 ways to get paid, period. Okay, thank you.

11 MS. FINULIAR: Thank you. Next is our anonymous speaker.  
12 After anonymus will be John Castro.

13 ANONYMOUS SPEAKER: Hi. Can you hear me? Carol, can you  
14 hear me?

15 MS. FINULIAR: Yes.

16 ANONYMOUS SPEAKER: Hi. This is Edna with Doc Central. We  
17 feel that the DIR has let down workers-employees once again after  
18 seven years who have promised to help and protect by forcing them  
19 to work under poverty levels -- under poverty wages which was  
20 done by the DIR. Minimum wage has gone from nine to -- \$9 to now  
21 \$15 and \$16.50 depending on the city. That is almost a  
22 50-percent increase. The DIR has had seven years to do an  
23 economic analysis and has refused to do so, so they can purposely  
24 keep workers working under poverty wages. They have purposely  
25 refused to address the fee schedule or do any analysis year after

1 year to avoid having to give an increase. What excuse will there  
2 be this year for no true increase or another delay? Companies  
3 have had to cut medical coverages for their employees just to be  
4 able to keep their doors open, while DIR gets to enjoy the  
5 luxuries of having health care for themselves and their families  
6 to get care. Why are the workers from copy services any  
7 different? Why can't copy services be paid enough to afford  
8 livable wages so everyone can have the same luxuries of being  
9 able to afford a simple thing like health care to take care of  
10 themselves. DIR has made it impossible to be able to continue to  
11 work in this industry by putting us through obstacles to do the  
12 work and get paid. If DIR wants to reduce fraud, they need to  
13 pay workers livable wages to be able to afford basic essentials  
14 like food and health care. This is how you reduce fraud; not  
15 creating more obstacles and costs without true increase. Has DIR  
16 done an analysis to see how many copy services they have put out  
17 of business since the original fee schedule was put in place?  
18 Where's the study? Did they even care? One of the largest copy  
19 services in the industry just went out of business this year due  
20 to not being able to keep their doors -- DIR intentionally put  
21 those thousands of --

22 MS. RICHARDSON: One minute.

23 ANONYMOUS SPEAKER: DIR intentionally put thousands of  
24 workers out of work due to their lack of care and analysis and  
25 issue an increase to pay live wages. I guess I don't have time

1 to read all of that. Please stop listening to people who have no  
2 idea what it takes to have a copy service when they don't own  
3 one. It makes absolutely no sense. Thank you.

4 MS. FINULIAR: Thank you. You can -- if you didn't finish,  
5 you can request to continue by sending a chat message to Request  
6 to Speak and/or send an email to DWCrules@dir.ca.gov. I have  
7 John Castro lined up. After John Castro will be Dan Mora.

8 MR. CASTRO: Carol, can you hear me?

9 MS. FINULIAR: Yes.

10 MR. CASTRO: Very good. So, my response in regards to the  
11 fee schedule pertains to the notice of intent to copy records.  
12 So, my position is the copy service should also send those notice  
13 of intent to copy records to counsel of record. They just go on  
14 EAMS and see if the carrier's represented. Our firm is hired to  
15 represent the interests of the carriers including whether to file  
16 like a motion to quash, or any other legal action that is in  
17 order. So, I'm asking that the rules simply add that if the  
18 defendant is represented by counsel, that counsel of record  
19 should receive that communication as well. As for the meet and  
20 confer to resolve the objection for the copy of records, my  
21 position fortifying our previous argument, is that the notice of  
22 intent to copy records should be sent to counsel of record as the  
23 meet and confer as it's currently proposed would require the  
24 representative of the copy service to communicate with our  
25 client, which would violate State Bar Rule 4.2, communication

1 with a represented person. My proposal is that the rule change  
2 should simply add that if the carrier is represented by counsel,  
3 that the meet and confer is to take place with counsel of record.  
4 An additional argument that I am making is in regards to the  
5 securing the copy of records. I think they should be provided to  
6 the defense firm of record. That way we can make a well-reasoned  
7 assessment of those records and make the appropriate  
8 recommendations to our client as far as any payment is concerned.  
9 My recommendation actually avoids the unnecessary litigation;  
10 provides the strong public policies favoring judicial economy and  
11 uniformity in the application of the law and the prevention of  
12 inconsistent judgments that undermine the integrity of the  
13 judicial system.

14 Many times I get these copy services; I look at the  
15 billing; I make recommendations --

16 MS. RICHARDSON: One minute.

17 MR. CASTRO: -- to the client, and the client issues the  
18 payment. That's the best way as opposed to trying to reach some  
19 claims adjuster when you know that they're represented by  
20 counsel, and then they refer you to counsel, and then you don't  
21 communicate with us. Um, that's basically it. That's my take.

22 MS. FINULIAR: Thank you. I have Dan Mora signed up.  
23 After Dan Mora will be Diane Worley.

24 MR. MORA: Good morning. I am Dan Mora representing the  
25 Coalition of Professional Photocopiers; representing both

1 applicant and defense copy services. I want to give an answer to  
2 the perennial question of why workers' compensation in California  
3 is so expensive. I am a student of organizational waste; how to  
4 combat it and eliminate it, and the answer is complexity.  
5 Complexity is the mother of all waste. There are eight types of  
6 organizational waste. Complexity affects every one of those  
7 eight types of waste. But I'm not here to talk about why we have  
8 complexity. I'm here to advocate. Complex systems require deep  
9 subject matter experts and exceptional collaboration to simply  
10 maintain; let alone improve the systems that make up our  
11 industry. If we can define the problem, we can affect the  
12 problem.

