

August 23, 2007

To: CIHC Board Members

From: Judy Barrett Miller

Re: AB 515 (Lieber) Update

As you may have heard, the President of the Senate, Don Perata, canceled all hearings this past Monday indicating that none would take place until the budget had passed. Amazingly, some 51 days late, they managed to do so Tuesday afternoon and subsequently the Senate Appropriations Committee met yesterday. AB 515 however, was pulled from the calendar because of recent amendments and will not be heard until Monday, August 27th. The amendments do not remove our opposition, and they have been reviewed by CIHC Chair Jaime Steedman Lyde and Howard Spielman, our point person on the bill. The good news however, is that the Senate Appropriations Committee has placed the bill on the "suspense file," meaning that it has a large pricetag. The committee will most likely take up the suspense file at the end of next week. If all goes well, AB 515 will share the same fate as Assemblywoman Lieber's measure last session, AB 815, which was also held (failed) in this committee.

I met with Assemblywoman Leiber's staff assigned to this bill, Shannon McKinney, and she asked if there were any other amendments (other than our proposed amendment to codify the current process which the sponsor has rejected) that would address CIHC's concerns, as she was more than willing to bring them before the Assemblywoman and the sponsor.

I indicated that while we appreciated their attempt to restructure the bill and address concerns raised with various opponents, we still had two primary areas of concern which we articulated in our letter: over reliance on OEHHA and the recently added definition of a health-based occupational exposure limit. I indicated that this was a key definition and a very complex issue which was over simplified in the bill. Her response was that the sponsors indicated the determination was a clear-cut, formulaic process. I responded that CIHC would prefer that the currently appointed Health Expert Advisory Committee tackle such an important, and clearly controversial, definition and handed her a copy of the HEAC roster of imminently qualified members.

If the bill does get out of Senate Appropriations, CIHC will gear up for a letter writing campaign asking the Governor to veto the bill. We will have a 30 day window, to get AIHA local section membership support and involvement with this effort and will provide an alert and sample letter once again for their convenience.