



**OKLAHOMA
Workers'
Compensation
Commission**

2024

**BIENNIAL
REPORT**

www.wcc.ok.gov



2024 Biennial Report



OKLAHOMA WORKERS' COMPENSATION COMMISSION

1915 N. STILES AVE · OKC, OK · 73105 · (405) 522-3222 · WCC.OK.GOV

Tulsa office · 201 West 5th Street · Tulsa, Oklahoma 74103 · (918) 295-3732

Chairman Jordan K. Russell · Commissioner Megan Tilly · Commissioner Scott Biggs

Executive Director & General Counsel Lauren Hammonds Johnson

January 25, 2024

Honorable Kevin Stitt Governor of Oklahoma

Honorable Greg Treat
President Pro Tempore of the Oklahoma Senate

Honorable Charles McCall
Speaker of the Oklahoma House of Representatives

Governor Stitt, President Pro Tempore Treat, Speaker McCall, and members of the Legislature:

The Oklahoma Workers' Compensation Commission is pleased to present to you its 2024 Biennial Report of administration of Title 85A, the Administrative Workers' Compensation Act, for the preceding biennial period. This report is issued pursuant to 85A O.S. § 24.

Respectfully,

Commissioner Jordan K. Russell
Chair, Oklahoma Workers' Compensation Commission

The Workers' Compensation Commission submits this report in compliance with 85A O.S. § 24, which requires the Commission to produce a report of the administration of the Administrative Workers' Compensation Act ("AWCA") for the preceding biennial period. This report includes summary information and data pertaining to the Commission's administration of the AWCA.

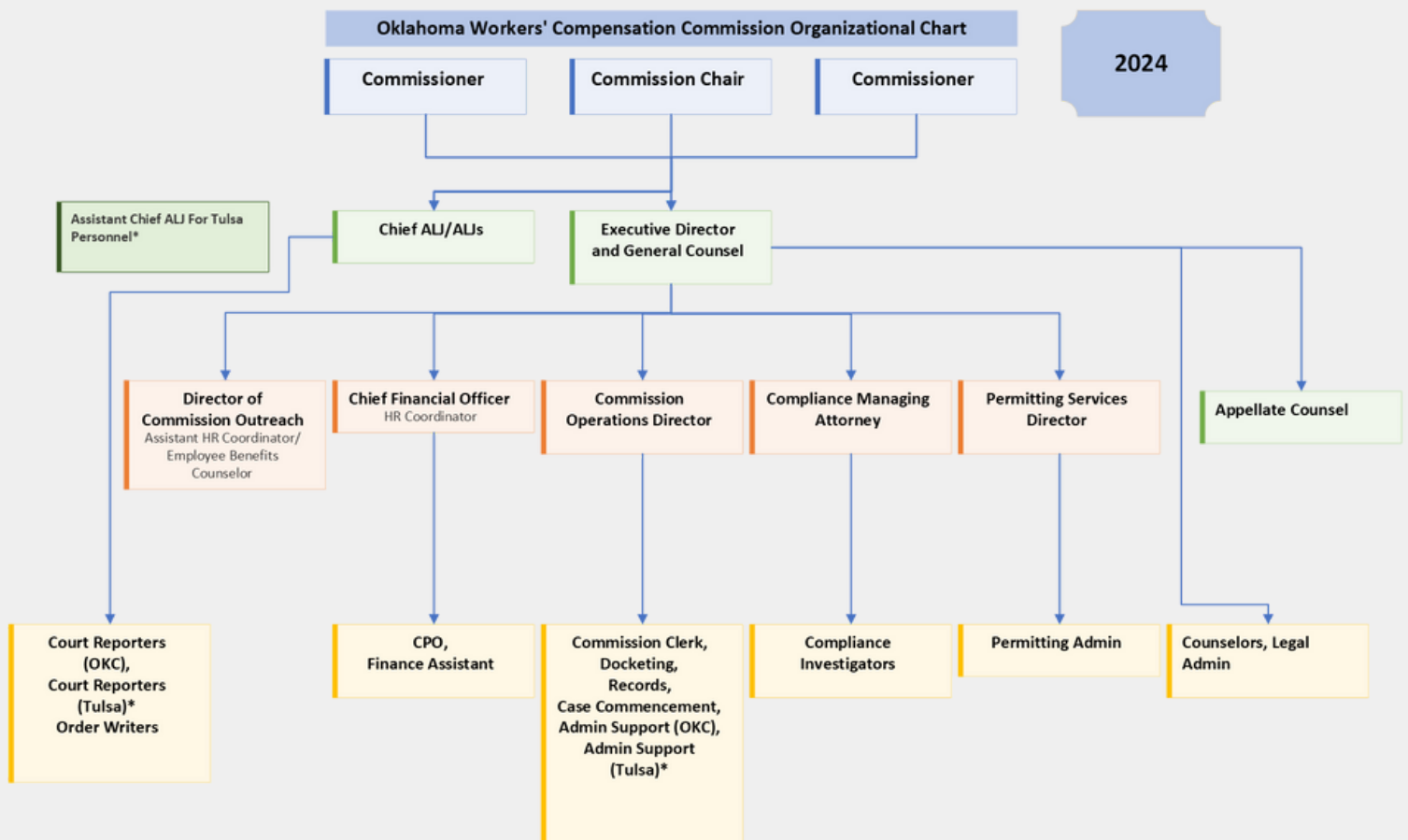
No paper copies of the report were made, but the report is available on the Commission's website at <https://www.wcc.ok.gov>. It was distributed electronically as provided in 74 O.S. § 464 and is compliant with 65 O.S. § 3-114.