13 California Business and Professions Code 22450 states that  
14 a professional photocopier is a registered and bonded entity.  
15 Section 22458 continues... Responsible for the integrity and  
16 confidentiality in the transmittal of records. A responsibility  
17 that our CCP members agree to uphold. Workers' compensation is  
18 an evidenced-based system. Truth in evidence is absolute and  
19 shall not be compromised. Independent discovery is a presumed  
20 right to all parties.

21 I want to specifically thank and recognize the DWC Policy  
22 Staff for their time and attention, hard work and inclusion in  
23 bringing these regulations up to date. We cherish the working  
24 relationship our coalition has cultivated in this journey, and we  
25 look forward to future collaboration. I want to recognize the

1 coalition's board: Mike Callan and Steven Schneider, both  
2 industry veterans and professionals with high standards. We each  
3 hold each other in high regard, and it's been a pleasure to  
4 accomplish what we have with collaboration, expertise and  
5 energy --

6 MS. RICHARDSON: One minute.

7 MR. MORA: Our progress would not have been possible  
8 without many others: Lori Paul, Sherry and our coalition  
9 members, and the many stake holders that have given their time to  
10 hear us. Without our coalition's advocacy and shared best  
11 practices, there is no doubt that we would have -- we have  
12 affected -- we would have not affected further harm to our  
13 members. To be clear, these regulations have not gone far enough  
14 to right the damage of neglect, clarify the process and reduce  
15 friction, and will require future improvement. But, we recognize  
16 that the process of compromise should leave all parties, to a  
17 degree, unsatisfied, and we strongly advocate for this draft to  
18 go into effect as stated on April 1st. Please take the time to  
19 review our written comments. We have recommended  
20 non-controversial and constructive minor edits in the spirit that  
21 these regulations be adopted immediately. Thank you.

22 MS. FINULIAR: Thank you, Dan. I have Diane Worley next,  
23 and after Diane, Diann Coehn. We also have two other speakers  
24 that have signed up.

25 MS. WORLEY: Thank you, Carol. I'm Diane Worley. I'm the



1 Executive Director of the California Applicant's Attorneys'  
2 Association. We submitted our written comments on the recent  
3 proposed provisions yesterday afternoon, and therein we  
4 highlighted a significant issue with regard to proposed  
5 Regulation 9982 subdivision (e)(5), which allows that "no fee  
6 will be paid where a party has made a timely objection to  
7 subpoena for records from the employers, claims administrator or  
8 the insurance carrier." The most common reason for an  
9 applicant's attorney to subpoena a claims file is the carrier  
10 fails to provide it. A claims file is essential to handle a  
11 case. Without a requirement of good cause in this subsection, an  
12 objection will simply be a matter of suppressing the applicant's  
13 right to discovery. The rule as written will severely harm  
14 injured workers. Under current law, employers have an adequate  
15 remedy for disputes regarding subpoenas. That is a motion to  
16 quash, and that requires good cause. We respectfully request  
17 that subsection (5) be eliminated, as it will encourage  
18 bad-faith, delays, friction and increased costs. As an  
19 alternative in our written comments, we recommended that the  
20 following language be provided as an amendment, because it would  
21 be more consistent with the Labor Code and with the California  
22 Constitution, and reading into the record that language is:  
23 "Charges for services related to a subpoena for records and the  
24 employers' claim administrators or workers' compensation  
25 insurer's possession, or for cancellation of such a subpoena, are

1 payable by the defendant/employer unless it is filed a timely  
2 Petition to Quash the Subpoena stating good cause, which has been  
3 adjudicated in its favor by the Appeals Board.

4 MS. RICHARDSON: One minute.

5 MS. WORLEY: Thank you for the opportunity to make  
6 comments, and I just want to make a general acknowledgment in  
7 support of the copy services that have testified so far and will  
8 be testifying. I hope you hear them loud and clear that seven  
9 years is appalling, quite frankly, for them to have to wait for a  
10 very minor pay increase, which is reflected in these proposed  
11 regulations. Thank you again for your time.

12 MS. FINULIAR: Thank you, Diane. Next I have Diann Cohen.  
13 After Diann will be Daniel Lopez.

14 MS. COHEN: Good morning, I'm Diane Cohen, Vice President  
15 of client services for MacroPro. We are a defense copy service.  
16 I would like to thank the Committee and everyone that I've met  
17 with over the past seven years to discuss the unintended  
18 consequences of the original copy service reform. We feel that  
19 the updated reforms have addressed our concerns and fixed the  
20 issues that copy services have dealt with. In addition, I would  
21 like to thank the DIR for putting in additional regulations for  
22 the ROI companies as their fees have been un-regulated and  
23 continued to increase. We thank you for listening to us and  
24 including these concerns that we've had in the new regulations.  
25 Thank you.

1 MS. FINULIAR: Thank you, Diane. Next we have Dan Lopez.  
2 After Daniel will be Katheryn Greve.

3 MR. LOPEZ: Hi. This is Daniel Lopez with Lopez and  
4 Associates. I actually do both sides. I do defense work and  
5 applicant work; employer work, and I've been in the business  
6 since 1988; quite a long time, with my own firms and other firms  
7 as well.

8 A lot of issues have been addressed. I'm just going to  
9 touch on two, and they have to do with 9984(b)(1) and (b)(2) in  
10 relating to cancellation and certificates of no records. It's --  
11 there's a request in here asking for the original order. I think  
12 Dan Mora touched on some of the integrity and confidentiality of  
13 information, but when a subpoena is generated by either party,  
14 whatever side I do, the notices that go out to the opposing  
15 counsel do have -- do list the requesting attorney on that  
16 request. I don't -- and Dan also touched on the complexities  
17 that go on, and this would add to it. Because trying to pull an  
18 original order -- which, a lot of notes go on, because as you  
19 know, with COVID, a lot of locations -- things have changed  
20 trying to track things down -- a lot of notes. So it's really  
21 work product that goes on with the copy service, and I think that  
22 the provision for requiring an original order from the requesting  
23 party, regardless of what side it is, should be eliminated out of  
24 9984(b)(1) and (2). Because the notices are given. The identity  
25 of the requesting firm is given. An affidavit is signed by the

1 facility on a certificate of no records on who it came from, and  
2 I think that should be enough to qualify that work has been done  
3 appropriately.

