

# REGULAR BUSINESS MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

Thursday, March 14, 2019  
1:30 p.m.  
Commission Chambers  
1915 N. Stiles Avenue, 2<sup>nd</sup> Floor  
Oklahoma City, Oklahoma  
[www.wcc.ok.gov](http://www.wcc.ok.gov)

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## *AGENDA*

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**CALL TO ORDER ..... Chairman Mark Liotta**

**ROLL CALL ..... Chairman Mark Liotta**

**OPEN MEETING ACT STATEMENT**

**1. MINUTES**

The drafted minutes of the February 14, 2019 public meeting of the Commission will be considered for approval.

**THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION. PUBLIC COMMENTS ARE LIMITED TO THE AGENDA ITEMS LISTED.**

**2. Discussion and Consideration of Reducing the Security Deposit of Yaffe Companies, a Former Own Risk Employer, Permit #11794**

Pursuant to Commission Rule 810:25-9-19, a security deposit posted with the Commission as required by Commission Rule 810:25-9-4 must remain in place, at its existing amount, for two years after an individual own risk employer voluntarily leaves self-insurance. A security deposit may be reduced or released at the Commission's discretion after the two-year waiting period upon application by the employer and submission of current financial statements and workers' compensation loss runs. The Commission will consider reducing the security deposit of Yaffe Companies.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, releasing or reducing the security deposit of Yaffe Companies, or not releasing or reducing the security deposit of Yaffe Companies, a former own risk employer.

**3. Discussion and Consideration of Assessment and Assessment Rate for the Multiple Injury Trust Fund (MITF)**

Title 85A O.S. § 31 directs the Commissioners of the Workers' Compensation Commission to establish an assessment rate applicable to each mutual or interinsurance association, stock company or other insurance carrier writing workers' compensation insurance in this State, each employer carrying its own risk, and each group self-insurance association, for purposes of computing the assessment necessary to pay the annual obligations of the MITF determined on or before December 31 of each year by the MITF Director, to be outstanding for the next calendar year. The rate shall be equal for all parties required to pay the assessment. The maximum assessment rate is six percent (6.00%). The Commission will consider establishing the assessment rate for the MITF for the four-quarter period of July 1, 2019 through June 30, 2020.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, or approving an assessment rate for the four-quarter period of July 1, 2019 through June 30, 2020.

**4. Discussion and Consideration of Current Commission Policies**

The Commission will discuss and consider adopting and/or modifying the following policy:

- a) WCC-2 – Travel Policy

**Possible Action:**

Possible action for WCC-2 includes: taking no action; continuing the matter; approving WCC-2 as presented; approving WCC-2 as modified in the meeting, or not approving WCC-2.

**5. Consent Agenda for Travel Vouchers Currently Outstanding:**

Title 85A O.S. § 23 states that any Commissioner or employee of the Commission shall be entitled to receive his or her necessary traveling expenses as provided in the State Travel Reimbursement Act. The expenses shall be certified by the person who incurred them and shall be allowed and paid on presentation of vouchers approved by the Commission. In accordance with this section, the Commission will consider a vote to approve the currently outstanding vouchers. All vouchers listed within this Consent Agenda have been made available to each Commissioner prior to today's meeting, are considered routine, and will be enacted by one motion of the Commission. If separate discussion is desired, that item may be removed from the Consent Agenda and voted upon separately.

**Possible Action:**

Possible action may include: taking no action; approving some, all, or none of the vouchers listed in this Consent Agenda; or continuing the matter.

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

The Commission will consider adopting proposed changes to its permanent rules, and will consider and discuss comments submitted during the comment period and made at the Commission's public hearing on the 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.

**Possible Action:**

Possible action may include, but is not limited to: taking no action; continuing the matter; adopting the proposed rule changes in whole or in part; deciding not to adopt the proposed rule changes; or adopting a modified version of the proposed rule changes.

**7. Legislative Update Report**

Commissioner Russell will give a report on legislative meetings and legislation affecting the Commission. This report is presented for informational purposes only.

**NO ACTION WILL BE TAKEN.**

**8. Possible Executive Session Pursuant to Title 25 O.S., § 307(B)(1) for the Purpose of Discussing Personnel Issues:**

**A. Motion and Vote to enter into Executive Session.** The Commission will discuss the employment and salary of Candidate A for the position of Compliance Division Director.

**B. Motion and Vote to Reconvene in Open Session.**

**Possible Action:**

Possible action may include: taking no action; continuing the matter; approving Candidate A for the position of Compliance Division Director at the salary discussed; or not approving Candidate A for the position of Compliance Division Director.

**9. Announcements**

The Commission's next regularly scheduled business meeting is on April 18, 2019. The Commission's next appeals meeting is on March 15, 2019.

**ADJOURNMENT**