



STATE OF OKLAHOMA

WORKERS' COMPENSATION COMMISSION

M I N U T E S

of the

WORKERS' COMPENSATION COMMISSION
FOR THE STATE OF OKLAHOMA

for the

JANUARY 15, 2020

Special Public Meeting

STATEMENT OF OKLAHOMA OPEN MEETING LAW COMPLIANCE

Notice of this Special Meeting was filed with the Secretary of State's office on Monday, November 15, 2019 at 4:02 p.m., in compliance with the Open Meeting Act.

The Agenda was posted at least 24 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 JANUARY 15, 2020 SPECIAL MEETING OF THE WORKERS' COMPENSATION COMMISSION FOR THE STATE OF OKLAHOMA

The members of the Workers' Compensation Commission for the State of Oklahoma met at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, on JANUARY 15, 2020.

Members Present: Chairman Liotta, Commissioner Tilly, and Jordan Russell

Others in attendance on behalf of the Commission: Collin Fowler.

After roll was taken, Commissioner Liotta announced the presence of a quorum. The meeting was called to order at 1:00 p.m.

A. The Commissioners will observe and may participate in the Self-insurance Guaranty Fund Board discussion of the following agenda items, but no action will be taken by the Commission:

1. Roll call and determination of quorum.
2. Introduction of guests.
3. Chairman Liotta to introduce Commission's new general counsel and comments by her.
4. Discussion and approval of minutes.
5. Report of Chairman, general update and discussion.
6. Andrea Delling update, discussion and possible action as to:
 - a. ACH Deposits
 - b. Account Values
 - c. OMES Budget
 - d. How payments are going on 701 Accounts
7. Third Party Administrator **Combined Report** as to Self-insurance Guaranty Fund Claims and Trust Cases:

7a. Self-Insurance Guaranty Fund Report. Discussion and possible action as to new procedure to implement statutory change. Effective November 1, 2019, 85A O.S. Section 98 requires the use of the **net fund balance** technique rather than the current **cash fund balance** method to initiate an assessment of the Self-Insureds. Richard Fisher will analyze and discuss the net fund balance amount for the 675/705 Account.

7b. Self-Insurance Guaranty Fund Report of claims arising pursuant to statutory authority of the Self-Insurance Guaranty Fund Board for the private employers approved to participate in the self-insurance program designated by account number of 675 and residual account 705. There will be a general report of the Third Party Administrator including a financial summary, discussion and possible action by the Board.

7c. Trust Cases Report – Discussion and possible action as to new procedure to implement statutory changes. Effective November 1, 2018, 85A O.S. Section 99 allows the transfer of “excess proceeds” 701 account balances to the Self-Insured Guaranty Fund account 675/705. Mr. Fisher will report on the claims analysis of older 701 accounts, including but not limited to, Healthcor Holdings, Inc., Builders Transport, Inc., and Acme Fence & Iron, Inc. Mr. Fisher will report his findings and make recommendations to transfer the funds to the **Self-Insurance Guaranty Fund**.

7d. Trust Cases Report – These cases have been assigned to the Board by the Workers’ Compensation Commission for administration of employer funds held by the Commission in individual employer trust accounts designated by account number 701. There will be a general report of the Third Party Administrator including a financial summary, discussion and possible action by the Board.

8. Discussion and possible action on the following **Trust Cases** which have been assigned to the Board by the Workers’ Compensation Commission for administration of employer funds held by the Commission in individual employer trust accounts designated by account number 701:

i. **General Motors, claims by employees:**

1. Jerry Tong
2. Billy Thomas
3. Daniel Dunn
4. Judy Smith
5. Lupy Goodlin
6. Jo Ann Waltrip
7. Opal Cade
8. Thomas Long

ii. **Texoma Peanut, claims by employees:**

1. Lloyd Ormand

iii. **Arrow Trucking, claims by employees:**

1. James Blaney

iv. BFN Operations, claims by employees

1. Maria De Gonzalez Ruiz
2. Ignacio Belmonte

(a) Proposed executive Session pursuant to 25 O.S. 2011, § 307(B)(4) to discuss these claims with the Board's attorneys.

(b) Vote to return to open session.

(c) Take any action deemed necessary as a result of Executive Session.

9. Discussion and possible action on the following claims against the **Self-insurance Guaranty Fund** designated by account number 675 and residual account 705:

(a) Proposed executive Session pursuant to 25 O.S. 2011, § 307(B)(4) to discuss these claims with the Board's attorneys.

(b) Vote to return to open session.

(c) Take any action deemed necessary as a result of Executive Session.

Employee

Joe Ortiz
Lonnie Swarer
Raymond Vier
Harlin Sanders
Cindy Nickell-Hutchins
Howard Barnes
Robin Johnson
Pam Crain

Employer

Ark Ramos
Big Four Foundries
Farm Fresh Inc
Hale Halsell
JP Emco
Passmore
Thornapple Valley
Thornapple Valley

10. Discussion and possible action regarding minutes of executive sessions.

11. Discussion and possible action as to Jay McAtee's contract for legal services.

12. Discussion and action to select a new Chairman.

13. Comments from Board Members.

14. Comments from Visitors.

15. Adjournment

B. ADJOURNMENT of the CommissionChairman Liotta

Motion: Commissioner Tilly moved to adjourn.

Second: Commissioner Russell

Those voting aye: Chairman Liotta, Commissioner Tilly, Commissioner Russell.

There being a majority of the members present voting in favor of the motion, the motion carried. The meeting adjourned.