

REGULAR MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

Thursday, July 18, 2019
1:30 p.m.
Commission Chambers
1915 N. Stiles Avenue, 2nd Floor
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDERChairman Mark Liotta

ROLL CALL.....Chairman Mark Liotta

Open Meeting Act Statement

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.

1. Minutes

The drafted minutes of the June 14, 2019; June 20, 2019; and July 10, 2019 public meetings of the Commission will be considered for approval.

Possible Action

Possible action may include: taking no action; approving the minutes as drafted; approving the minutes as amended; or continuing the matter.

2. Discussion and Consideration of Requesting an Audit of the Commission by the Office of the State Auditor and Inspector

The Commission will consider requesting a performance audit in accordance with 74 O.S. § 213.2. The audit will provide the Commission with an independent evaluation of the performance, management, and expenditures of the Commission.

Possible Action:

Possible action may include: taking no action; continuing the matter; approving, or not approving moving forward with requesting an audit of the Commission by the Office of the State Auditor and Inspector.

3. Discussion and Consideration of Current Commission Policies

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

- a) WCC-5 – Performance Management Policy

Possible Action

Possible action on WCC-5 includes: taking no action; continuing the matter; approving WCC-5 as presented; approving WCC-5 as modified in the meeting; or not approving WCC-5.

4. Consent Agenda for Travel Vouchers Currently Outstanding

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, but is not limited to: taking no action; approving some, all, or none of the vouchers listed in this Consent Agenda; or continuing the matter.

5. Discussion and Consideration Regarding Potential Revisions to the Commission Responsibility Memo

On June 26, 2017, the Commission’s Executive Director circulated a memo detailing the responsibilities of the Chairman and of the Commission as a whole. The Commission will discuss and consider revising the memo to reflect changes to the agency that have been made within the intervening time frame.

Possible Action

Possible action may include, but is not limited to: taking no action; continuing the matter; or adopting a revised memo as discussed in the meeting.

6. Discussion and Consideration of the Assessment Rate for the Multiple Injury Trust Fund

On March 14, 2019, the Commission voted to establish the MITF assessment rate provided for in 85A O.S. § 31 at six percent (6.00%). Pursuant to House Bill 2367 § 60, the Commission “may amend its previously determined [MITF assessment] rate on or after July 1, 2019” to an amount not to exceed seven percent (7.00%). The bill provides that any amended rate shall be in effect beginning October 1, 2019 and through the remainder of fiscal year 2020.

The Commission will consider amending its previously determined MITF assessment rate as provided in HB 2367.

Possible Action

Possible action may include, but is not limited to: taking no action, continuing the matter, amending the previously determined assessment rate, or not amending the previously determined MITF assessment rate.

7. Possible Executive Session Pursuant to Title 25 O.S., § 307(B)(1) and (B)(4)

A. Motion and Vote to Enter into Executive Session.

1. The Commission will discuss, the employment, performance, and salary of each individual Commission employee pursuant to 25 O.S. § 307(B)(1).
2. The Commission will discuss the Performance Management Process forms of the General Counsel, Medical Director, and Chief ALJ positions, as they are supervised by all three Commissioners.
3. The Commission will discuss the hiring of Candidate A, B, C, D, E, or F and an appropriate salary for the position of Administrative Law Judge pursuant to Section 307(B)(1).
4. The Commission will discuss a pending action under 25 O.S. § 307(B)(4) to draft a Memorandum of Understanding with the Court of Existing Claims to effectuate the provisions of House Bill 2367.

B. Motion and Vote to Reconvene in Open Session

Possible Action

Possible action may include adjusting the salaries of each Commission employee, as discussed in executive session.

Possible action may include signing off on the PMP forms of the General Counsel, Medical Director, and Chief ALJ as written or as amended in executive session; not approving the PMP forms of those positions; or continuing the matter.

Possible action may include hiring Candidate A, B, or C for the position of Administrative Law Judge at the salary discussed in executive session, or continuing the matter.

No action will be taken on Item 7(A)(4).

Announcements

The Commission's next regularly scheduled appeals meeting is on Friday, July 19, 2019. The Commission's next regularly scheduled business meeting is on Thursday, August 15, 2019.

ADJOURNMENT.....Chairman Mark Liotta