

SPECIAL MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

APPEALS

Friday March 17, 2017
9:00 a.m.
Commission Chambers
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDER Presiding Appellate Officer, Chairman Gilliland
ROLL CALL Presiding Appellate Officer, Chairman Gilliland
NOTICE OF COMPLIANCE.....Dana Esparza
BUSINESS Presiding Appellate Officer, Chairman Gilliland

A. MINUTES:

- The drafted Minutes of the Special Appeal Meeting of February 17, 2017 will be considered for approval.

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION

B. Appeal Hearings before the Commission En Banc from Orders Issued by the Commission's Administrative Law Judges

The hearings before the Commission en banc will be conducted pursuant to the authority and jurisdiction of the Administrative Workers' Compensation Act, Title 85A O.S. §1 et seq., and the Workers' Compensation Commission's Permanent Rules, OAC 810. The procedure for the hearings before the Commission en banc is as follows:

- Each party will be allowed ten (10) minutes for oral arguments.
- The appellant will present first. Appellant may divide his or her ten minutes for argument, allowing a portion of that time for rebuttal.

- Both parties are subject to questioning by Commissioners.

1. James Knight v. Holiday Inn & Zenith Insurance Co., file #CM2014-06101Q

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Greg A. Barnard is the attorney of record for the Claimant and Jennifer E. Jackson is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

2. Gary E. Hoskins v. Poly Pipe Inc. & Insurance Co. of the State of Penn, file #CM2015-01732X

Respondent filed an appeal from the order issued by Administrative Law Judge Curtin. Daniel J. Talbot is the attorney of record for the Claimant and Jennifer A. Sloan the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

3. Hansel Day v. Brenntag Southwest Inc. & XL Insurance America Inc., file #CM2016-01175H

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. Susan H. Jones is the attorney of record for the Claimant and Robert P. Powell is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

4. Marshall Eldridge v. Tulsa County Sheriff's Department (OWN RISK #11247), file #CM2016-01830A

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Michael R. Green is the attorney of record for the Claimant and Jay McAtee is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

5. Ray Graham v. D&K Oilfield Services & Compsource Mutual Ins Co. (FKA Compsource Oklahoma), file #CM2016-01776X

Claimant filed an appeal from the order issued by Administrative Law Judge Curtin. Bob Burke is the attorney of record for the Claimant and Peter Mills is the attorney of record for the Respondent.

Possible Action:

Possible action may include, but is not limited to: taking no action, affirming the order and decision of the Administrative Law Judge and issuing an order to that effect, or taking preliminary action in the matter to reverse, modify, remand or if otherwise do not fully affirm the order of the Administrative Law Judge and instructing the Law Clerk or other staff member to draft a proposed Order to be considered in further deliberations at a future Commission meeting, or continuing the matter.

B. Commission Consideration of Adoption of Final Order in the Following Case:

1. Donald Wilson v. Rolled Alloys LP & Travelers Property & Casualty Co. of America, file #CM2015-08087Q

On February 17, 2017, after hearing the oral argument of counsel and deliberating, the Commission voted to affirm the Administrative Law Judge's order and instruct Commission staff to draft a proposed order supporting the decision. The proposed order was drafted and distributed to the Commissioners for consideration of adoption.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting the order as proposed or as modified at the hearing, or continuing the matter.

2. Melinda Moore v. Sequelcare of Oklahoma LLC & Travelers Indemnity Co. of Connecticut, file #CM2016-01888H

On February 17, 2017, after hearing the oral argument of counsel and deliberating, the Commission voted to take this case under advisement. The proposed order was drafted and distributed to the Commissioners for consideration of adoption.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting the order as proposed or as modified at the hearing, or continuing the matter.

D. Announcements

Commission's next special business meeting is Thursday, April 20, 2017. Commission's next meeting regarding Appeals is scheduled for Friday, April 21, 2017.

ADJOURNMENT.....Presiding Appellate Officer, Chairman Gilliland