

# Good an exploratory analysis of senate bill 863 thesis example

[Literature](#), [Russian Literature](#)



## **Thesis Outline: Reforming Workers Compensation:**

### Chapter I: The Problem

#### Introduction-Statement of the Problem

This research study will analyze the impact various components of California's Senate Bill 863 the workers compensation law. The Bill was introduced to the people of California as a reform of the workers' compensation. The result was supposed to give more fair and equitable treatment to injured workers. Workers' compensation is a complex issue not only because of the countless number of injuries the law encompasses but also to the large number of stakeholders. Major groups of stakeholders include (a) the California state government, (b) labor unions, (c) doctors and other health care providers (d) the insurance industry, (e) workers, and a subgroup of workers (f) injured workers. The perspective of each of the groups comes from the different way each group wants the bill to work. The research will investigate whether or not the perspective of the labor unions and injured workers is similar to that of the state government and the medical community.

#### **Background of the Problem**

Senate Bill 863 was introduced and presented to the public as a reform bill that would ensure better coverage, equality and easier access for workers' injured on the job. But was the reform in the interest of workers or in the interest of another group of stakeholders, mainly the insurance companies? The true beneficiaries of the law have not been made clear. The California government websites give a very positive, upbeat perspective on the new

bill. On the other hand other websites including Courthouse News and city newspapers, CA Labor groups such as the California Labor Federation, and medical sites such as the California Health Line offer differing opinions. The new law SB 863 will be compared to SB 899 which was passed in 2004. Many points need to be explored because the issue is not simple; workers' compensation is a complex issue with real life impacts on workers and their families. The aim of the research is to organize the complexity of the issue in order to clearly understand SB 863's impact on the people who depend on it the most, injured workers.

## **Chapter II: Literature Review**

### Overview

A comprehensive literature review will be carried out in order to better understand the dynamics of workers' compensation generally and the impact on California workers personally. The review will include peer reviewed academic journal articles, insurance journal articles, labor union publications and opinion pieces in city newspapers. The review will include studying the California state government's worker compensation sites, legal sites such as LexusNexus to analyze the types of legal cases that are being filed under SB 863, and European journals to compare worker compensation benefits in Europe to California. Health care provider sites and medical policy journals will be studied to understand the opinions doctors, nurses and other health care workers have on the bill. The insurance industry has analysis' available of the bill in industry journals and on industry websites to use. Labor union publications on SB 863 and workers' compensation in California and states

across the US will be used to determine the union's perspective on the issue and the influence of SB863 on workers' compensation in other state governments.

## **Historical Background**

In 2004 the SB 899 was passed and was regarded by an organizer for the California Labor Federation as “ a draconian bill that gutted the workers' compensation system and created more pain and suffering for injured workers” (Wei 2013) The anger at the omissions and the seemingly punishments to injured workers that resulted from the passing of SB 899 led to the movement of creating a reform bill. The organized push for a reform bill resulted in the California Senate Bill 863. SB 863 was passed on August 21, 2012, signed into law by the governor on September 18, 2012 and took effect January 1, 2013. A question remains though if SB 863 is a reform bill or not. If it is a reform bill does the bill benefit injured workers, the insurance industry or another group of stakeholders? Kirk Kancella is a doctor who practices in San Diego. On “ behalf of medical providers who offer care to workers' compensation applicants on a lien basis” Kancella sued the State of California (Docs 2013). This is only one example of court cases arising due to SB 863. Part of the problem may be that not all the reforms were immediately effective (Doc 2013) but there are complexities in the law suits that argue against some of the basic reforms embedded in the bill.

## **Purpose of the Study and Rationale**

The main focus of the research questions is whether or not SB 863 is a reform bill that benefits workers. An assumption has been made that the

purpose of the reform was to better serve injured workers so it is important to determine whether or not this is the case. The aim of the research is to study and describe the issue in order to clearly understand SB 863's impact on the people who depend on it the most, injured workers. An objective of the research is to create the context of workers compensation to different groups of stakeholders, to California, to the rest of the USA, and to Europe. This is one way the success or failure of the purpose to benefit the injured workers of California can be judged realistically.

## **Research Questions**

The research questions all have some connection to whether or not SB 863 has a positive impact as a reform bill for workers' compensation.

- 1) Has SB 863 shown itself to be a reform bill? Have injured workers received increasing or declining care since the bill was passed?
- 2) How does the level of satisfaction of the labor unions and injured workers compare to that of the state government and the medical community?
- 3) What are the failures and the potential failures of the bill from the point of view of workers and injured workers?
- 4) Can an assumption be made that labor unions and their members have the same point of view on SB 863?
- 5) How does the impact of SB 863 compare to similar workers' compensation bills in the USA and in Europe?

## **Operational Definitions**

A list of acronyms will be made available because many of the entities that will be quoted and studied are most often referred to by their acronym

instead of the full name. Even Senate Bills are abbreviated to SB.

