

SPECIAL MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

Tuesday, June 21, 2016

1:30 p.m.

Commission Chambers

1915 N. Stiles Ave.

Oklahoma City, Oklahoma

www.wcc.ok.gov

AGENDA

CALL TO ORDER..... Mr. Gilliland, Chair

ROLL CALL Mr. Gilliland, Chair

NOTICE OF COMPLIANCE.....Tiffany Pratt

MINUTES

The drafted Minutes of Regular Commission Meeting on June 9, 2016, will be considered for approval.

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

1. Commission Approval of Group Self-Insurance Application for New Membership

Commission Rule 810:25-11-3 states a new membership to a self-insurance group may not become effective without Commission approval. All applications for membership are filed with the Commission. The application includes evidence of the execution of the indemnity agreement, power of attorney, and joint and several liability agreement, as required by 810:25-11-15, with signed approval of the applicant by the association, and is accompanied by a current balance sheet and income statement. The following is the applicant and the respective self-insurance group association to which it is applying for membership:

Oklahoma Operators Self- Insurers Fund (# 75292):

Hermosa East, LLC.

Possible Action:

Possible action may include, but is not limited to: taking no action, continuing the matter, approving or not approving the application to the Oklahoma Operators Self-insurers Fund (#75292).

2. Discussion and Consideration of Distribution of Surplus Monies to Members of the Oklahoma Operators Self-insurers Fund (#75292)

Oklahoma Operators Self-Insurer's Fund (Group), a group self-insurance association, is requesting a partial distribution back to its members in the amount of \$540,000 from Fund years 2012 (\$480,000) and 2011 (\$60,000). All claims for these fund years are closed. The Group had a financial surplus of more than \$1,721,080 for all years combined for the period ending December 31, 2015. Commission Rule 810:25-11-10 states that any surplus monies may be declared refundable by the association's board. The date and manner of the distribution shall be declared by the association's board and shall be in accordance with the association's bylaws. The board shall submit the distribution request to the Commission, with all supporting documents. The Commission will consider approving the distribution of surplus monies to members of the Oklahoma Operators Self-insurers Fund.

Possible Action:

Possible action may include, but is not limited to: taking no action, continuing the matter, approving or not approving some, all or none of the distribution of the surplus monies to the members of the Oklahoma Operators Self-insurers Fund.

3. Discussion and Consideration of Commission's FY17 Budget

The Commission will discuss and consider approval of its FY17 Budget, as proposed.

Possible Action:

Possible action may include, but is not limited to: taking no action, continuing the matter, approving, approving as amended or not approving the Commission's FY17, as proposed.

4. Proposed Contract between the Commission and Office of Management and Enterprise Services (OMES) Agency Business Services (ABS)

The Commission will discuss and consider a proposed contract engaging the services of ABS for FY-2017.

Possible Action:

Possible action may include, but is not limited to: taking no action, continuing the matter, approving the contract, or not approving the contract.

5. Discussion and Consideration of Proposed Request for Proposal (RFP) for Commission File Folders for FY17

The Commission will discuss and consider approving the proposed RFP and to award bid to Southwest Solutions Group for Commission file folders for FY17.

Possible action:

Possible action may include, but is not limited to: taking no action; approving the RFP as written; approving the RFP with amendments; not approving the RFP; or continuing the matter.

6. Consent Agenda for Travel Vouchers Currently Outstanding

85A O.S. §23 states 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 separately voted upon.

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; continuing the matter.

7. Possible Executive Session for Confidential Communications Between the Commission and Its Attorneys Concerning Bankruptcy Involving Seventy Seven Energy, and Related Determination Regarding the Bankrupt Status as an Impaired Self-Insured, Pursuant to Title 25 O.S. § 307(B)(4)

Pursuant to 25 O.S. § 307(B)(4), an Executive Session is proposed for the purpose of conducting confidential communications between the Commission and its attorneys concerning pending bankruptcy involving the Seventy Seven Energy, a self-insured.

The Commission's counsel from the Attorney General's Office has advised that public disclosure of the communications relating to this bankruptcy will seriously impair the ability of the Commission and their counsel to take appropriate action related to the ongoing bankruptcy proceeding and protect the Commission's interest.

A. Motion and Vote to:

1. Determine That Disclosure Will Seriously Impair the Ability of the Commission to Take Appropriate Action in the Ongoing Bankruptcy Proceeding of Seventy Seven Energy and Protect the Commission's Interest; and
2. Go Into Executive Session for the purposes of Discussing the pending bankruptcy of Seventy Seven Energy under §307(B)(4).

B. Vote to Reconvene in Open Session

Possible Action:

Possible action may include but is not limited to taking no action; continuing the matter; or instructing Insurance Services Division or counsel to take any necessary action or make any necessary filings in the bankruptcy proceeding; or taking other actions as discussed and recommended by counsel in Executive Session.

Announcements

Commission's next regularly scheduled meeting is Thursday, July 14, 2016.

ADJOURNMENT.....Mr. Gilliland, Chair