

MINUTES

OF THE

MARCH 11, 2019 SPECIAL BUSINESS MEETING



OF THE

OKLAHOMA WORKERS' COMPENSATION COMMISSION

STATEMENT OF OKLAHOMA OPEN MEETING ACT COMPLIANCE

Notice of this Special Meeting was filed with the Secretary of State's office on Monday, February 27, 2019 at 2:24 p.m., in compliance with the Open Meeting Act.

The agenda was posted at least 48 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, the Commission's principal office.

MINUTES OF THE MARCH 11, 2019 SPECIAL BUSINESS MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

The members of the Oklahoma Workers' Compensation Commission met at 1915 N. Stiles Ave., 2nd floor, Oklahoma City, Oklahoma, on March 11, 2019.

Members present: Chairman Mark Liotta, Commissioner Jordan Russell, and Commissioner Megan Tilly.

Others Present: Executive Director Hopper Smith, WCC; Sarah Greenwalt, WCC; Lindsey Christopher, WCC; Dana Esparza, WCC; Collin Fowler, WCC; Dr. Jay Cannon, WCC; Daniel Talbot, Attorney at Law; Will Emig, Attorney at Law; Joe Biscione, Attorney at Law; and Magan Graham Attorney at Law.

Chairman Liotta expressed appreciation for those in attendance. After the roll was taken, he announced the presence of a quorum. The meeting was called to order at approximately 2:30 p.m.

1. Discussion and Consideration of Adoption of Proposed Changes to the Commission's Permanent Rules

The Commission will consider adopting proposed changes to its permanent rules. If the proposed changes are adopted and submitted for legislative review on or before April 1, 2019, the Legislature will have until the end of the 2019 legislative session to approve or disapprove the rules. If approved, the permanent rules will become effective ten (10) calendar days after publication in The Oklahoma Register.

There was no action taken on this agenda item.

Chairman Liotta expressed appreciation for those in attendance and stated the purpose of the meeting was to hear public comments on the Commission's proposed changes to its permanent rules. He noted the Commission's Notices of Rulemaking Intent were submitted to, and accepted by, the Secretary of State Office of Administrative Rules on December 21, 2018.

The Notices of Rulemaking Intent were published in the Oklahoma Register on January 15, 2019.

The Commission's comment period ran from January 15, 2019 through February 15, 2019. The comment period was subsequently extended to March 11, 2019. The Commission solicited comments from the public, which were received via email at rules@wcc.ok.gov.

The Commissioners heard comments from Daniel Talbot and Joe Biscone regarding the Commission's rules. Both individuals addressed concerns regarding timely payment of mileage and suggested a rule change adding a penalty. Both also offered comment on a suggested rule change regarding timeliness of the request of an IME's and doctors' deposition. Mr. Biscone also offered comment on allowing use of the Oklahoma Discovery Code that was addressed in a previous rulemaking session. The comments made were not within the scope of the Commission's current rulemaking. However, the Commissioners did express appreciation that concerns regarding current rules were brought to their attention.

Announcements

The Chairman announced that the Commission's next regular meeting would be on Thursday, March 14, 2019, and that the Commission's next regularly scheduled Appeals meeting was scheduled for Friday, March 22, 2019.

ADJOURNMENT.....Chairman Mark Liotta

Motion: Commissioner Russell moved to adjourn.

Second: Chairman Liotta.

Those voting aye: Chairman Liotta, and Commissioner Russell. Commissioner Tilly was absent from this vote.

The motion carried. The meeting adjourned.