2024 Biennial Report

Who is the WCC?

The Oklahoma Workers' Compensation Commission ("WCC") was created by the Administrative Workers' Compensation Act of 2013 and is responsible for the administrative adjudication of all work injuries occurring on or after February 1, 2014. The agency also enforces workers' compensation coverage requirements for employers and issues and regulates workers' compensation self-insurance permits for employers and group associations.

The WCC is headquartered at the Denver N. Davison State Office Building located at 1915 N. Stiles Avenue, Oklahoma City, and maintains an office and hearing rooms in downtown Tulsa at 201 West Fifth Street.



2024 Biennial Report

Departmental Activities

Commissioners

The Workers' Compensation Commission is composed of three full-time commissioners appointed to six-year staggered terms by the Governor and confirmed by the State Senate. The Chair of the Commission is appointed by the Governor from among the Commission members. Commissioners are responsible for agency administration and implementing the provisions of the AWCA. The Commissioners also serve as an en banc three-person appellate panel to hear appeals of administrative law judge decisions.

Chairman Jordan K. Russell



Chairman Jordan K. Russell is an attorney who joined the Commission after serving three legislative sessions as policy director and counsel to former Oklahoma Speaker of the House Jeffrey W. Hickman. Prior to his time at the State Capitol, Jordan had a successful law practice in the downtown Oklahoma City office of Gungoll, Jackson, Box & Devoll, P.C.

Chairman Russell also previously worked as a legislative assistant to Oklahoma's U.S. Congressman Frank D. Lucas in his Washington, D.C. office where he worked on issues involving healthcare, labor, social security, and disability, and ERISA.

Chairman Russell was appointed to the Oklahoma Workers' Compensation Commission by Governor Mary Fallin effective October 4, 2016, and was reappointed to the Commission by Governor Kevin Stitt to a term ending in August 2025. Chairman Russell was appointed Chairman of the Workers' Compensation Commission June 1, 2021, by Governor Kevin Stitt.

2024 Biennial Report



Commissioner Megan Tilly

Before her appointment to the Commission, Megan Tilly most recently served as Chief of the Multi-County Grand Jury Unit of the Oklahoma Attorney General's office. The Grand Jury Unit investigates and prosecutes crimes across the state, including public corruption, white collar crime, and fraud. She assisted the workers' compensation, insurance, and Social Security fraud units of the Attorney General's office through legal research and counsel. Previously, Commissioner Tilly worked in the District Attorney's office as an assistant district attorney in the Ninth District, handling all felony drug cases in Payne County and prosecuting all types of felonies in Logan County.

Commissioner Tilly was appointed to the Oklahoma Workers' Compensation Commission by Governor Mary Fallin effective August 28, 2017, and was reappointed by Governor Stitt on August 26, 2023.



Commissioner Scott Biggs

Scott Biggs joined the Commission after serving as the State Executive Director for the Farm Service Agency within the USDA. Prior to his service with the USDA, Commissioner Biggs was an elected member of the Oklahoma House of Representatives. At the Capitol, Scott served on a variety of committees and in several leadership roles. Much of his work was focused on both agriculture and victims' issues. Scott was the leading voice for State Question 794 which placed victims' rights in the State Constitution. Before his time at the State Capitol, Scott ran a private legal practice and worked in several district attorney's offices around the state.

