

# It's Official - California Workers Can Continue to Pre-Designate a Physician

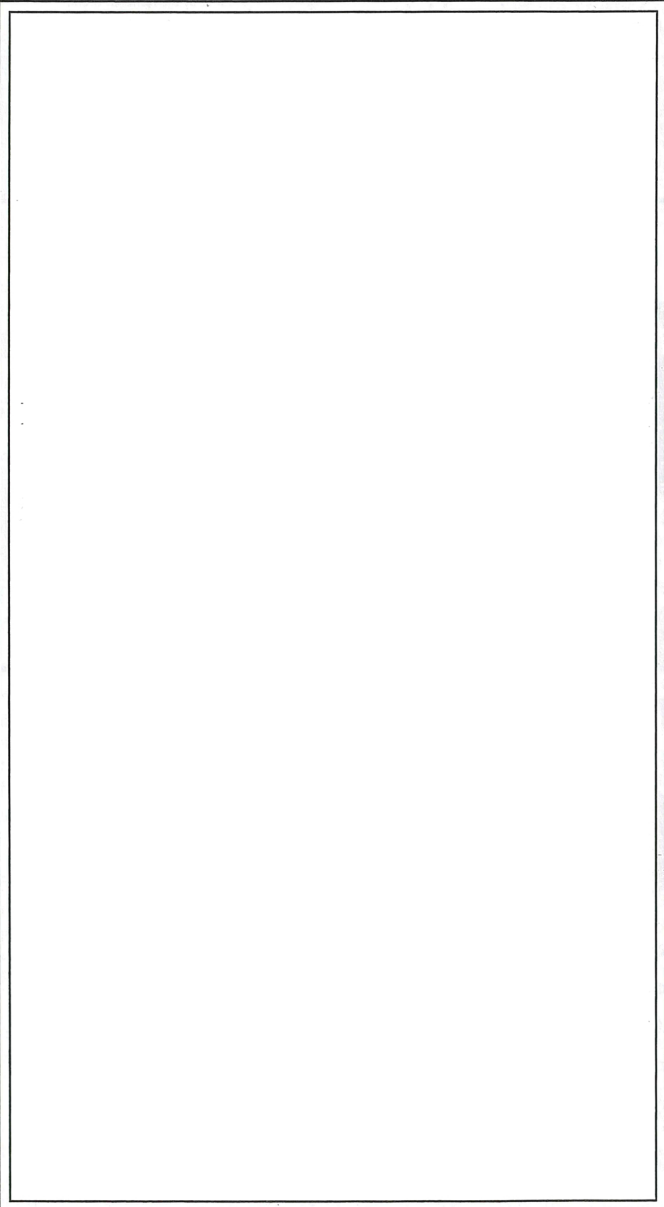
**Adam Dombchik**

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Finally, a huge victory for California workers. The right to pre-designate a physician in the event of a future work injury has been extended indefinitely.

"This 'shot in the arm' for workers' rights came in the form of SB 186, which Governor Arnold Schwarzenegger signed into law in late 2009," explains Workers' Compensation Attorney Adam Dombchik, a partner in the law firm of Gordon, Edelstein, Krepack, Grant, Felton & Goldstein (GEK).

Had the governor vetoed the bill, the right to pre-designate a physician would have ended on December 31, 2009. Because the ability



to do so has been extended indefinitely, and since Workers' Compensation Laws are constantly changing, it's critical that workers act now. They must advise their employers in writing before an injury that if they're hurt on the job they want to be treated by their personal physician, and follow the rules of pre-designation laid out on the State approved form. A copy of the form can be found at [www.geklaw.com/docs/predes.pdf](http://www.geklaw.com/docs/predes.pdf).

This is particularly important for police officers because they have unique jobs that pose unique challenges to their health and safety. Because of the nature of their work, there are special Labor Code Sections that cover on-the-job injuries police officers sustain, including back, neck or spine injuries, heart problems, tuberculosis, meningitis, cancer and exposure to hazardous substances.

Being able to pre-designate enables police officers—and all injured workers—to continue to be cared for by a doctor who knows their medical history and with whom they have built a relationship—not a physician assigned to them by their employer. In most cases, this enables the physician to provide effective treatment and make the appropriate referrals, enabling the injured worker to return to his or her job more quickly.

As set forth in the 2004 Workers' Compensation "Reform" (Senate Bill 899), if an employer has a Medical Provider Network (MPN) to treat injured employees, a worker must usually be treated by a doctor in that network unless he or she pre-designates.

The passage of SB 186 is an example of how Workers' Compensation Laws have been changing on an almost daily basis since 2004. Legal representation is vital for injured workers in California even with this latest positive turn of events.

"Schwarzenegger's signing of the bill surprised many advocates of workers' rights, particularly because he vetoed a similar bill in 2008. We will gladly 'take this win' for California's workers, and our firm will continue to stay abreast of the rapidly changing trends in Workers' Compensation Laws so that we can provide our clients with the best representation possible."

*(Adam Dombchik is a Workers' Compensation partner with the law firm of Gordon, Edelstein, Krepack, Grant, Felton & Goldstein. He is President of the California Applicants' Attorneys Association)*

