

Assembly Bill No. 2125

CHAPTER 876

An act to add Section 3212.12 to the Labor Code, relating to workers' compensation.

[Approved by Governor September 25, 2002. Filed with Secretary of State September 26, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2125, Negrete McLeod. Workers' compensation: Lyme disease.

Existing law provides that an injury of an employee arising out of and in the course of employment is generally compensable through the workers' compensation system. Existing law provides that, in the case of certain law enforcement officers and firefighters, the term "injury" includes heart trouble, hernia, pneumonia, and other injuries and diseases, and establishes a disputable presumption in this regard.

This bill would provide that in the case of certain state law enforcement and California Conservation Corps personnel, the term "injury" also includes Lyme disease that develops or manifests itself during a period while the person is in that service.

The people of the State of California do enact as follows:

SECTION 1. Section 3212.12 is added to the Labor Code, to read:

3212.12. (a) This section applies to peace officers, as defined in subdivision (b) of Section 830.1 of the Penal Code, subdivisions (e), (f), and (g) of Section 830.2 of the Penal Code, and corpsmembers, as defined by Section 14302 of the Public Resources Code, and other employees at the California Conservation Corps classified as any of the following:

Title	Class
Backcounty Trails Camp Supervisor, California Conservation Corps	1030
Conservationist I, California Conservation Corps	1029
Conservationist II, California Conservation Corps	1003
Conservationist II, Nursery California Conservation Corps	7370



(b) The term “injury,” as used in this division, includes Lyme disease that develops or manifests itself during a period in which any person described in subdivision (a) is in the service of the department.

(c) The compensation that is awarded for Lyme disease shall include full hospital, surgical, medical treatment, disability indemnity, and death benefits, as provided by this division.

(d) Lyme disease so developing or manifesting itself in these cases shall be presumed to arise out of and in the course of the employment. This presumption is disputable and may be controverted by evidence that the Lyme disease is not reasonably linked to the work performance. Unless so controverted, the appeals board shall find in accordance with the presumption. This presumption shall be extended to a person described in subdivision (a) following termination of service for a period of three calendar months for each full year of the requisite service, but not to exceed 60 months in any circumstance, commencing with the last date actually worked in the specified capacity.