Commissioner Biggs currently serves as an officer in the Oklahoma Air National Guard and is assigned to the 138th Fighter Wing legal office in Tulsa, Oklahoma. He was recently recognized with the Patriot Award for his support and cooperation of fellow members in the Guard, Reserves, and veterans of military service in their employment opportunities.

Governor Kevin Stitt appointed Commissioner Biggs to a six-year term with the Oklahoma Workers' Compensation Commission effective August 26, 2021.

2024 Biennial Report

Administrative Law Judges

The WCC Administrative Law Judges hear cases of work injuries and AWCA enforcement brought before the Commission. The administrative Law Judges (“ALJs”) are hired by and serve as at-will employees of the Commission.

Oklahoma City Administrative Law Judges



**Chief ALJ T.
Shane Curtin**



**Judge Michael
T. Egan**



**Judge P. Blair
McMillin**



**Judge John
Blodgett**

Tulsa Administrative Law Judges



**Judge Tara A.
Inhofe**



**Judge Molly
Lawyer**

2024 Biennial Report

Additional Administrative Divisions

Records Division – Maintains the Commission’s file system, consisting of records from 2014 to present, and support docketing personnel. The Records Division assists the public with records requests and copy fees.

Compliance Department – Enforces 85A O.S. § 38, which requires employers to secure compensation, either through traditional workers’ compensation insurance coverage, or through self-insurance. The Division is run by a managing attorney who oversees three investigators, one of whom offices in Tulsa.

Order Writing Division – Assists the ALJs and Commissioners in drafting and finalizing orders in all cases.

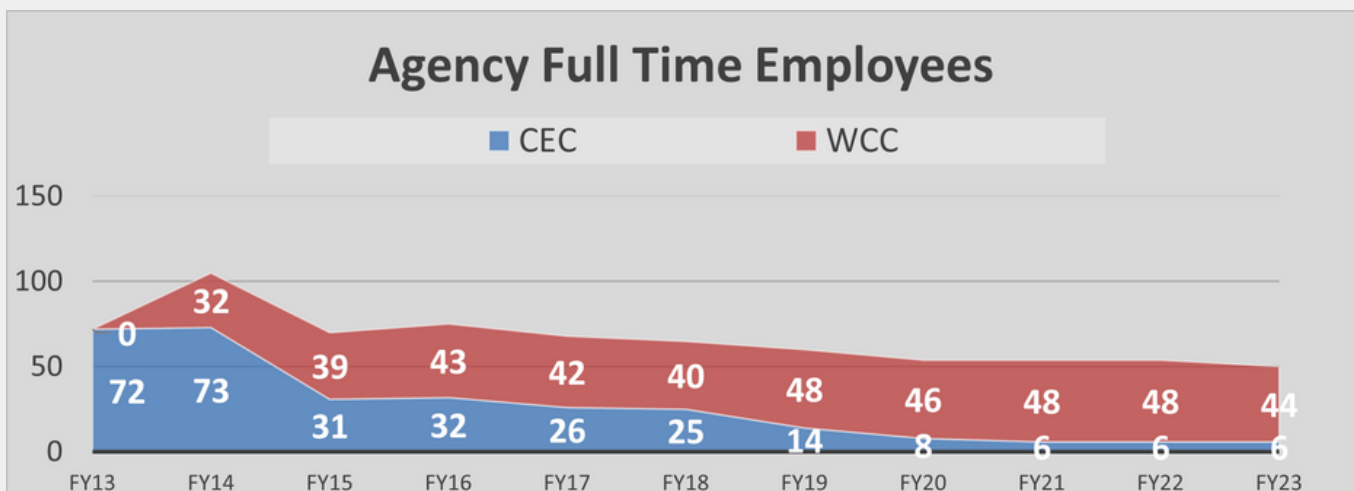
Counselors Division – Provides information about the workers’ compensation process, rules, and law to injured workers, employers, insurance carriers, medical providers, and other members of the public.

Permitting Services – Performs a variety of regulatory functions, including processing new and renewal applications for self-insured employers and group self-insurance associations, calculating rates for assessments imposed by Title 85A of the Oklahoma Statutes, and issuing Certificates of Non-Coverage.

Docketing – Sets hearings and prehearing conferences, notifies parties of hearing dates, and manages administrative law judges’ dockets.

