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Re: Systemic Insurer Fraud In the Workers' Comp System

Dear Fellow Candidates for California Commissioner of Insurance,

Like many of you, as a Candidate for CA Commissioner of Insurance, I have been speaking with the citizens of California about problems they are having with insurance coverage in our state. A glaring area in need of addressing is the wrongful denial of workers' comp insurance claims when employees are injured on the job. It has been brought to my attention that while California has given back or saved commerce and insurance \$50 billion through the premise of the 2004, SB 899, Workers' Comp Reform; our great state now has a deficit of close to \$20 billion.

Our state disability funds are stretched to the limit. They account for much of the deficit. When insurers and employers are able to deny financial responsibility for workers who are injured on the job, the cost burden then shifts to state and federal funding for the workers' and their families' survival. In other words, when workers' comp insurers are able to wrongfully deny financial responsibility for injured workers, the taxpayers of California end up footing the bill. This needs to stop.

Please see the attached letters I have sent today to Attorney General Jerry Brown, Insurance Commissioner Steve Poizner, and San Diego District Attorney Bonnie

Dumanis. The systematic denial of workers' comp claims based on the misapplication of science by the American College of Occupational and Environmental Medicine (ACOEM), who write the workers comp guidelines for the state of California under SB899, needs to be investigated. When willful misapplication of science translates into unfair advantage for insurers and employers to influence the courts by legitimizing legislation and policies established by the state, the term for this is "insurance fraud".

Please join me in calling for an investigation of systemic insurer fraud in the worker comp system that has been wrongfully legitimized via legislation of SB899. Please join me in calling for an investigation of a car dealership in Poway, CA, in which they are gaming the system to deny their responsibility and are outrageously attempting to threaten the injured workers into silence of the onsite health hazards. Toyota of Poway is doing this while being able to hold the purportedly evidence based science of ACOEM regarding mold induced illnesses out as a legitimate reason to deny their true financial responsibility to the injured workers. The mold science of ACOEM is identical to the science of the US Chamber of Commerce. Both policy papers were written by the same authors.

If any of you are interested, I would like to hold a Candidate's debate in Sacramento around mid October. Let me know your thoughts on this and when you are available.

Also, please, I urge you to support this need for investigation of the systematic insurer fraud found in California's workers' comp "reforms"; the impact it is having on workers, such as those employees of Toyota of Poway; and the citizens of California as a whole.

Sincerely,

Dina Padilla  
Candidate for Commissioner of Insurance

Enclosures (5)

Letter to Atty Gen Brown

Letter to Commissioner Poizner

Letter to District Atty Dumanis

Letter of Threat To Toyota Injured Worker By CA Licensed Atty

Email of Injured Toyota Worker to Fellow Employees warning them of the health hazard at the Toyota dealership; that instigated the threat from the dealership's legal counsel.