Operational definitions will be included in the introduction for the terminology that needs to be explained in order to better understand the overall purpose, aim and objectives of the research. Other terms will be explained in the text where necessary to better understand the paper.

## **Summary**

A summary of the findings from the literature review will be offered at the end of Chapter 2.

Chapter III: Method

Overview

Chapter 9 will provide a chart of the methodology steps and a written explanation. The reasons a qualitative method was chosen will be discussed.

## **Research Method**

SWOT AND PESTEL analysis will be carried out on the data. The research methodology is qualitative.

## **Research Design**

Data will be gathered from secondary sources articles from labor union news resources, journals of the medical community and the insurance industry, courthouse news, including peer-reviewed academic journal articles. data gathered from the literature review will be organized and analyzed for five categories of stakeholders and one subcategory. The categories are: workers, labor unions government, medical community, and insurance industry. The subcategory is injured workers. A SWOT analysis will be made

for three of the groups: labor unions, government, medical community, and insurance industry. The SWOT analysis will consider internal and external factors of how SB 863 has impacted each group. The internal factors are strengths and weaknesses, the external factors are opportunities and threats. Data from the workers perspective (total workers and the subgroup workers without injuries) will be analysed using PESTEL because the factors are all external. Worker perspectives are available from online sources but the main source will be Institute for Research on the Labor and Employment. PESTEL stands for the following factors: political, economic, social, technological, environmental and legal. These are the factors that will most have impacted the workers. The results will be reported. The results will be interpreted in order to understand who is benefitting the most from SB 863. The research will investigate whether or not the perspective of the labor unions and injured workers is similar to that of the state government and the medical community. Recommendations will be made. The limitations of the study will be shared. Future research topics will be suggested.

## **Selection of Subjects**

Five categories have been chosen for analysis because they are the groups expected to be the most impacted (either negatively or positively) by SB 836. The preparation of this proposal has proved that secondary sources are readily available online and examples are in the Reference section of this proposal. The groups represent five categories of stakeholders: workers, labor unions, government, medical community, and insurance industry. One subgroup has been chosen: injured workers.

## **Procedures for Data Collection**

Data collection will take place using online resources. The data can be found from sites like the Institute for Research on Labor and Employment, Bickmore Risk Services, Division of Worker's Compensation; labor union sources such as the California Labor Federation California; government sites such as the Department of Industrial Relations, and journals like Environmental Health. Articles and reports from the medical community and insurance industry are also available online. Courthouse news will be used as a source and so will cases from the LexusNexus website. Some newspaper articles will be used when they offer an opinion or offer a better understanding of the workers' compensation issue.

## **Assumptions and Limitations of the Study**

The research assumes that the main purpose of SB 863 is to benefit injured workers and no other stakeholders. A weakness of the research is that the total amount of data available cannot be incorporated into the study because so much data is available using Internet sources. Although every effort will be made to find all the relevant information it may not be possible to collect everything because of the large amount of discussion about SB 863 at this time. Many of the discussions are about particular cases so a few of the most relevant will be chosen as examples. On the other hand an assumption has been made that this is a good time to use the literature review method because so many sources are publishing various perspectives.



## **Summary**

SWOT and PESTEL will be used to evaluate the law from data collected from a variety of sources. SWOT analysis of the government, medical community, insurance industry, and labor unions will be carried out. A PESTEL analysis will be conducted on the data collected for workers and for the subgroup of injured workers. The results will be interpreted in order to understand which group is benefitting the most from SB 863. The research will investigate whether or not the perspective of the labor unions and injured workers is similar to that of the state government, the insurance industry and the medical community.

## **Chapter IV: Results**

The results of the research will be of interest to labor unions, policy makers, the medical community, the insurance industry, and workers not only in California but in the rest of the United States. California is often viewed as a test case by other states on how legislation works before bills are written. The results are expected to determine whether or not injured workers are the largest beneficiary of the law SB 863.

## **Chapter V: Discussion and Recommendations**

### Discussion of Results and Conclusions

The SWOT and PESTEL analysis results will be discussed to better understand the internal and external factors impacting the success or failure of the bill. The results will be interpreted in order to understand who is benefitting the most from SB 863. The conclusions will address the external and internal impacts on the California government agencies dealing with workers'

compensation issues, labor unions, the medical community and the insurance industry. The conclusions will also address the finding of the external factors impacting workers and the subgroup of injured workers. The results for injured workers and workers will be discussed in order to understand whether there are more benefits or more disadvantages for them now that SB 386 has been implemented. The discussion will also evaluate whether or not the perspective of the labor unions and injured workers is similar to that of the state government and the medical community.

## **Recommendations**

The recommendations that will be offered will address issues of deficiency in SB 863 and future research needed.

## **References**

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