4 MS. RICHARDSON: One minute.

5 MR. LOPEZ: And I will listen to the rest. That's it.  
6 Thank you very much, and I do appreciate the whole board and the  
7 team as far as trying to push this thing forward. I know it's  
8 been a challenge, and again, I do thank everybody whose putting  
9 their opinions into this thing to make this environment better  
10 for everybody. Thank you.

11 MS. FINULIAR: Thank you, Daniel. Do you know if Katheryn  
12 Greve wants to speak? I have her listed as from your firm, but  
13 Maureen's telling me she's not in the room.

14 MR. LOPEZ: Just go ahead and go on. I don't have her here  
15 in the office. So, if she's not listed in the room, just go  
16 ahead and go to the next person.

17 MS. FINULIAR: Okay, thank you. I have Christian  
18 Groneberg, and after Christian, Charles Rondeau, and after  
19 Charles, I believe I have only two more speakers.

20 MR. GRONEBERG: Yes, can you hear me?

21 MS. FINULIAR: Yes.

22 MR. GRONEBERG: Great. So, my name's Christian. I'm the  
23 paralegal at Thomas Lyding in Concord. We're a defense firm  
24 representing employers. We're opposed to the new amendments to  
25 the Copy Service Fee Schedule because they would increase

1 frictional costs. The costs increases appear to benefit only  
2 copy services rather than the injured worker or employer, and  
3 encumber the awarding of compensation to the injured worker. The  
4 Section 9981(d) increase to \$230 from \$180 is going to result in  
5 thousands or tens of thousands of dollars in extra costs. These  
6 costs will ultimately be passed onto California taxpayers and  
7 consumers. The interests of copy services are relatively low on  
8 the totem pole as far as importance compared to medical services,  
9 TD and PD. So, I would recommend keeping prices the same or  
10 enough for the industry to at least survive, but not a 27 percent  
11 increase. Doing some quick research, it appears inflation has  
12 only been around 18 to 19 percent; not 27 percent as the increase  
13 reflects. Regarding the ten percent -- the \$10 fee under 9980  
14 and 9984(d), we don't think there should be an additional fee  
15 since the copy services already have the records and shouldn't  
16 have issues sending them again. The fee should either be  
17 eliminated or shifted to applicant attorneys who lose their  
18 records and can't find them. Regarding the 25 percent penalty  
19 under 9981(e), we think that this will undermine the flexible and  
20 cordial relationship between the --

21 MS. RICHARDSON: One minute.

22 MR. GRONEBERG: -- copy service and the client. There  
23 already are enough penalties under 5814 and 4650 of the Labor  
24 Code that provide enough incentives to avoid unreasonable  
25 behavior, and there should be no penalty without a qualification

1 for bad-faith tactics. So, thank you for the opportunity to  
2 speak.

3 MS. FINULIAR: Thank you, Christian. I have Charles  
4 Rondeau. After Charles, Donna Guétano. After Donna, I have  
5 Anonymous that wanted to continue.

6 MR. RONDEAU: Good morning. First of all, I'd like to  
7 thank Administrative Director Parissotto and the legal staff at  
8 the DWC for all their hard work in trying to promulgate  
9 regulations that they feel are appropriate, and their work is  
10 commendable.

11 I'd like to peg my comments on the -- my -- the preceding  
12 speaker. I agree that there is an inordinate amount of  
13 frictional costs, and when we're talking about questions of fee  
14 schedules, I suggest that we look at things from a more universal  
15 and comprehensive perspective and not in a vacuum, so when it  
16 comes to ordering records, et cetera, and what should be  
17 reimbursed and so on, I think the frictional costs that are being  
18 engendered by claims administrators and insurance carriers is  
19 relevant to that discussion as well, and I'm going to, after I  
20 have some preliminary comments, focus on the proposed regulation  
21 the 9982(e)(2), (e)(4) about records for IMR. But, continuing on  
22 in the process, as far as -- in any event, everything comes down  
23 to costs, and I agree. That's what it comes down to is costs,  
24 and trying not to incur unnecessary costs in the system. When it  
25 comes to regulations such as those that are being considered

1 today, I think our legitimate question ought to be asked, is  
2 there underlying administrative -- or rather frictional costs  
3 that are being unnecessarily incurred? Because for whatever  
4 reason, insurance carriers, claims administrators, employers;  
5 whoever they may be, are conducting utilization reviews over  
6 items that cost \$2 or \$3, and the expense associated with the IMR  
7 process to determine --

8 MS. RICHARDSON: One minute.

9 MR. RONDEAU: -- that that's not certified, is  
10 disproportional.

11 Going to specifically 99.2(e)(4), what this particular  
12 regulation fails to acknowledge, or take into consideration, is  
13 the fact that there's very short time periods to submit records  
14 to the IMRO, and those records may not even be in the possession  
15 of the claims administrator or the applicant attorney within the  
16 period of time that's provided for to submit those records. So,  
17 you know, the ability to obtain them through a professional copy  
18 service who can do that in a more expeditious fashion, is in the  
19 interest of the injured worker, and ultimately that's what the  
20 system was intended to benefit; the injured worker. Thank you.