Case Commencement – Processes and files incoming Form-3 filings for workers’ compensation claims.

Commission Outreach Division – The Commission relies on its Outreach Division to perform several different important agency functions. Title 85A O.S. § 109(D) requires the Commission to develop an annual training program to train and educate stakeholders about the new Workers’ Compensation system.



This Chart tracks the number of employees for the WCC and CEC since 2014. The Court of Existing Claims (CEC) is the legacy agency that handles claims prior to 2014.

2024 Biennial Report

How Does The Workers' Compensation System Operate in Oklahoma?

The Workers' Compensation "Grand Bargain" represents an agreement between employers and employees: employers agree to provide benefits to employees injured on the job, and employees agree to accept those benefits and forego civil litigation against the employer. With the basis of this agreement in place, the next question is how do businesses pay for it?

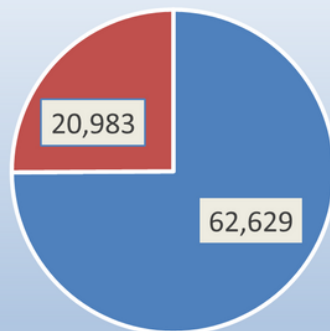
Self-Insured

Employers that are fiscally sound can elect to cover the costs of workers compensation themselves. They are known as "Self-Insured Employers". Employers can form industry groups and collectively pool their resources to cover the cost of workers compensation. These groups are known as "Group Self-Insurance Associations". Employers can elect to hire Third Party Administrators to manage workers' compensation claims for their business.

Insurance

Many employers purchase a workers' compensation policies through private insurance companies. The insurance industry takes on the bulk of the responsibility for directing the payments of medical care and lost wages due to injuries on the job.

Total Workers' Comp Claims 2022-2023



■ INSURED ■ SELF INSURED

In this graph we see that private insurance companies processed about 74% of the total workers' compensation claims in 2022 and 2023.

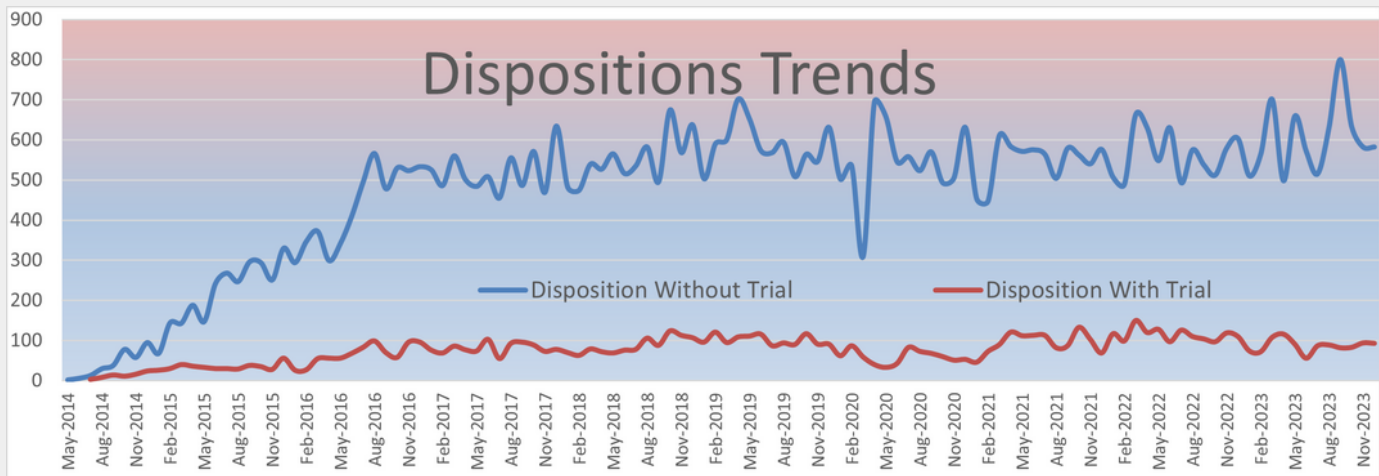
2024 Biennial Report

What is the Workers' Compensation Commission's Role in the System?