21 MS. FINULIAR: Thank you. Charles, can you spell your name  
22 for the record? You're on mute, sorry.

23 MR. RONDEAU: It's R-o-n-d-e-a-u.

24 MS. FINULIAR: Thank you.

25 MR. RONDEAU: Thank you.

1 MS. FINULAIR: Okay, I have Donna Gaetano, I hope I'm  
2 pronouncing that correctly, and Katheryn Greve -- you are signed  
3 back up, and then after Katheryn, I have someone who wants to  
4 continue their previous testimony.

5 MS. GAETANO: My name is Donna Gaetano. I work for Express  
6 Copy in Walnut Creek, and we do applicant and defense copy  
7 service requests, and I apologize, I was just notified this  
8 morning that I was supposed to be attending this meeting, so I'm  
9 a little, maybe, unprepared in certain regards, so what I would  
10 like to bring up, though, is what if in the proposed changes that  
11 we're discussing -- what is the copy services' recourse to get  
12 paid within mandated times of payment that are already on the  
13 books? I don't think based upon anything I've heard today, that  
14 there's been a change to that, but I'm not sure. So, my question  
15 is, what is it in the new legislation, if anything, that permits  
16 a copy service to have recourse to getting paid within the times  
17 that we're supposed to get paid. We constantly also have bills  
18 going out that are -- it's mandated in the code right now what we  
19 have to charge. This is what we're discussing right now, and yet  
20 we will get people sending -- the insurance company sending back  
21 bill review statements which -- they are done by people out of  
22 state. They don't have any idea of the California law at all.  
23 So, then we're forced to file a lien, which supposedly was why a  
24 lot of these changes were made previously is to avoid people  
25 filing liens; when in fact, when the copy service has no way to



1 make sure they get paid in a timely fashion -- they ignore  
2 past-dues; they ignore telephone calls. This --

3 MS. RICHARDSON: One minute.

4 MS. GAETANO: And in response to someone else earlier who  
5 said copy services are overpaid, I'd be happy on another call to  
6 give you a list of the duties that we undertake every day to do  
7 our work. We're professionals. We're entitled to get paid a  
8 fair wage, and we're entitled to be treated like professionals  
9 instead of having to beg, literally, to get paid for mandated  
10 fees that are supposedly -- supposedly, that's what the insurance  
11 companies are supposed to pay. So, this is -- this is the  
12 express copy's biggest beef about the existing regulations and  
13 any new regulations -- if you don't have a way for us to get paid  
14 -- put some teeth into this, all of this is just a waste of  
15 everybody's time. Thank you.

16 MS. FINULIAR: Thank you, Donna. You have until midnight  
17 tonight if you want to submit written comments, you can email  
18 them to DWCRules@dir.ca.gov. If you want to speak, you can also  
19 send an email to that same email address. Please put "Request to  
20 Speak" in the subject line along with your name, organization,  
21 and if you're calling in, your phone number. There's still time  
22 to request to speak. You can send a chat message to "Request to  
23 Speak." Please provide your name, organization and if you're  
24 calling in, your phone number. I believe I have one more speaker  
25 listed, and then after that, two others want to continue, and we

1 might not even need to take -- just might go pretty quickly, but  
2 go ahead, Katheryn.

3 MS. GREVE: Good morning. This is Katheryn Greve. Um,  
4 thank you for giving me an opportunity to speak this morning. I  
5 do -- I would like to say that we are missing -- as Darcy had  
6 said -- we are missing provisions for future increases in the  
7 copy service, and as a work comp professional for 30 years -- um,  
8 everyone else -- all the other schedules have mandates on that,  
9 so that there's at least -- it's not another seven years. It's  
10 just been, um, too long and too little money. But, here's the --  
11 I would like to just speak to Mr. John Castro's, um, comments,  
12 and, um, just want to say that the meet and confer appears to  
13 have been removed this time, and that was, I think, a valid move,  
14 but in most cases, when the subpoenas issue, they are after the  
15 35-day waiting period after a written demand, and then if counsel  
16 gets involved after that, um, then they issue an objection that  
17 falls under my other issue, which is that 9982 -- I think it's  
18 (c)(5) -- where -- where an objection should be -- yeah, an  
19 objection should be not only timely, but filed with the WCAB and  
20 resolved in an Order Quashing that is signed by a Workers' Comp  
21 Judge and served upon the copy service as well as all parties to  
22 the claim. As soon as a defendant does becomes, um, represented,  
23 we -- you know, they are definitely sent a copy of the subpoena.  
24 For them to have to get a letter that was sent to the claims  
25 administrator and employer before they were involved, is just an

1 additional burden for the applicant attorney and, you know, an  
2 opportunity for -- well, usually is -- the objection is, "Well,  
3 we will provide it," or "We will in the future," or "We don't  
4 think that the claims administrator employer file is relevant to  
5 the claim," or that "Some medical that -- we don't even know  
6 what's in the medical" but definitely "Applicant's medical --

7 MS. RICHARDSON: One minute

8 MS. GREVE: -- are not relevant to the claim." Okay, so  
9 basically is that I'm really happy to hear that. I do think that  
10 we are getting closer, and there needs to be no more delays on  
11 this. Um, it's looking so much better, but definitely on that  
12 9982(e)(5) -- that that should say "filed with the WCAB which  
13 resolves an Order Quashing signed by a WCJ and served upon the  
14 copy service." Because we will cancel the order if they do make  
15 an objection, and often it's not even filed with the WCAB, and  
16 the objection is like oh, we would have; could have; should have;  
17 or will provide them sometime in the future. So just, um, thank  
18 you very much, and that's it for this morning. Thank you.

19 MS. FINULIAR: Thank you. I received a chat message to me  
20 directly that Sophia Duncan would like to speak, but I'm not sure  
21 if you're queued up, so I'm going to go out of order and have Edna  
22 come back on to continue, and after Edna, Sophia Duncan, you can  
23 speak.