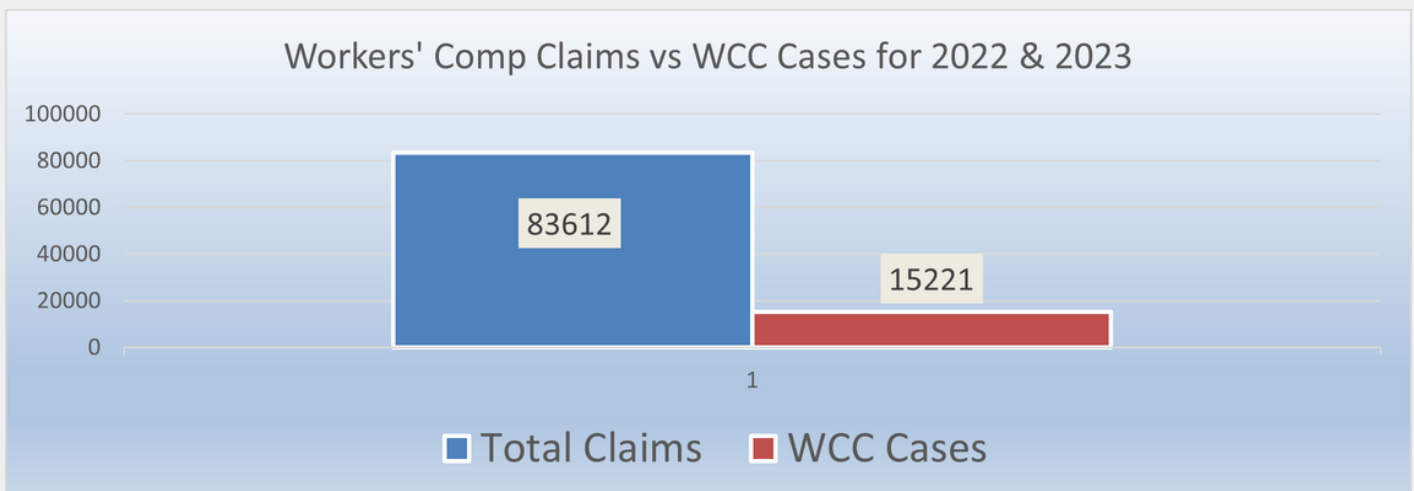
The Workers' Compensation Commission (WCC) supports the workers' compensation system as provided in statute under [Title 85A](#).

Disputes

The WCC is empowered to help parties settle disputes that arise in the workers' compensation system. The WCC has two main avenues to settle disputed claims. One route is through mediation. Both sides can sit down and work out an agreement with a Commission-approved mediator. Alternatively, matters may also be resolved in a trial, heard and decided by a Commission administrative law judge. Mediation is often a faster and more cost-effective way to resolve disputed claims. Most cases that are filed with the Commission are settled through mediation.



The chart above shows case disposition trends at the WCC since its inception. "Dispositions Without Trial" Includes Joint Petitions, Dismissals, and Denials.



In this chart we see that most claims are processed by Insurance and Self-insurance entities without the WCC needing to be involved.

2024 Biennial Report

Medical Fee Schedule

The WCC is directed by state statute to establish the Workers' Compensation Medical Fee Schedule. This fee schedule sets the maximum rates medical providers can charge for services. The Medical Fee Schedule is reviewed and updated every two years. Since 2020, the WCC has contracted with an external consultant, FAIR Health, to help conduct this update. Through a process of comparing data from similar markets, and through engagement with the medical and insurance industry, the Commission has adopted a data driven fee schedule that has been well received by stakeholders.



Click on this Image to check out the fee schedule online!

Permitting and Compliance

The WCC has certain statutory regulatory powers over self-insurance entities. The Commission's Permitting Department and commissioners review and approve applications for own risk. This Department also issues Affidavits of Exempt Status for individuals and LLCs that are exempt from carrying Workers' Compensation Insurance.

The WCC's Compliance Division investigates businesses without workers' compensation and enforces statutory requirements to ensure all Oklahoma employees are appropriately protected by an insurance policy in the event of a work-related incident.

Educational Outreach

Each year, the WCC hosts a conference that brings business, legal, medical, and insurance professionals together to learn and discuss the latest in Oklahoma's Workers Compensation System.



Click on this Image to go to our events page and get information on our upcoming conference!