24 ANONYMOUS SPEAKER: Hopefully I can finish this time.

25 Um, currently, as you know that you guys are imposing to -- I'm

1 sorry -- the DIR is imposing \$230 which the, um -- and the  
2 additional set has gone from \$30 to \$10. All that I feel like  
3 DIR is doing is taking the money from the first set of records  
4 and putting it, um --- I'm sorry, taking it from the additional  
5 set and putting it on the first, um, set of records, which is not  
6 a true increase. Also where's the COLA? Also, we're only  
7 allowed 10 cents a page after 500 pages; while the facilities are  
8 charging us 10 cents a page starting from the first page, six  
9 dollars a quarter, so we are working at loss. Anything -- um --  
10 with that -- the DIR is currently charging a dollar a page to  
11 copy at their own desk. If the DIR can't do it at 10 cents a  
12 page, how can they expect copy services to do that?  
13 As far as the certificate of no records, um, you got the -- the  
14 DIR is supposing that we can't -- we can't get paid after four  
15 C&R's. The problem is is that due to HIPPA regulations, medical  
16 facilities cannot tell us that there is no records. So, DIR is  
17 basically asking the facilities along with us to, um, you know,  
18 basically break HIPPA law by, you know, asking them to provide  
19 those records, which we're not entitled to; nor, is DIR allowed  
20 to do that.

21 As far as the penalties -- 25 percent penalties important  
22 to insure carriers pay on time otherwise -- they will continue to  
23 purposely not pay. Also, a defense attorney can basically rack  
24 up fees for billable hours to just sit there and um -- um --  
25 object to every single bill that we get that would -- um --

1 basically, we wouldn't get paid for. WCRB currently charges \$20  
2 to \$40 a year. We only get 20. How -- how does -- how does DIR  
3 expect us to pay out of pocket over and over for things that we  
4 cannot get reimbursed for? Medical summaries are necessary for  
5 law firms and their applicants. It reduces the cost and time for  
6 parties to -- including carriers -- when copy services have these  
7 summaries performed. It will also reduce the cost --

8 MS. RICHARDSON: One minute.

9 ANONYMOUS SPEAKER: -- which currently pays doctors \$3 a  
10 page copy when copy services can do it for half of the pay -- for  
11 half of the cost, and also personal care and subpoenas are not  
12 listed in fee schedule, which they should be. It helps as far as  
13 to -- um -- I'm sorry. It strips the Applicant's rights to be  
14 able to have a witness there.

15 It's apparent that DIR has failed to review the previous  
16 fee schedule since it is clear, um, nothing has changed in the  
17 last seven years. We hope, um, this is not a true intention of  
18 DIR. They learn from their mistakes quickly by making changes  
19 and paying workers what they're entitled to by law before they  
20 wipe out the whole industry like they have with other fellow copy  
21 services causing thousands of jobs lost. Thank you.

22 MS. FINULIAR: Thank you. The last person that I have  
23 signed up is Sophia Duncan. After Sophia, I don't have any other  
24 speakers, but I do have some requests to continue. So, after  
25 Sophia will be Charles Rondeau back again, and then Darcy Duran.

1 But, we will be taking a break at 11:00. So, I'm not sure if we  
2 can get everyone in by then, but go ahead, Sophia.

3 MS. DUNCAN: Thank you, Carol. I'm sorry I couldn't figure  
4 out how to chat with "Request to Speak." I'm so sorry.

5 So these are my personal opinions. My name is Sophia  
6 Duncan. I work for CorVel. I've been in the industry for about  
7 12 years, so these are -- these opinions are not reflective of my  
8 employer's. I would like to express my appreciation for the  
9 DIR's addition of requiring copy services to provide evidence of  
10 the original order form from the requesting attorney. The WCAB  
11 has consistently held that essentially it is not about what you  
12 know or what you type onto an invoice, but what about -- about  
13 what you can prove. Typing a name onto a subpoena or an invoice  
14 does not prove who actually requested the records, and most  
15 importantly, why? Requiring copy services to provide evidence of  
16 the requesting attorney's order is akin to requiring medical  
17 providers to provide proof of their referral from a physician.  
18 Copy services should pretty much be held to the same standard as  
19 are medical providers and are med/legal evaluators. While most  
20 copy services are forthright in their services, I have on many  
21 occasions in which, um, applicant's attorney requests two or more  
22 copy services obtain records from the same source; same order  
23 form; different copy services. These issues are not normally  
24 brought before the court as often as they should simply because  
25 of cost. It's cheaper to pay the two copy service invoices

1 rather than, as somebody mentioned, give it to a defense  
2 attorney; have them bill, or take it to court. It just isn't  
3 worth it.

4 With that said, I really appreciate the hard work of all  
5 the copy services as they definitely assist with the legal  
6 discovery needed to evaluate a claim. Um, I do think the DIR may  
7 need to take into consideration some sort of requirement to avoid  
8 these duplicative issues that seem to stem from the originating  
9 attorney. Thank you for allowing me to speak, and have a great  
10 Friday.

11 MS. FINULIAR: Thank you, Sophia. I think we're just going  
12 to have one more speaker and then take a break. I know we only  
13 have two, but I probably want to allow people time to join in.  
14 It's not too late. If you want to the speak or continue what you  
15 were speaking about earlier. Send a chat to "Request to Speak"  
16 with your name, organization, and if you're calling in, your  
17 phone number. You can also send an email to  
18 DWCRules@dir.ca.gov.