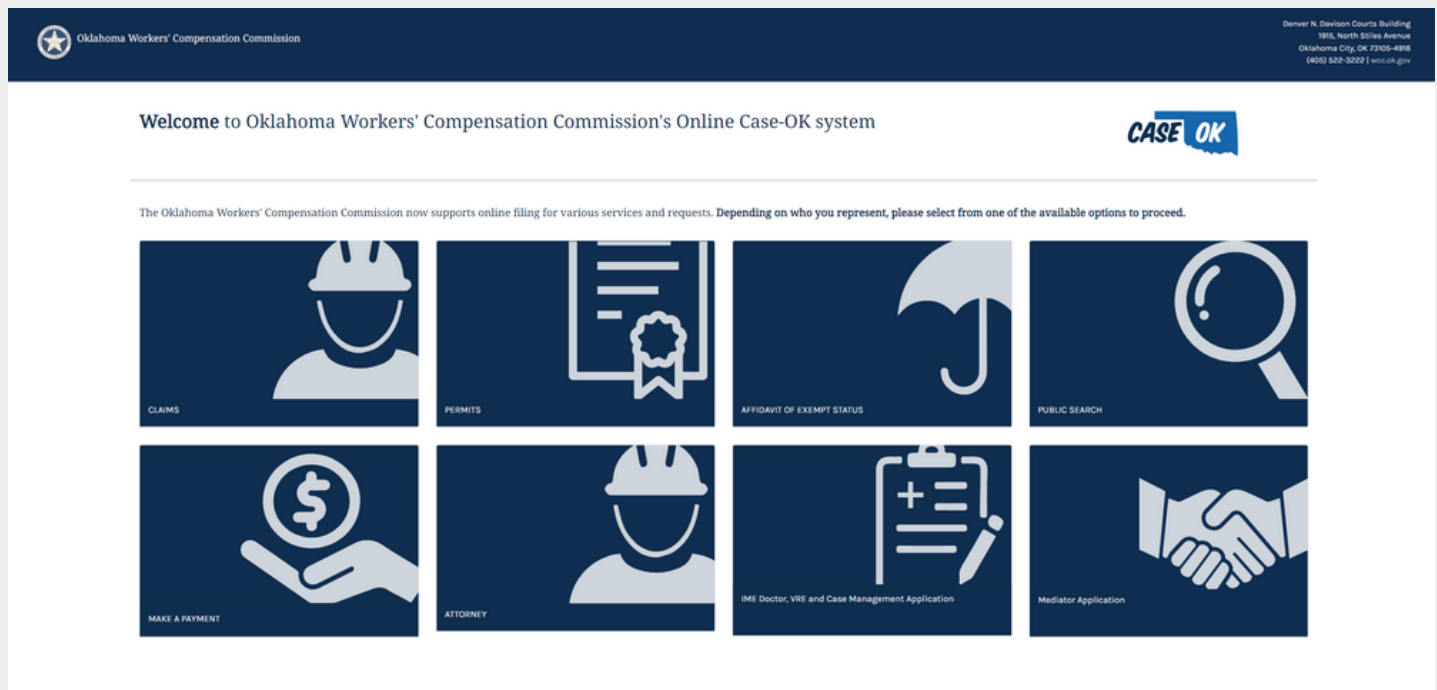
2024 Biennial Report

What's New at the WCC?

The WCC is proud to announce the completion of a major digital transformation project that expands services provided to all Commission stakeholders. This new application, CaseOK, is now fully online. CaseOK provides greater accessibility, transparency, and reduces costs associated with a traditional paper-based filing system. Internally, CaseOK also creates workflow efficiencies that connect all of our divisions into one synchronized system.

External CaseOK users enjoy easier access to records and can search the entire records databases for the WCC and CEC online without having to come to the Commission offices in person. Permit applications and fees can be filed and paid for online through CaseOK, and attorneys can now file, review dockets and orders for their cases, and access filed pleadings from their online attorney dashboard.

The success of CaseOK is evident by its high online filing adoption rates (over 90% of all new cases are filed in CaseOK), swift pleading file-stamped receipt delivery (often within an hour of filing), and increased efficiencies in processing permit applications and renewals. The notable reduction in manual tasks and paper filings showcases this application's pivotal role in modernizing our processes at the Commission to the benefit of all Oklahomans.



Click on this Image to see what CaseOK can do!

2024 Biennial Report



OKLAHOMA WORKERS' COMPENSATION COMMISSION

1915 N. STILES AVE · OKC, OK · 73105 · (405) 522-3222 · WCC.OK.GOV

Tulsa office · 201 West 5th Street · Tulsa, Oklahoma 74103 · (918) 295-3732

Chairman Jordan K. Russell · Commissioner Megan Tilly · Commissioner Scott Biggs

Executive Director & General Counsel Lauren Hammonds Johnson