19 Charles Rondeau, I have you signed up to continue.

20 MR. RONDEAU: Thank you. Um, turning to separate matters,  
21 it's been my honor and pleasure to represent multiple copy  
22 services that do work both at the request of defendants; as well  
23 as applicant attorneys, and, um, I'd like to just -- um, how  
24 should I say? I would like to acknowledge the fact that the  
25 Administration is taking into consideration the costs associated

1 with doing the work -- the valuable work -- that these companies  
2 do for both defendants and applicants in furthering discovery  
3 that's necessary to move cases forward. The increases that are  
4 proposed in the amended regulations -- though, they may be  
5 modest, are certainly justified based upon the costs associated  
6 with doing business with which having consulted with many of  
7 these companies is certainly well-deserved.

8 Now, going onto related matters, I think that -- and this  
9 is sort of kind of relevant to what I said before -- when it  
10 comes to all of these sorts of things, I think the Administration  
11 should take a more comprehensive approach to reviewing in the  
12 underlying cost factors, frictional costs, as Mr. Groneberg  
13 referred to, in determining, not just copy service fee schedule  
14 regulations, but just everything in general having to do with the  
15 payment of costs associated with the function of workers'  
16 compensation system -- medical/legal, the physician schedules,  
17 and so on and so forth, and they're ought to be --

18 MS. RICHARDSON: One minute.

19 MR. RONDEAU: -- evidence based. There should be studies  
20 commissioned as there have been in many other instances through  
21 RAND, et cetera, et cetera, so that there is evidentiary support  
22 for whatever changes that the Administration proposes to make,  
23 and that again as we are afforded today, there is an opportunity  
24 for public comment upon the results of those studies, and with  
25 that, thank you very much.



1 MS. FINULAIR: Thank you. We're going to take a  
2 five-minute break. Let's go off the record. I'll come back on  
3 the record at 11:06.

4 (break held)

5 Let's go back on the record. We took a short break. We  
6 have one speaker to go. After that we will probably be closing  
7 the record. There is still time. If you would like to speak  
8 send a chat message to our host, "Request To Speak," with your  
9 name, organization, and if you're calling in, your phone number.  
10 You can also request to speak by sending an email to  
11 DWCRules@dir.ca.gov. Our last speaker is Darcy Duran.

12 MS. DURAN: I wanted to make two closing comments. Where  
13 hard copy stands, and with what has happened over the last few  
14 years, is that the increases in minimum wage has allowed us to  
15 give a lot of our employees a big increase, but prohibited us  
16 from having any funds to increase the other workers, so my people  
17 who do the hardest, best work, have gone without money. We have  
18 even been forced to move two projects overseas and hire an  
19 employee out of state just to try to stay afloat. The fee  
20 schedule is the biggest issue. The second part, which is why  
21 Donna from Express is now my new best friend, she went on to  
22 discuss why getting paid is such a problem. I cannot reiterate  
23 that enough. All of this -- every increase, every penny is  
24 almost a moot point when we hardly get paid. We work for the  
25 defense. We get hired by defense attorneys and by insurance

1 companies directly. At least 50 percent of our bills get  
2 returned completely unpaid or cut. The ten cents a page over 500  
3 pages; they give us one dime. The taxes don't get paid. The  
4 second-set fees don't get paid. I go over and over this with  
5 these companies and get absolutely no response. I know that  
6 Sophia Duncan from CorVel spoke earlier. I also see that there  
7 was a submission from Liberty Mutual. These are some of the same  
8 people that I try and get paid from. I have list after list of  
9 major insurance company and major TPA's that reject our bills;  
10 yet they're the ones that hired us. Many of them have their own  
11 EOR services. I don't understand why it has to be so difficult  
12 to get paid, and why -- I don't want to file a lien against my  
13 client.

14 MS. RICHARDSON: One minute.

15 MS. DURAN: That's not what I want to do. I just wish  
16 there was a better way for us to get paid. Thank you.

17 MS. FINULIAR: Thank you. We do have one other speaker  
18 signed up. It's not too late if you want to continue or speak  
19 for the first time today, send a message to "Request To Speak"  
20 with your name, organization and phone number, if you're calling  
21 in. You can also send an email to DWCRules@dir.ca.gov.

22 Oh, okay, another person wants to speak again, so we have  
23 two -- and it's not too late if you want to sign up to speak. I  
24 have Diann Cohen, and after Diann, Katheryn Greve. Oh, and,  
25 sorry, another one. After Katheryn will be John Castro.

1 MS. COHEN: I just want to address real quick some of the  
2 things that I heard, and, for example, the examiner who is very  
3 much like the bill review companies, do not understand the  
4 process of copy services, and what we do. There's a complaint  
5 that we serve two subpoenas for one location to get records. No,  
6 nobody does that. That's not what happens. What happens is  
7 there may be one building, and there could be two custodians, and  
8 in order to get those records, you have to serve a subpoena to  
9 each of those locations in order to get it. So if you got x-rays  
10 on one floor, and you have medical records on another floor, they  
11 are two different custodians. So you can't use one subpoena, and  
12 often times our bills are being rejected because they think that  
13 we're doing something underhandedly. We're not. We're just  
14 following the rules and the regulations set forth for us to do in  
15 order to obtain the evidence necessary to determine the value of  
16 that claim. Bill review companies, unfortunately, do not  
17 understand the difference between a duplicate and an additional  
18 set, and this has been a problem for a long time. There are --  
19 in listening to the other defense copy services -- there are  
20 hundreds of thousands of invoices that aren't being paid because  
21 they don't understand the difference, and even when we try to  
22 educate them, it falls on deaf ears. So, I think before they  
23 start casting a stone at what we do, maybe they should understand  
24 what it is we're doing, and why we bill the way that we do so  
25 that the process would not be so difficult to collect, because

1 like our colleagues -- being able to collect for the work that we  
2 do is very, very difficult, and if people would understand the  
3 process of what it takes to serve a subpoena, to gather records,  
4 then perhaps we wouldn't have this type of problem, but we're not  
5 doing things that are underhanded. We're doing things according  
6 to protocol. Thank you.

7 MS. FINULAIR: Thank you. I have Katheryn Greve and John  
8 Castro, and it's not too late. You can sign up still. Go ahead,  
9 Katheryn.

10 MS. GREVE: Okay, thank you for a second opportunity,  
11 Carol. I just wanted -- I didn't know the gentleman who spoke  
12 before the break, but just to clear the record -- I know you  
13 don't speak back to things -- but, SB863, which put us in line to  
14 get a fee schedule for the first time ever, resulted in a huge  
15 RAND study, which caused a delay of two years in getting that fee  
16 schedule enacted, which was, I guess, was sort of retroactive on  
17 us, but -- so, we've already been through all that, and yeah, um  
18 -- was just stated there are -- there are several locations where  
19 if you issue a subpoena like, um -- I'll just name Riverside  
20 Medical Clinic, or and then Riverside Community Hospital -- you  
21 know -- they make you serve two 7117 often for both, but if you  
22 don't have two separate subpoenas; one for hospital and one for  
23 medical, you're only going to get one of those two, so that comes  
24 up to an issue -- in fact, I have -- I'm litigating that right  
25 now with the Board because, you know, the judges don't have time

1 to look at this before in a Pre-trial Conference Statement just  
2 so we can get \$180. So, there is that. So we try to do the best  
3 we can, and thank you for the opportunity to speak again.

4 MS. FINULIAR: Thank you. We only have one speaker left --  
5 John Castro. You can still sign up. Send a chat message to  
6 "Request to Speak" with your name, organization, and if you're  
7 calling in, your phone number, or you can send an email to  
8 DWCRules@dir.ca.gov, but we will probably be ending this pretty  
9 soon. Go ahead, John.

10 MR. CASTRO: Yes, so, I just wanted to -- just a brief  
11 comment on what Donna Gaetano said about after the defendant gets  
12 involved, she says after that, and I'll stop there in the sense  
13 that, what I was referring to was, defendant's already involved,  
14 and you go into EAMS. You're the copy service. You go into  
15 EAMS, and you see that the carrier is represented by counsel, so  
16 I was not talking -- I was not talking about an argument when  
17 defense counsel is not of record. She said defendants are always  
18 sent a copy of the subpoenas -- never, never -- that never  
19 happens. I always have to fight to get copies of the subpoenas.  
20 The argument I get is: "We sent them to your client; get them  
21 from your client." So -- and they talked about bill cuts; about  
22 them getting their bills cut; defendants just billing and doing  
23 -- just continue to generate billable hours. Maybe they don't  
24 know that defense firms -- I'm with Floyd Skerin. We've been in  
25 existence over 30 years. We've been in existence for a reason,

1 and that's because we're -- we're always trying to do our best  
2 for our client. The bill cuts -- we get our bills cut. We get  
3 our bills cut, and so we understand that. You notice that I  
4 didn't make any argument about the increase in your fees? I  
5 don't have a problem with that, but I do have a problem when I  
6 see all the copy services that they secure the records, and then  
7 a second copy, and a third copy, so that they can maximize their  
8 -- the fees. I recently used Doc Central. I heard Edna speak.  
9 I recently used Doc Central. I got the records in three weeks,  
10 quick. That was quicker than I've ever seen records secured, and  
11 we round-tabled that, and I mentioned that to the firm -- Doc  
12 Central --

13 MS. RICHARDSON: One minute.

14 MR. CASTRO: -- that Doc Central provided those records  
15 extremely quick. They were very thorough, very professional and  
16 submitted the billing to our client to issue payment. I do want  
17 to say that the comments made by Sophia Duncan were  
18 well-reasoned, and I commend her for those. Thank you.

19 MS. FINULIAR: Sorry, I was on mute. We don't have any  
20 other speakers signed up. I'll stay open for another minute. If  
21 you would like to speak -- okay, we do have another speaker. If  
22 you could like to speak, please send a chat message to "Request  
23 to Speak." Please provide your name and organization. Please  
24 spell your name for the record. If you're calling in, please  
25 provide your phone number so that Kathlene can unmute you. You

1 can also send an email message to DWCRules@dir.ca.gov. Victor  
2 Altamirano -- I'm sorry if I didn't pronounce that correctly --  
3 has requested to speak. After him, we don't have any other  
4 speakers, so we will be probably closing soon. Go ahead, Victor.

5 MR. ALTAMIRANO: Yes, can you hear me?

6 MS. FINULIAR: Yes. Can you please spell your name for the  
7 record?

8 MR. ALTAMIRANO: Yes, this is applicant's attorney Victor  
9 Altamirano in Santa Ana, California, and that's  
10 A-l-t-a-m-i-r-a-n-o. This is a brief comment. I have been  
11 hearing defense attorneys here, and let me just tell you about my  
12 experience. Invariably, in almost 100 percent of my cases in  
13 which I subpoena after asking for the records before -- subpoena  
14 the claims file or the employer file -- invariably I get  
15 objections and Petitions to Quash without -- in many times  
16 without any reason. So in many cases, the case is denied.  
17 They're not paying correctly, and so on, and so I need employment  
18 records to make sure that my client is not getting railroaded,  
19 and the defense attorneys, they do it as a matter of fact, file  
20 objections, and then they file Petitions to Quash, and there  
21 should be some negative consequences for that type of behavior,  
22 and I haven't seen that. They do that with impunity. Those are  
23 my comments.

24 MS. FINULIAR: Thank you. You can also submit written  
25 comments up until midnight tonight. You can email

1 DWCRules@dir.ca.gov. I have one more speaker who would like to  
2 continue and another one who wants to continue again. I guess  
3 that's okay. I have Daniel Lopez, and after Daniel Lopez, Darcy  
4 Duran.

5 MR. LOPEZ: Hi Carol. Thank you again for the second  
6 opportunity. As I think we're all listening to, it seems to be a  
7 common -- SB863 -- it seems like there's a huge divide here, you  
8 know, we all -- applicant and defense copy services -- both sides  
9 are looking for information. Both sides are struggling to get  
10 paid. Where is the problem? What is the problem here? I know  
11 that a lot of stuff goes through bill review, and I agree with  
12 Darcy. I get paid ten cents a page. Sometimes that's all they  
13 send me is one dime. The check cost more -- seriously -- I have  
14 checks for ten cents, and I'm supposed to deposit it, and with  
15 the number of checks that we process, it costs me 20 cents to  
16 deposit the check. I've lost 10 cents by depositing that 10  
17 cents. I mean, these are the crazy things that go on here. If  
18 you listen to the -- all the comments in commonality from copy  
19 services, our goal -- just like the defense attorney and  
20 applicant attorney, is to provide quality services to their  
21 clients. That is our job and objective as well too; to do the  
22 discovery according to the laws. Defense, applicant -- I do both  
23 sides. I've been able to go down the middle and provide records.  
24 I'm a neutral party. I don't see the applicant. I don't write  
25 reports. I don't review reports. All I do is provide



1 information. How it's used to argue and settle the cases, that's  
2 on the parties. Applicant counsel, defense counsel use -- as you  
3 heard, defense counsel used Edna, who I believe primarily is an  
4 Applicant-based firm. Maybe she does defense as well too, but  
5 they can use both sides. So sometimes these arguments seem like  
6 that we're splitting hairs when we're -- we all have something in  
7 common. We're just trying to do our job; trying to secure  
8 records so the Applicant -- because everything we do is for the  
9 -- getting the Applicant back to work, or getting them back  
10 healthy again, because I'm an employer. I don't want my people  
11 off work. If somebody files a work comp against me, I want to be  
12 able to either bring them back --

13 MS. RICHARDSON: One minute.

14 MR. LOPEZ: -- bring them back to good health, so I think  
15 we have to look at the comments as a whole, and how this fee  
16 schedule really affects everybody that's involved. Thank you  
17 very much.

18 MS. FINULIAR: Thank you. Darcy Duran would like to speak  
19 again. I got a question, though, asking about the time limits.  
20 We might rethink our time limits. We put the three minutes on --  
21 for me, historically, was because we wanted to get through  
22 everything in one day, but with the Zoom calls, it's much more  
23 efficient getting people in, so we might allow for the next  
24 hearing, allow more time, but anyways; go ahead, Darcy.

25 MS. DURAN: Okay, I just want to re-comment on a couple of

1 things that people brought up. One of them was when we're  
2 discussing subpoenaing more than one subpoena to a custodian of  
3 records. I know that was addressed, but I have a couple of  
4 additional comments. There are times when a client asked us to  
5 return to and get additional records. That's a new subpoena.  
6 We're asking for updated documents, but bill review kicks it back  
7 as a duplicate. There are also entities that require you to do a  
8 separate request for each item. Many insurance companies ask you  
9 to request each file separately, and the WCAB wants a separate  
10 request form for each file you order. That implies duplicate,  
11 but it is not a duplicate. Also, that we're not liable for  
12 payment for more than four certificates of no records -- there is  
13 absolutely no way we as a copy service have any idea where the  
14 person went. If the client asks us to subpoena, that's what we  
15 do. There are many times that an aka may be discovered partially  
16 through the copying process, and in which case we go back and  
17 re-subpoena to get records. There's times when the client  
18 provides us incorrect information such as bad date of birth. We  
19 have no control over that. We can't just stop at four.  
20 Certificates of no records are not something we want to get  
21 anyway. And lastly, in regards to cancellation orders, there are  
22 times when we as the copy service cancel the order when we have  
23 no choice. For example, the location will not release records  
24 due to the fact that they're considered confidential, and they  
25 refuse to put that in writing. We can't just keep an order open

1 for eternity. We have to close it. Sometimes we can't locate  
2 the facility. I've had requests as ridiculous as  
3 Dr. Williams-Los Angeles, and they expect us to find it. We will  
4 review other records copy, and --

5 MS. RICHARDSON: One minute.

6 MS. DURAN: -- sometimes we just can't locate it. Also,  
7 there are occasions where the location refuses to cooperate.  
8 We've tried for months, many different ways, and we simply don't  
9 get records. We still want to be compensated for our time.  
10 Thank you.

11 MS. FINULIAR: Thank you. I don't have any other people  
12 signed up to speak, but I'm going to keep the record open for  
13 another minute. If you would like to speak, send a chat message  
14 to "Request to Speak" with your name, organization, and if you're  
15 calling in, your phone number so that we can identify you. You  
16 can also send an email to DWCRules@dir.ca.gov. We are accepting  
17 written comments up until midnight tonight. You can send it to  
18 that same email address. I don't see anybody rushing in to  
19 speak.

20 We will be closing the record now. Thank you, everyone,  
21 for attending today. Like I said earlier, I will still need to  
22 submit the final version of these rules for approval with the  
23 Office of Administrative Law before they can be final. We will  
24 be reviewing comments. We will possibly be still receiving them  
25 today. We will accept them up until midnight tonight, and review

1 all the comments and probably come up with a final proposal. We  
2 probably won't have another hearing, but you can comment up until  
3 midnight tonight. Thank you.

4 (The proceedings adjourned at 11:26 a.m.)  
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Dated: March 17, 2022  
Fresno, California